



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – FIFTH SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JUNE 15, 2017 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with prayer said by the Temporary Speaker.
3. **COMMUNICATION FROM THE CHAIR ON THE ADJOURNMENT OF THE SENATE – SINE DIE**

The Speaker conveyed the following communication from the Chair:-

“Honourable Senators, today marks the last day of the ordinary sittings of the Senate, and indeed Parliament, during the current eleventh term. As the Waswahili say, *“Kilicho na Mwazo, hakikosi mwisho”*.”

Honourable Senators, as we assemble here this afternoon, it is important to visualize where we have come from, on the role and mandate of the Senate, our experience over the last four and a half years, our achievements and challenges, as well as what we envision the next and indeed future Senate to be.

You will recall, Honourable Senators, that the first Senate existed in the immediate post-independence period from 1963 until 1966, when the Provincial Assemblies were scrapped and the Senate itself got dissolved. The Members of the Senate then were combined with those of the House of Representatives into a unicameral legislature.

In the long journey that followed towards constitutional reforms, devolution of power and resources became a critical component as a means to address marginalization and promote equitable growth and development in all parts and regions of Kenya.

This was realized with the enactment of the new Constitution of Kenya in 2010, which established the 47 counties. The new Constitution reinstated the Senate as the primary institution charged with protecting and advancing the interests of counties and their governments, and indeed ensuring that the devolution experiment succeeds.

This is a mandate I can affirm with confidence that the Senate has discharged, to the best of its ability, and to the extent allowed under the Constitution. In the last four and a half years, the Senate has considered and passed seventy-nine (79) Bills on various aspects affecting counties and devolution, in addition to the Motions, Petitions, Statements, Reports and other Business transacted by the House over this period.

There are also a number of key Bills listed for consideration by the Senate this afternoon, among them the Mediated Versions of the Health Bill and the Division of Revenue Bill, as well as the County Allocation of Revenue Bill.

Honourable Senators, it is sad that, as this term comes to a close, only twelve (12) of the Bills originating in the Senate have been successfully passed by both Houses and assented to. This is a matter we have had extensive discussions about, going right to the architecture of the Constitution, and which I am sure will continue after this.

It is my firm conviction, however, that the current situation is not what the framers of the Constitution, and indeed Kenyans had, when re-establishing the Senate under the 2010 Constitution.

As Senators will recall, I have previously observed that the Senate was deliberately created by the people of Kenya as an organ of the national government to perform specific functions, and especially to be a guardian angel of devolution, which goes to the heart of the constitutional order.

It is therefore important that, as the Senate comes to the end of its first term, we relook at the architecture of the Constitution, particularly as far as processing legislation between the two Houses is concerned, with a view to ensuring that the Senate effectively discharges its mandate under the Constitution.

Honourable Senators, in addition to its representative, legislative and oversight roles, the Senate has achieved various milestones over the last four and a half years. Notable among these are relocation from the temporary Chamber at KICC, firstly to the Mini-Chamber at County Hall, and

subsequently, on 1st July 2014, to this Senate Chamber within the Parliament Buildings.

The Senate also has, in the last two years, successfully organized the Annual Legislative Summits bringing together the Senate, County Assemblies and key players in the devolution sector. During these Summits, we have identified and soberly deliberated on the critical aspects of devolution, the gains and successes accomplished, difficulties encountered, and come up with resolutions and plans of action on the way forward.

The Senate has also participated in the capacity building of county assemblies, through bench-marking visits by Committees and Members of County Assemblies at the Senate, as well as through legislative attachments at the Senate for county assembly staff.

Honourable Senators, in addition, the Senate has hosted dignitaries who have addressed the House, among them, the Speaker of the Senate of Rwanda, Hon. (Dr.) Jean Damascene Ntawukulirayo, and the then Chief Justice and President of the Supreme Court of Kenya, Dr. Willy Mutunga.

The Senate has also been called upon to intervene in a number of critical events, at times to mediate conflicts and ensure the very survival of some county governments. Examples include the Isiolo County Government and Makueni County Government, where the Senate adjourned Business to attend to and help resolve the conflicts in these counties.

Senators will also recall that during debate on the Security Amendment Laws as well as the Electoral Amendment Laws, when the country appeared to be in crisis, it is the sober and bipartisan manner that this Senate considered these matters that helped to lower tensions in the country and win the confidence and admiration of our people.

Honourable Senators, the Senate has also faced its fair share of challenges, primarily with regard to fighting for the space to exercise its legislative and oversight mandates under Article 96 of the Constitution. As Senators will recall, this necessitated the Senate going all the way to the Supreme Court for an advisory opinion on the Senate's role in consideration of the Annual Division of Revenue Bill and other Bills affecting counties.

There have also been differences, at times, as between the Senate and Governors, on the one hand, and between the Senate and County Assemblies, on the other.

It is my hope that, as we progress with entrenchment of the devolved system of government in Kenya, and the bicameral legislature established under the Constitution, we will find better ways of addressing and resolving these conflicts.

Honourable Senators, as the House proceeds to adjourn *Sine die* later this afternoon, let me give some guidance with respect to a number of matters.

Firstly, regarding the question of what emoluments and benefits Senators will be entitled to on completion of this term, and when and how these are to be paid, the Clerk of the Senate is preparing a detailed Circular that will be shared shortly with Senators on these issues. The Circular will also address matters of office space, handover of assets, as well as the expected transitions of staff serving at the Parliament and county offices of Senators.

Secondly, is the question of what Business may be transacted by the Senate and its Committees once the Senate adjourns *Sine die*. The position, Hon. Senators, is that both the House and its Committees will cease transacting Business, save for consideration of very urgent and important national issues, during which a Special Sitting of the Senate may be called.

Accordingly, the sittings of all Committees stand suspended effective this afternoon.

Honourable Senators, one of the aspirations I expressed when addressing the first sitting of this Senate in March 2013, was that the Senate would become “a model legislative House for the country” and “offer the requisite inspiration, guidance and confidence” to the country and the region. I therefore urged Members of this House to “conduct ourselves with decorum, consistently observe the due process and to uphold the rule of law, legality and the culture of constitutionalism.”

I am proud to observe today that this aspiration has been realized. Despite the many obstacles and challenges that the Senate has faced, this House has continued to win the respect, admiration and confidence of Kenyans by the manner in which we have conducted ourselves and transacted Business in this House.

On my part, I undertook then “to be a faithful servant and diligently discharge my duties” to this Senate and to Kenyans. I further pledged to “respect and uphold the rule of law and nurture the culture of constitutionalism, protect and defend our Constitution and always safeguard the role of the Senate.”

It is my sincere hope that, as this term comes to an end, I will be judged to have firmly stood by these values and kept my promise to the Senate and to Kenyans.

Honourable Senators, let me take this opportunity to convey my best wishes to Senators who are contesting for election to various offices during the upcoming general elections. For those taking a break from Parliament, it is my hope that you will continue serving Kenyans faithfully and diligently in your other capacities, either in private or in the public service.

Honourable Senators, as I conclude, let me express what a great honour and privilege it has been to serve this House and Kenyans as Speaker of the Senate. I remain humbled by the immense confidence and trust you bestowed upon me in entrusting me to serve as Speaker of the inaugural Senate under the new Constitution, and for the support you have extended to my Office throughout this term.

God bless you. God bless Kenya.

I thank you!”

4. PETITIONS

The following report on Petition was laid on the Table of the Senate:-

Report on a Petition by residents of Kajiado North Sub-County in Kajiado County concerning delivery of services by the National Government to residents of the Sub- County.

(Vice-Chairperson, Standing Committee on Roads and Transportation)

5. PAPERS LAID

The following papers were laid on the Table of the Senate:-

- (a) The Report of the Mediation Committee on the Division of Revenue (No. 2) Bill (National Assembly Bill No. 22 of 2017)

(The Chairperson, Mediation Committee)

- (b) The Report of the Standing Committee on Roads and Transportation on a benchmarking visit to the United Kingdom (England and Scotland), held from 4th to 12th March, 2017.

(Vice-Chairperson, Senate Standing Committee on Roads and Transportation)

- (c) The Report on Evaluating the level of Gender Sensitivity of the Parliament of Kenya: A Self-Assessment Exercise.

(Sen. (Dr.) Agnes Zani)

- (d) The Report of the Joint Parliamentary Select Committee on the election of Members to the East African Legislative Assembly (EALA)

(Sen. Henry Tiolo Ndiema, on behalf of the Co-Chairperson, Joint Parliamentary Select Committee)

- (e) Statement relating to the responsibilities of the Senate Majority Leader in the Senate, pursuant to standing order 45 (2) (d).

(The Senate Majority Leader)

6. NOTICE OF MOTION – (Sen. Tiolo Ndiema on behalf of the Co-Chairperson, Joint Parliamentary Select Committee)

THAT, the Senate adopts the Report of the Joint Parliamentary Select Committee on the election of Members to the East African Legislative Assembly (EALA) laid on the Table of the Senate on Thursday, 15th June, 2017.

7. NOTICE OF MOTION – (The Chairperson, Mediation Committee)

THAT, the Senate adopts the Report of the Mediation Committee on the Division of Revenue (No. 2) Bill (National Assembly Bill No. 22 of 2017) laid on the Table of the Senate on Thursday, 15th June, 2017 and pursuant to Article 113 of the Constitution and Standing Order No. 155 (3) of the Senate, approves the mediated version of the Bill.

8. STATEMENT PURSUANT TO STANDING ORDER 45 (2) (d)

The Senate Majority Leader issued a Statement relating to responsibilities of the Senate Majority Leader in the Senate.

9. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 2 OF 2017)

Order for First Reading read;

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

10. MOTION – ADOPTION OF THE REPORT OF THE JOINT SELECT COMMITTEE ON ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Joint Select Committee on the Election of members to the East African Legislative Assembly (EALA) laid on the Table of the House on Thursday, 15th June, 2017;

(Sen. Henry Tiolo Ndiema, on behalf of the Co-Chairperson, Joint Parliamentary Select Committee)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put, and pursuant to Standing Order No. 72, the Temporary Speaker (Sen. (Dr.) Machage) informed the House that the Motion did not affect counties.

Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Joint Select Committee on the Election of members to the East African Legislative Assembly (EALA) laid on the Table of the House on Thursday, 15th June, 2017.

11. MOTION – ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2017)

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the Division of Revenue (No. 2) Bill (National Assembly Bill No. 22 Of 2017) laid on the Table of the Senate on Thursday, 15th June, 2017 and pursuant to Article 113 of the Constitution and standing order 155 (3) of the Senate, approves the mediated version of the Bill.

(The Chairperson, Mediation Committee)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

The House proceeded to a Division;

The Temporary Speaker (Sen. (Dr.) Machage) directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for one minute;

Upon the expiry of one minute, the Temporary Speaker (Sen. (Dr.) Machage) directed that the doors be locked and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. (Dr.) Machage) 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 standing order 74 (5), the Temporary Speaker allowed three Senators to record their vote verbally.

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

- 1) Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
- 2) Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
- 3) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows-

AYES – 26

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki

20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Upon a Division, Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the Division of Revenue (No. 2) Bill (National Assembly Bill No. 22 of 2017) laid on the Table of the Senate on Thursday, 15th June, 2017 and pursuant to Article 113 of the Constitution and standing order 155 (3) of the Senate, approves the mediated version of the Bill.

12. MOTION – ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2015)

THAT, the Senate adopts the Report of the Mediation Committee on the Health Bill (National Assembly Bill No. 14 of 2015) laid on the Table of the Senate on Thursday, 25th May, 2017 and pursuant to Article 113 of the Constitution and standing order 155 (3) of the Senate, approves the mediated version of the Bill.

(The Chairperson, Mediation Committee)

Debate interrupted on Tuesday, 13th June, 2017 resumed on a Division.

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

After the expiry of one minute, the Speaker directed that the doors be locked and the bars drawn and asked Senators to log-in using their cards;

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 Standing Order 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

- 1) Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
- 2) Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
- 3) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Upon a Division, Question put and **agreed to.**

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the Health Bill (National Assembly Bill No. 14 of 2015) laid on the Table of the Senate on Thursday, 25th May, 2017 and pursuant to Article 113 of the Constitution and standing order 155 (3) of the Senate, approves the mediated version of the Bill.

13. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Ekwere Ethuro) – in the Chair)

Consideration of National Assembly Amendments to the County Assembly Services Bill (Senate Bill No. 27 of 2014)**Approval of the National Assembly amendment to Clause 48**

Motion made and question proposed;

THAT, Clause 48 is amended in sub-clause (2) by deleting the expression “12 (3) (d)” wherever it appears and substituting therefor the expression “12 (3)(b), (c) and (d)”.

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

Debate interrupted on Wednesday 1st March, 2017 resumed on a Division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Orders 74 (1) and 77 (7) and that the Division Bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson directed that the doors be locked and asked Senators to log-in for electronic voting;

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 Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

- 1) Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
- 2) Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
- 3) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS - 0

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi

4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

National Assembly amendment to Clause 48 - agreed to

Motion made;

THAT, the Committee of the Whole do report to the Senate its consideration of the National Assembly amendment to the County Assemblies Services Bill (Senate Bill No. 27 of 2014) and its approval thereof.

*(Sen. Stephen Sang', on behalf of the Chairperson,
Standing Committee on Legal Affairs and Human Rights)*

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson ruled that the Question did not affect counties;

Question put and **agreed to.**

14. HOUSE RESUMED – (The Speaker in the Chair)

15. THE COUNTY ASSEMBLY SERVICES BILL (SENATE BILL NO. 27 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.

(Sen. Sang, on behalf of Chairperson, Standing Committee on Legal Affairs and Human Rights)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the question did not affect counties;

Question put and **agreed to.**

16. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees - (Sen. Ekwere Eke) – in the Chair)

Consideration of National Assembly Amendments to the County Early Childhood Education Bill (Senate Bill No. 32 of 2014)

Debate interrupted on Tuesday, 13th June, 2017 resumed on a Division;

National Assembly amendment to Clause 4

Motion made and Question proposed;

“THAT clause 4 of the Bill is amended in paragraph (a) by inserting the word “basic” immediately after the word “compulsory”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 8

Motion made and Question proposed;

“THAT clause 8 of the Bill is amended-

- (a) in subsection (1) by deleting the words “child fails to attend an education centre, the principal” and substituting therefor the words “pupil admitted in an education centre fails to attend the education centre, the head teacher”
- (b) by deleting the word “child” wherever it appears and substituting therefor the word “pupil”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 9

Motion made and Question proposed;

“THAT clause 9 of the Bill is amended —

- (a) in sub-clause (1) by deleting the words “establish a mechanism for the identification of children with special needs and”;
- (b) by deleting sub-clause 2 and substituting therefor the following new sub-clause—

(2) In performing the functions under subsection (1) the county executive committee member shall—

- (a) ensure that there are adequate learning institutions and facilities for children with disabilities; and
- (b) put in place necessary facilities to assist children with disabilities to access to affordable assistive aids and devices.
- (c) by deleting sub-clause 3.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 10

Motion made and Question proposed;

“THAT clause 10 of the Bill is amended—

- (a) by deleting the words “including education centers for children with special needs”; and
- (b) by inserting the words “of the Constitution” immediately after the words “Article 53”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 11

Motion made and Question proposed;

“THAT clause 11 of the Bill is amended—

- (a) in sub-clause (1) by—
 - (i) Deleting the word “persons” appearing in paragraph (a) and substituting therefor the words “education centre”;
 - (ii) Deleting paragraph (b);
- (b) In sub clause (2) by deleting the words “upon payment of such a fee as the Registrar shall determine”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 12

Motion made and Question proposed;

“THAT clause 12 of the Bill is amended by—

- (a) deleting the word “Part “ and substituting therefor the word “Act”; and
- (b) renumbering the existing provision as subclause (1) and inserting the following new subclause immediately after the proposed new subclause (1)
—

“(2) A person who fails to comply with subsection (1) commits an offence and shall be liable, on conviction, to a fine not exceeding one million shillings or to imprisonment for a term not exceeding two years, or to both.”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 13

Motion made and Question proposed;

“**THAT** clause 13 of the Bill is amended in sub-clause (2)—

- (a) by deleting the word “institution” appearing in paragraph (b) and substituting therefor the word “education centre”;
- (b) by deleting the word “institution” appearing in paragraph (c) and substituting therefor the word “education centre”; and
- (c) by deleting the word “institution” appearing in paragraph (d) and substituting therefor the word “education centre”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 14

Motion made and Question proposed;

“**THAT** clause 14 of the Bill is amended by deleting the expression “71” and substituting therefor the expression “70”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 15

Motion made and Question proposed;

“**THAT** clause 15 of the Bill is amended in subclause (3) by deleting the word “a private” appearing in paragraph (b) and substituting therefor the word “an”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 16

Motion made and Question proposed;

“**THAT** clause 16 of the Bill is amended —

- (a) in sub-clause (2) by deleting the words “ with the consent of the principal” appearing in paragraph (b) and substituting therefor the words” in the opinion of the department, a shorter time is necessary”;
- (b) in sub-clause (4) by deleting the word “principal” and substituting therefor the word “head teacher” ;and
- (c) in sub-clause (5) by deleting the word “a private” appearing in paragraph (a)and substituting therefor the word “an”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 17

Motion made and Question proposed;

“THAT clause 17 of the Bill is amended —

- (a) in the opening statement by deleting the word “centre” appearing immediately after the word “such” and substituting therefor the word “institution”;
- (b) in paragraph (e) by deleting the word “education” ;and
- (c) in paragraph (f) by deleting the word “principal” and substituting therefor the word “head teacher”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly deletion of Clause 19

Motion made and Question proposed;

“THAT clause 19 of the Bill is deleted.”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 23

Motion made and Question proposed;

“THAT clause 23 of the Bill is amended—

- (a) in sub-clause (1) by inserting the word “County Education” immediately before the word “Board”;
- (b) in sub-clause (2) by—
 - (i) Inserting the word “County Education” immediately before the word “Board”;
 - (ii) Deleting the word “ principal” appearing in paragraph (a) and substituting therefor the word “head teacher”;
 - (iii) Deleting the word “ principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;
 - (iv) deleting the word “children” appearing in paragraph(b) and substituting therefor the term “pupils”
- (c) in sub-clause (3) by inserting the word “County Education” immediately before the word “Board”;

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 24

Motion made and Question proposed;

“THAT clause 24 of the Bill is amended—

- (a) in the marginal note by deleting the word “children” and substituting therefor the word “pupils”
- (b) in the opening statement by deleting the word “children” and substituting therefor the word “pupils”

(c) in subclause (2) by—

- (i) inserting the word “County Education” immediately before the word “Board”;
- (ii) deleting the word “principal of the centre” appearing in paragraph (a) and substituting therefor the word “head teacher”;

(d) in subclause (3) by-

- (i) inserting the word “County Education” immediately before the word “Board”;
- (ii) by deleting the word “children” appearing in paragraph (a) and substituting therefor the word “pupils”
- (iii) deleting the word “principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 25

Motion made and Question proposed;

“THAT clause 25 of the Bill is amended—

(a) in sub-clause (1) by—

- (i) deleting the words “by it”
- (ii) inserting the word “County Education” immediately before the word “Board” appearing in subparagraph (a) (ii);
- (iii) by deleting the word “ principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;

(b) in subclause (2) by—

- (i) inserting the word “County Education” immediately before the word “Board” wherever it appears”;
- (ii) deleting the word “officer” appearing in paragraph (a) and substituting therefor the word “committee”
- (iii) deleting the word “ principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 27

Motion made and Question proposed;

“THAT clause 27 of the Bill is amended in subclause (2) by deleting the words “or to any other private status unless the county executive committee member has consulted with the county Education Board and has approved such conversion”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 28

Motion made and Question proposed;

“THAT clause 28 of the Bill is amended—

- (a) in sub-clause (1) by deleting the word “or” and substituting therefor the word “including a”;
- (b) in sub-clause (5) by deleting the words “secular” and substituting therefor the word “as set and approved by the Kenya Institute of Curriculum Development”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 29

Motion made and Question proposed;

“THAT clause 29 of the Bill is amended by deleting subclause (3).

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 30

Motion made and Question proposed;

“THAT clause 30 of the Bill is amended—

- (a) in subclause (1) by—
 - (i) deleting the word “children” appearing in paragraph (a) and substituting therefor the word “pupils”;
 - (ii) deleting paragraph (c) and substituting therefor the following new paragraph—
 - (c) two persons with experience in matters of nutrition and social work relating to early childhood development and education nominated by the County Governor on the recommendation of the County Education Board;
 - (iii) inserting the following new paragraph immediately after paragraph (d) —
 - (da) one person to represent children with disabilities
 - (db) the head teacher of the education centre, who shall be an ex officio member.
- (b) in subclause (3) by deleting the word “principal” and substituting therefor the word “head teacher”
- (c) in subclause (4) by inserting the word “of Management” immediately after the word “Board” where it appears at the first instance and third instance”;
- (d) in subclause (5) by inserting the word “of the Board” immediately after the word “committee”;

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 31

Motion made and Question proposed;

“THAT clause 31 of the Bill is amended—

- (a) by inserting the word “of management” immediately after the word “Board” in the opening statement;
- (b) in paragraph (a) by deleting the word “the said” and substituting therefore the word “these”;
- (c) in paragraph (d) by deleting the word “ to” appearing immediately after the word “equip”; and
- (d) in paragraph (h) by inserting the word “of” immediately after the word “implementation”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 32

Motion made and Question proposed;

“THAT clause 32 of the Bill is amended by inserting the word “of management” immediately after the word “Board”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 33

Motion made and Question proposed;

“THAT clause 33 of the Bill is amended—

- (a) by deleting in sub-clause (1) and substituting therefor the following new sub-clause—

“(1) There shall be a Parents Teachers Association for every public and private school consisting of—

(a) every parent with a child in the education centre; and

(b) a representative of the teachers in the education centre

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

(1A) There shall be an Executive Committee of the Parents Teachers Association consisting of representatives of parents with children in each level within the education centre and a teacher.

(1B) The members of the Executive Committee of Parents Teachers Association shall be elected during an annual general meeting of parents and teachers.

(1C) The Parents Teachers Association shall, at its first meeting, elect a Chairperson from amongst the persons elected under subsection (3).

(1D) The Chairperson of the Parents Teachers Association shall be co-opted to the Board of Management.

(1E) The head teacher shall be the Secretary to the Parents Teachers Association.

- (c) in sub-clause (2) by—

- (i) deleting the word “children” wherever it appears and substituting therefor the word “pupils”;
- (ii) deleting the word “recommend” in paragraph (e) and substituting therefor the word “approve”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 35

Motion made and Question proposed;

“**THAT** clause 35 of the Bill is amended—

- (a) in the opening statement by deleting the words “committee or”;
- (b) deleting the word “child” wherever it appears and substituting therefor the word “pupil”;
- (c) deleting the word “children” wherever it appears and substituting therefor the word “pupils”;
- (d) by deleting paragraph (f).

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 36

Motion made and Question proposed;

“**THAT** clause 36 of the Bill is amended—

- (a) in sub-clause (1) —
 - (i) by deleting the words “or caregiver” the opening statement;
 - (ii) in paragraph (d) by deleting the words “ and a medical certificate evidencing soundness of mind”;
 - (iii) by inserting the following new paragraph immediately after paragraph (d) —
 - (e) a medical certificate evidencing soundness of mind;
- (b) in sub-clause (2)—
 - (i) by deleting the words “principal or” the opening statement;
 - (ii) by inserting the words “and has at least two years’ experience in matters of early childhood education” immediately after the word “development” in paragraph (a)
- (c) in sub-clause (3) by deleting the words “Each County Government” and substituting therefor the words “The Teachers Service Commission”.
- (d) in sub-clause (4) by deleting the words “County Government” and substituting therefor the words “Teachers Service Commission”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 38

Motion made and Question proposed;

“**THAT** clause 38 of the Bill is amended by deleting the words “in consultation with the Council of Governors” in the opening statement
(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 39

Motion made and Question proposed;

“**THAT** clause 39 of the Bill be amended in sub-clause (2) by deleting paragraphs (b) and (c)

(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 41

Motion made and Question proposed;

“**THAT** clause 41 of the Bill is amended—

- (a) in sub-clause (2) by deleting the word “principal” wherever it appears and substituting therefor the word “head teacher”
- (b) in sub-clause (3) by—
 - (i) deleting the word “principal” and substituting therefor the word “head teacher”;
 - (ii) inserting the words “passport or any other recognized identification document” immediately after the words “birth certificate”;
- (c) by deleting sub-clause (4).

(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly deletion of Clause 43

Motion made and Question proposed;

“**THAT** clause 43 of the Bill is deleted.”

(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 44

Motion made and Question proposed;

“**THAT** clause 44 of the Bill is amended—

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

(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 46

Motion made and Question proposed;

“THAT clause 46 of the Bill is amended—

- (a) in subsection (2) by deleting the words “county executive committee member” and substituting therefor the word “relevant stakeholders including the national and county quality assurance bodies”;
- (b) in subsection (4) by deleting the words “county executive committee member” and substituting therefor the words “Kenya Institute of Curriculum Development”;
- (c) by deleting sub-clause (5);
- (d) in sub-clause (6) by deleting the words “county executive committee member” and substituting therefor the word “Kenya Institute of Curriculum Development”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly deletion of Clause 47

Motion made and Question proposed;

“THAT clause 47 of the Bill is deleted.”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 48

Motion made and Question proposed;

“THAT clause 48 of the Bill is amended—

- (b) by deleting subsection (2)(b);
- (c) by deleting subsection (3);
- (d) by deleting subsection (4);
- (e) by inserting the following new sub clause immediately after sub-clause (2) —
 - (2A) A head teacher of a public education centre who –
 - (a) imposes a charge or causes any parent or guardian to pay tuition fees commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding six months.
 - (b) refuses a child admitted in an education centre to attend the education centre because of failure by the parent or guardian to pay any tuition fees or charges imposed on the child, commits an offence and shall be liable on conviction to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding twelve months or both.

Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 49

Motion made and Question proposed;

“THAT clause 49 of the Bill is amended—

- (a) in sub-clause (1) by—
 - (i) deleting the word “and” appearing after the word “materials” in paragraph (a);
 - (ii) inserting the word “and” immediately after the word “materials” in paragraph (b);
- (b) deleting sub-clause (2);
- (c) deleting sub-clause (3); and
- (d) deleting sub-clause (4).

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly deletion of Clause 51

Motion made and Question proposed;

“THAT clause 51 of the Bill is deleted.”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 52

Motion made and Question proposed;

“THAT clause 52 of the Bill is amended by deleting the words “County Education Board” and substituting therefor the words “Teachers Service Commission”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 55

Motion made and Question proposed;

“THAT clause 55 of the Bill is amended—

- (a) in sub-clause (1) by inserting the words “County Education” immediately before the word “Board.
- (b) deleting sub-clause (3)
- (c) deleting sub-clause (4)
- (d) deleting sub-clause (5)
- (e) deleting sub-clause (6)

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly deletion of Clause 56

Motion made and Question proposed;

“THAT clause 56 of the Bill is deleted.”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 59

Motion made and Question proposed;

“**THAT** clause 59 of the Bill is deleted and substituted with the following new clause—

Interim accreditation

59. (1) The County Education Board may, in consultation with the County executive member grant to an applicant a certificate of interim accreditation where the County Education Board is not satisfied that that the education centre complies with the prescribed accreditation standards.

(2) An education centre to which a certificate of interim accreditation is issued under subsection (2) shall address areas of non-compliance within such a period as may be specified by the County Education Board not exceeding twelve months from the date on which the certificate is issued and on compliance, resubmit an application to the County Education Board for full accreditation.

(3) The certificate of interim accreditation shall be deemed to have expired if an education centre fails to meet the accreditation standards within the period specified by the County Education Board.

Grant of accreditation.

59A. (1)The County Education Board in consultation with the County executive member, may —

(a) grant to an applicant a certificate of accreditation upon satisfaction that the education centre complies with the prescribed accreditation standards and meets the requirements under this Act;

(b) reject the application.

(2)The certificate of accreditation shall be valid for a period of five years and renewable subject to the education centre meeting the prescribed conditions.

(3)The County Education Board may defer its decision on an application for accreditation and require the applicant to submit to it such additional information or take such measures as it may consider necessary.

Renewal of accreditation.

59B. (1) An education centre may make an application for renewal of its accreditation to the County Education Board in the prescribed form.

(2) An application for renewal of accreditation shall be submitted at least ninety days before the expiry of the certificate of accreditation.

(3) The County Education Board in consultation with the County executive member shall consider an application for renewal of accreditation

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 60

Motion made and Question proposed;

“THAT clause 60 of the Bill is amended in—

- (a) the opening statement by deleting the words “under section 60”;
- (b) paragraph (a) by deleting the words “throughout the period of accreditation”;
- (c) paragraph (b) by deleting the words “section 48 and such further standards as may be determined by the Kenya Institute of Curriculum Development in consultation with the County Education Board” and substituting therefore the words “under section 47 and such further standards as may be determined under this Act”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly deletion of Clause 61

Motion made and Question proposed;

“THAT clause 61 of the Bill is deleted.”

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 62

Motion made and Question proposed;

“THAT clause 62 of the Bill is amended by deleting sub-clause (2).

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 64

Motion made and Question proposed;

“THAT clause 64 of the Bill is deleted and substituted with the following new Clause—

Register of accredited education centres.

64 (1) The County Education Board shall establish maintain a register of accredited education centers.

(2) The register established and maintained under subsection (1) shall be open to the public for inspection.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 65

Motion made and Question proposed;

“THAT clause 65 of the Bill is amended —

- (a) in the opening statement by inserting the words “in consultation with the Education Standards and Quality Assurance Council” immediately after the word “committee”; and
- (b) in sub clause (2) by deleting the words “in consultation with the Education

Standards and Quality Assurance Council” in paragraph (d)
(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly deletion of Clause 66

Motion made and Question proposed;

“**THAT** clause 66 of the Bill is deleted.”
(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly deletion of Clause 67

Motion made and Question proposed;

“**THAT** clause 67 of the Bill is deleted.”
(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 68

Motion made and Question proposed;

“**THAT** clause 68 of the Bill is amended in—

(a) sub-clause (1) by deleting—

(i) paragraph (d); and

(ii) paragraph (e)

(b) sub-clause (4) by deleting the words “county executive committee member” and substituting therefor the words “Cabinet Secretary”.

(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly deletion of Clause 71

Motion made and Question proposed;

“**THAT** clause 71 of the Bill is deleted.”
(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 72

Motion made and Question proposed;

“**THAT** clause 72 of the Bill is amended—

(a) in sub-clause (2) by deleting the words “county executive committee member may, taking into account any policies, standards or regulations applying to all education centres prescribed by the Cabinet Secretary” and substituting therefor the words “Cabinet Secretary may”

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

(fa) prescribe fees required to be paid under this Act;

(*Chairperson, Standing Committee on Education – 13.06.2017*)

National Assembly amendment to Clause 74

Motion made and Question proposed;

“THAT clause 74 of the Bill is amended—

(a) in paragraph (a) by—

(i) by deleting subparagraph (i) and substituting therefor the following new subparagraph—

“(i) deleting the words “pre-primary education institutions and” and substituting therefor the word “early childhood education” in the definition of the word “basic education”

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

(aa) in section 4(g) by deleting the word “ pre-primary” and substituting therefor the words “early childhood”.

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

“in section 18(1) by deleting the word “pre-primary” and substituting therefor the words “early childhood”.

(d) inserting the following new paragraphs immediately after paragraph (b)—

(ba) in section 26(1) by deleting the word “preprimary” and substituting therefor the words “early childhood”.

(e) in paragraph (c) by inserting the words “ and substituting therefor the words “early childhood” after the expression “Section (28)(2)(a)”.

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

(ca) in section 41 by deleting the word “pre-primary” appearing in paragraph (a) and substituting therefor the words “early childhood.”

(g) in paragraph (d) by inserting the words “ and substituting therefor the words “early childhood” after the expression “Section 44(2)”.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly insertion of New Clause 20A

Motion made and Question proposed;

“THAT the following new clause is inserted immediately after clause 20—

Change of premises.

20A. (1) The head teacher of an education centre shall not change the location of the centre nor acquire additional premises for the purpose of running the education centre unless he or she has applied to, and obtained the approval of the County Education Board.

(2) In determining whether to grant approval of premises under subsection (1), the Board shall take into account the criteria specified under section 17.

(3) The head teacher of an education centre shall notify the County Education Board of any change in the location of the education centre including -

- (a) the acquisition of premises that are in addition to its current premises; or
- (b) the relocation of the education centre to a different premises from that currently occupied by the education centre.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly insertion of New Clause 21A

Motion made and Question proposed;

“THAT the following new clause is inserted immediately after clause 21—
Obligations of a private education centre

21A. A private early childhood education provider registered under this Act shall—

- (a) establish the structures necessary for the management and administration of education within the centre;
- (b) recruit persons who are qualified and registered by the Teachers Service Commission to teach the early childhood education curriculum in the education centre;
- (c) administer a curriculum that adheres to the early childhood education policy and this Act;
- (d) maintain premises in a manner that ensures that it meets the requirements of the occupational health, safety regulations and building standards;
- (e) maintain necessary teaching and learning materials and equipment;
- (f) maintain a data bank on pupils admitted in the education centre and submit to the county executive committee member; and
- (g) met such other requirements as the committee executive committee member, in consultation with the County Education Board, may consider necessary for the delivery of quality early childhood education services within the county.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly insertion of New Clause 61A

Motion made and Question proposed;

“THAT the following new clause is inserted immediately after clause 61—
Suspension of a certificate of accreditation

61A. (1) The County Education Board may, in consultation with the County executive committee member suspend a certificate of accreditation issued to an education centre for a specified period where the centre fails to comply with the standards of accreditation until the standards are met.

(2) The County Education Board shall communicate a decision made under subsection (1) to the education centre specifying the reasons for the decision, the non-compliance noted and the action required to be taken by the

education centre.

(Chairperson, Standing Committee on Education – 13.06.2017)

National Assembly amendment to Clause 2

Motion made and Question proposed;

“THAT clause 2 of the Bill is amended—

- (a) in the definition of the term “children with special needs” by deleting the word “special needs” and substituting therefor the word “disabilities”;
- (b) in the definition of the term “principal” by deleting the term “principal” and substituting therefor the term “head teacher”
- (c) by deleting the definition of the word “child” and substituting therefor the following new definition—

“child” has the meaning assigned to it under the “Children’s Act”

- (d) by deleting the definition of the word “teacher” and substituting therefor the following new definition—

“teacher” has the meaning assigned to it under the Teachers Service Commission Act”

- (e) by inserting the following new definitions in proper alphabetical sequence—

“Board of Management” means the Board of management of an education centre.

“Education Appeals Tribunal” means the Appeals Tribunal established under section 92 of the Basic Education Act;

“pupil” means a person who meets criteria for admission to early Childhood Centre as the Cabinet Secretary may, in consultation with the County Education Board, prescribe;

(Chairperson, Standing Committee on Education – 13.06.2017)

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

Question put on National Assembly amendments to Clauses 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 35, 36, 38, 39, 41, 43, 44, 46, 47, 48, 49, 51, 52, 55, 45, 59, 61, 62, 64, 65, 66, 67, 68, 71, 72, 74, New Clauses 20A, 21A, 62A, and Clause 2.

The House proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and 77(7) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

- 1) Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
- 2) Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
- 3) Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego

26. Sen. Wako Sitswila Amos

Question agreed to

Motion made;

THAT, the Committee of the Whole do report to the Senate its consideration of the National Assembly amendments to the County Early Childhood Education Bill (Senate Bill No. 32 of 2014) and their approval thereof.

*(Sen. Stephen Sang', on behalf of the Chairperson,
Standing Committee on Education)*

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson ruled that the Question did not affect counties;

Question put and agreed to.

17. HOUSE RESUMED – (The Speaker in the Chair)

18. THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 32 OF 2014)

Bill reported with amendments;

Motion made and Question Proposed;

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

*(Sen. Stephen Sang', on behalf of the Chairperson,
Standing Committee on Education)*

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

19. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees - (Sen. Ekwere Ethuro) – in the Chair)

Consideration of the Parliamentary Powers and Privileges Bill (National Assembly Bill No. 35 of 2014)

Clauses 3 – 34

Motion made and Question proposed;

THAT, Clauses 3 – 34 be part of the Bill.

(The Senate Majority Leader)

Debate arising;

There being no other Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Orders 74 (1) and 77 (7) and that the Division Bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS - 0

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel

10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 3 – 34 - agreed to

Clause 35 - amendment proposed

Motion made and Question proposed;

THAT clause 35 of the Bill be deleted.

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

Amendment to Clause 35 withdrawn

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

Clauses 35 – 38,

Motion made and Question proposed;

THAT, Clauses 35 – 38 be part of the Bill.

(The Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Orders 74 (1) and 77 (7) and that the Division Bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 26**NOES - 0****ABSTENTIONS - 0**

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 35 – 38, - agreed to

First, Second, Third and Fourth Schedules,

Motion made and Question proposed;

THAT, the First, Second, Third and Fourth Schedules, be part of the Bill.
(The Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Orders 74 (1) and 77 (7) and that the Division Bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel

10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

First, Second, Third and Fourth Schedules -agreed to

Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, Clause 2, the Title and Clause 1 be part of the Bill.
(The Senate Majority Leader)

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Orders 74 (1) and 77 (7) and that the Division Bell be rung for one minute;

Upon the expiry of one minute, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation

2. Sen. Kanainza, Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS - 0

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1

-agreed to

Motion made;

THAT, the Committee of the Whole do report to the Senate its consideration of the Parliamentary Powers and Privileges Bill (National Assembly Bill No. 35 of 2014) and its approval thereof without amendmes.

(Sen. Stephen Sang', on behalf of the Senate Majority Leader)

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson ruled that the Question did not affect counties;

Question put and agreed to.

20. HOUSE RESUMED – (The Speaker in the Chair)

21. THE PARLIAMENTARY POWERS AND PRIVILEGES BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2014)

Bill reported without amendments;

Motion made and Question proposed-

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

(Sen. Stephen Sang, on behalf of the Senate Majority Leader)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the Parliamentary Powers and Privileges Bill (National Assembly Bill No. 35 of 2014) be now Read a Third Time.

(Sen. Stephen Sang, on behalf of the Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

Upon the expiry of one minute, the Speaker directed that the doors be locked and Senators asked 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 Standing Order 74 (5), the Speaker allowed four Senators to record their vote verbally.

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

1. Sen. Gertrude, Emma Mbura -on behalf of Mombasa County Delegation.
2. Sen. Hassan, Abdirahman Ali
3. Sen. Kanainza, Nyongesa Daisy -on behalf of Kakamega County Delegation.
4. Sen. Zani, Agnes Philomena -on behalf of Kwale County Delegation.

The results of the Division were as follows;

AYES = 26

NOES = 0

ABSTENTIONS = 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali – voted verbally
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

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. Ekwee Ethuro) – in the Chair)

Consideration of the County Statutory Instruments Bill (Senate Bill No. 10 of 2015)

Clauses 3 and 4

Debate interrupted on Thursday, 16th February, 2017 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

- 1) Sen. Beatrice Elachi – on behalf of Nairobi County Delegation
- 2) Sen. Billow Aden Kerrow
- 3) Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
- 4) Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
- 5) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Zani Agnes – on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohammed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman
7. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
8. Sen. Kajwang’ Moses

9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Kisasa Mshenga Mvita – voted on behalf of Kilifi County Delegation
14. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Elachi Beatrice – voted verbally on behalf on Nairobi County Delegation
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 3 and 4 - agreed to

Clause 5 - amendment proposed

THAT clause 5 of the Bill be amended in sub-clause (1) by inserting the words “and shall invite members of the public to give their views on the instrument within a prescribed period and in a manner to be determined by the Committee” immediately after the words “affected by the proposed instrument”.

(Chairperson, Sessional Committee on Delegated Legislation)

Debate interrupted on Thursday, 16th February, 2017 resumed on a Division.

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and 77 (7) and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 four Senators to record their vote verbally.

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

1. Sen. Mwakulegwa Danson Mwazo
2. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
4. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Zani Agnes – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohammed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang’ Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Daisy, Nyongesa – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Kisasa Mshenga Mvita – voted on behalf of Kilifi
14. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Elachi Beatrice – voted on behalf on Nairobi County

19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo- voted verbally
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 5 - agreed to

Clauses 6 -14

Debate interrupted on Thursday, 16th February, 2017 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

- 1) Sen. Beatrice Elachi – on behalf of Nairobi County Delegation
- 2) Sen. Billow Aden Kerrow
- 3) Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
- 4) Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
- 5) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Zani Agnes – on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohammed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman
7. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
8. Sen. Kajwang' Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Kisasa Mshenga Mvita – voted on behalf of Kilifi County Delegation
14. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Elachi Beatrice – voted verbally on behalf on Nairobi County Delegation
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 6 - 14 - agreed to

Clause 15 - amendment proposed

THAT the Bill be amended by deleting clause 15 and substituting therefor the following new clause-

Notice to the regulation making authority	15. In so far as is practically possible, the committee shall in considering a statutory instrument, and before tabling its report in the county assembly, confer with the regulation-making authority which has made the statutory instrument that is before the committee for scrutiny.
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(Chairperson, Sessional Committee on Delegated Legislation)

Debate interrupted on Thursday, 16th February, 2017 resumed on a Division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Orders 74 (1) and 77 (7) and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 Standing Order 74 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Mwakulegwa Danson Mwazo
2. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
4. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Zani Agnes – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohammed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang’ Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Daisy, Nyongesa – voted verbally on behalf of Kakamega County Delegation

11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Kisasa Mshenga Mvita – voted on behalf of Kilifi
14. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Elachi Beatrice – voted on behalf on Nairobi County
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo- voted verbally
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 15 - agreed to

Clauses 16 - 24

Debate interrupted on Thursday, 16th February, 2017 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Beatrice Elachi – on behalf of Nairobi County Delegation
2. Sen. Billow Aden Kerrow
3. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation

4. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
5. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Zani Agnes – on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohammed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman
7. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
8. Sen. Kajwang' Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Kisasa Mshenga Mvita – voted on behalf of Kilifi County Delegation
14. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Elachi Beatrice – voted verbally on behalf on Nairobi County Delegation
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 16 - 24 - agreed to

The Schedule, Clause 2, the Title and Clause 1

Debate interrupted on Thursday, 16th February, 2017 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

- 1) Sen. Beatrice Elachi – on behalf of Nairobi County Delegation
- 2) Sen. Billow Aden Kerrow
- 3) Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
- 4) Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
- 5) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Zani Agnes – on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohammed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman
7. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
8. Sen. Kajwang’ Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Daisy, Nyongesa – on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Kisasa Mshenga Mvita – voted on behalf of Kilifi County Delegation
14. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation

15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Elachi Beatrice – voted verbally on behalf on Nairobi County Delegation
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

The Schedule, Clause 2, the Title and Clause 1 - agreed to

Motion made;

THAT, the Committee of the Whole do report to the Senate its consideration of the Statutory Instruments Bill (Senate Bill No. 10 of 2015) and its approval thereof with amendments.

(Sen. Stephen Sang)

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson ruled that the Question did not affect counties;

Question put and agreed to.

23. HOUSE RESUMED – (The Speaker- in the Chair)

24. THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILL NO. 10 OF 2015)

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. Stephen Sang)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the County Statutory Instruments Bill (Senate Bill No. 10. of 2015) be read a Third Time

(Sen. Stephen Sang)

There being no Senator wishing to contribute;

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

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

Upon the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked 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 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana

8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

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. Ekwee Ethuro) – in the Chair)

Consideration of the Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill, (Senate Bills No. 8 of 2015)

Clauses 3 and 4

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Nyong'o Peter Anyang'
2. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
4. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang' Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki

20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang' – voted verbally
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 3 and 4 - agreed to

Clause 5 - amendment proposed

THAT the Bill be amended by deleting clause 5 and substituting therefor the following new clause-

- 5.** Pursuant to Articles 43 and 53(1)(c) of the Constitution every person has the right to –
 - (a) the highest attainable standards of health which includes the right to health care services including reproductive health care services;
 - (b) accessible and adequate housing;
 - (c) reasonable standards of sanitation;
 - (d) be free from hunger and to have adequate food of acceptable quality;
 - (e) basic nutrition for children;
 - (f) clean and safe water in adequate quantities;
 - (g) social security and social assistance;
 - (h) emergency treatment; and education.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 5 (as amended) - agreed to

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended at sub-clause (2)(c) by deleting the words “national and county development plans” appearing immediately after the words “integrate, within their” and substituting therefor the words “respective policies”.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali

9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang' Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 6 (as amended) - agreed to

Clause 7

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Nyong'o Peter Anyang'
2. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
4. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang' Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang' – voted verbally
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 7 - agreed to

Clause 8 – amendment proposed

THAT clause 8 of the Bill be amended by-

- (a) inserting the words “for purposes of this Act” at the beginning of the introductory phrase to subsection (1); and
 - (b) inserting the following new sub-clause immediately after sub-clause (1)-(1A) In undertaking its functions under subsection (1), the Commission may consult the Commissions established under Article 59 of the Constitution and any other relevant person or institution.
- (Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

- 1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
- 2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
- 3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

- 1. Sen. Billow Kerrow
- 2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
- 3. Sen. Bule, Ali Abdi
- 4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
- 5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
- 6. Sen. Haji, Mohammed Yusuf

7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 8 (as amended) - agreed to

Clause 9 -amendment proposed

THAT clause 9 of the Bill be amended-

- (a) in sub-clause (1) by inserting the words “within six months of coming into office” immediately after the words “County Government shall”;
- (b) in sub-clause (3) by inserting the words “county” immediately after the words “rights within the” appearing in paragraph (a); and
- (c) in sub-clause (4) by inserting the words “for free or” immediately after the words “goods and services” appearing in paragraph (i) .

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe

21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 9 (as amended) - agreed to

Clauses 10 – 18

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Nyong'o Peter Anyang'
2. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
4. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi

4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’ – voted verbally
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 10-18

-agreed to

Clause 19

-amendment proposed

THAT clause 19 of the Bill be amended in sub-clause (3) by inserting the words “and any other criteria that it may publish in the Gazette” at the end of the clause.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe

21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 19 (as amended) - agreed to

Clause 20 -amendment proposed

THAT clause 20 of the Bill be amended by deleting paragraph (b) of sub-clause 2 and substituting therefor the following new sub-clause-

(b) in the case of conditional grants, disbursed directly to the counties and managed on behalf of the National Government by the respective County Government.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 20 (as amended) - agreed to

Clauses 21 – 26

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Nyong'o Peter Anyang'
2. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
4. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang' Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki

20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang' – voted verbally
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 21 – 26

-agreed to

New Clause 27

-Second Reading

Transition **27**

- (1) Every county government with a county integrated development plan which took effect prior to the commencement of this Act, shall within six months after the commencement of this Act, amend its county integrated development plan to bring it into conformity with this Act.
- (2) The procedure set out under section 112 of the County Governments Act shall apply to the process of amendment of a county integrated development plan under subsection (1).

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation

2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

New Clause 27

-Second Reading agreed to

New Clause 27

THAT the Bill be amended by inserting the following new clause immediately after clause 26-

Transition **27**

- (3) Every county government with a county integrated development plan which took effect prior to the commencement of this Act, shall within six months after the commencement of this Act, amend its county integrated development plan to bring it into conformity with this Act.
- (4) The procedure set out under section 112 of the County Governments Act shall apply to the process of amendment of a county integrated development plan under subsection (1).

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow

2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

New Clause 27 - agreed to

First Schedule - amendment proposed

That the First Schedule to the Bill be amended in the heading by deleting the words “SOCIAL AND ECONOMIC” and substituting therefor the words “ECONOMIC AND SOCIAL”.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki

20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

First Schedule (as amended) - agreed to

Clause 2 - amendment proposed

THAT clause 2 of the Bill be amended -

- (a) in the definition of the expression 'subsidy programme' by deleting the words "limited capacity" appearing immediately after the words "persons with" and substituting therefore the words "in need";
- (b) by deleting the definition of the expression "persons with limited capability" and substituting therefor the following new definition-

"persons in need" means a person who in spite of having a competent social support system, is unable to produce or purchase essential goods and services in adequate quantities and quality for short or extended periods of time; and

- (c) by deleting the definition of the expression "vulnerable persons" and substituting therefor the following new definition-

"vulnerable persons" include women, older members of society, persons with disabilities, children including infants, school going children, youth, members of minority or marginalised communities, members of particular ethnic, religious or cultural communities, pregnant and nursing mothers, internally displaced persons and victims of conflict, sick persons with chronic diseases such as HIV/AIDS, persons living in precarious livelihood situations in rural areas, marginalised populations in urban areas, groups at risk of social marginalisation and discrimination and any other group that may be identified from time to time.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’

24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 2 (as amended) - agreed to

The Title -amendment proposed

THAT the title to the Bill be amended by deleting the word “and” appearing immediately after the word “Human Dignity” and substituting therefor the word “in”.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi

4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang’ Stephen Kipyego
26. Sen. Wako Sitswila Amos

The Title (as amended) - agreed to

Clause 1 -amendment proposed

THAT clause 1 of the Bill be amended by deleting the word “and” appearing immediately after the word “Dignity” and substituting therefor the word “in”.

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

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe

21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clause 1 (as amended) - agreed to

Motion made:-

That, the Committee of the Whole do report to the Senate its consideration of the Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bill No. 8 of 2015) and its approval thereof with amendments.
(Sen. Stephen Sang on behalf of Sen. Hassan Omar Hassan)

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

Question put and agreed to.

26. HOUSE RESUMED- (The Speaker in the Chair)

27. THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL, (SENATE BILLS NO. 8 OF 2015)

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. Stephen Sang on behalf of Sen. Hassan Omar Hassan)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

That, the Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill, (Senate Bills No. 8 of 2015) be now Read a Third Time.
(Sen. Stephen Sang on behalf of Sen. Hassan Omar Hassan)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

Upon the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked 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 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -26

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Haji, Mohammed Yusuf
7. Sen. Hargura Godana
8. Sen. Hassan Abdirahman Ali
9. Sen. Zani Agnes – on behalf of Kwale County Delegation
10. Sen. Kajwang’ Moses
11. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
12. Sen. Karaba Dickson Daniel
13. Sen. Khaniri George
14. Sen. Kindiki Kithure
15. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation

16. Sen. Lesan Wilfred Rotich
17. Sen. Machage Wilfred Gisuka
18. Sen. Melly Isaac Kipkemboi
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson Mwazo
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang' Stephen Kipyego
26. Sen. Wako Sitswila Amos

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. Ekwee Ethuro) – in the Chair)

The Persons with Disabilities (Amendment) Bill (Senate Bill No. 13 of 2015)

Clause 3 - Amendment proposed

THAT clause 3 of the Bill be amended-

(a) in subclause (1) of the proposed new section 2C by deleting paragraph (b) and substituting therefor the following new paragraph-

(b) two persons, one man and one woman, having knowledge and experience in matters relating to persons with disabilities, nominated by organizations representing persons with disabilities, in such manner as the county executive committee member may determine, and appointed by the Governor by notice in the *Gazette*;

(b) in the introductory clause of paragraph (b) of the proposed new section 2D by inserting the words “residing within the county” immediately after the words “ of persons with disabilities”;

(c) in the proposed new section 2F by inserting the following new subclauses immediately after subclause (2)-

(3) A member proposed to be removed under subsection (1)(f) shall be informed of the grounds of the proposed removal and shall be given an opportunity to be heard on the grounds of removal.

(4)The Governor shall be bound by the recommendation of the Committee under subsection 2(b).

(Sen. Godliver Omondi)

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -25

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Hargura Godana
7. Sen. Hassan Abdirahman Ali
8. Sen. Zani Agnes – on behalf of Kwale County Delegation
9. Sen. Kajwang’ Moses

10. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Karaba Dickson Daniel
12. Sen. Khaniri George
13. Sen. Kindiki Kithure
14. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson Mwazo
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang' Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clause 3 (as amended) - agreed to

Clause 4 - amendment proposed

THAT the Bill be amended by deleting clause 4 and substituting therefor the following new clause-

Amendment **4.** Section 4 of the principal Act be amended-

of section 4 (a) in subsection (1)-

of No. 14 of (i) by deleting paragraph (a) and substituting
2013. therefor the following new paragraph-

(a) not more than four persons
nominated in a manner approved
by the Minister, by organizations
representing persons with various
categories of disabilities, at least

one of whom shall be from a rural-
based organisation;

(ii) by deleting paragraph (b);

(iii) by deleting paragraph (c) and substituting therefor
the following new paragraphs-

(ca) the Principal Secretary in the Ministry responsible
for matters relating to labour and social welfare or an
alternate designated in writing;

(cb) the Principal Secretary in the Ministry responsible
for matters relating to education or an alternate
designated in writing;

(cc) the Principal Secretary in the Ministry responsible

for matters relating to health or an alternate designated in writing;

(iv) by deleting paragraph (d); and

(v) by deleting paragraph (g);

(b) by inserting the following new subsections immediately after subsection (1)-

(1A) The members nominated under subsection (1)(a) shall equitably represent the types of disabilities within the country.

(1B) The Council may co-opt not more than two members to sit in the Council, whose knowledge and skills are found necessary for the performance of the functions of the Council, and who shall have no right to vote.

(1C) A member co-opted under section sub-section (1B) shall serve for a specified period as may be determined by the Council.

(Sen. Godliver Omondi)

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing OrderS 74 (1) and 77(1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -25**NOES - 0****ABSTENTIONS – 0****AYES**

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Hargura Godana
7. Sen. Hassan Abdirahman Ali
8. Sen. Zani Agnes – on behalf of Kwale County Delegation
9. Sen. Kajwang' Moses
10. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Karaba Dickson Daniel
12. Sen. Khaniri George
13. Sen. Kindiki Kithure
14. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson Mwazo
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang' Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clause 4 (as amended) - agreed to

Clause 5

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and 77(1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -25

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Hargura Godana
7. Sen. Hassan Abdirahman Ali
8. Sen. Zani Agnes – on behalf of Kwale County Delegation
9. Sen. Kajwang’ Moses
10. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Karaba Dickson Daniel
12. Sen. Khaniri George
13. Sen. Kindiki Kithure
14. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe

20. Sen. Mwakulegwa Danson Mwazo
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang' Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clause 5

-agreed to

Clause 2, the Title and Clause 1

Debate interrupted on 15th November, 2016 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their votes verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -25

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation

5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Hargura Godana
7. Sen. Hassan Abdirahman Ali
8. Sen. Zani Agnes – on behalf of Kwale County Delegation
9. Sen. Kajwang’ Moses
10. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Karaba Dickson Daniel
12. Sen. Khaniri George
13. Sen. Kindiki Kithure
14. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson Mwazo
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong’o Peter Anyang’
23. Sen. Obure Christopher
24. Sen. Sang’ Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clause 2, the Titele and Clause 1

-agreed to

Motion made:-

That, the Committee of the Whole do report to the Senate its consideration of the Persons with Disabilities (Amendment) Bill (Senate Bill No. 13 of 2015) and its approval thereof with amendments.

(Sen. Stephen Sang on behalf of Sen. Godliver Omondi)

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson ruled that the Question did not affect counties;

Question put and agreed to.

29. HOUSE RESUMED– (The Speaker in the Chair)

30. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 13 OF 2015)

Bill reported with amendments.

Motion made and Question proposed-

That, the House do agree with the Committee in the said report.
(*Sen. Stephen Sang' on behalf of Sen. Godliver Omondi*)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

That, the Persons with Disabilities (Amendment) Bill (Senate Bill No. 13 of 2015) be now Read a Third Time.
(*Sen. Stephen Sang' on behalf of Sen. Godliver Omondi*)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

Upon the expiry of two minutes, the Speaker directed that the doors be locked and Senators asked 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 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES -25

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Billow Kerrow
2. Sen. Aden Dullo Fatuma – voted on behalf of Isiolo County Delegation

3. Sen. Bule, Ali Abdi
4. Sen. Beatrice Elachi – voted on behalf on Nairobi County Delegation
5. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
6. Sen. Hargura Godana
7. Sen. Hassan Abdirahman Ali
8. Sen. Zani Agnes – on behalf of Kwale County Delegation
9. Sen. Kajwang’ Moses
10. Sen. Kanainza Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Karaba Dickson Daniel
12. Sen. Khaniri George
13. Sen. Kindiki Kithure
14. Sen. Kisasa Mshenga Mvita – voted verbally on behalf of Kilifi County Delegation
15. Sen. Lesan Wilfred Rotich
16. Sen. Machage Wilfred Gisuka
17. Sen. Melly Isaac Kipkemboi
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson Mwazo
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong’o Peter Anyang’
23. Sen. Obure Christopher
24. Sen. Sang’ Stephen Kipyego
25. Sen. Wako Sitswila Amos

Bill Read a Third Time and passed.

31. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Ekwere Ethuro) – in the Chair)

Consideration of the National Cereals and Produce Board (Amendment) Bill (Senate Bill No.15 of 2015)

Clause 3

Debate interrupted on Wednesday, 16th November, 2016 resumed on a Division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. (Dr.) Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Hargura Godana
5. Sen. Hassan, Abdirahman Ali
6. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
13. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong’o Peter Anyang’
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego

25. Sen. Wako Sitswila Amos

Clause 3 - agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended in sub-clause (1) of the proposed new clause 12 C by deleting paragraph (g) (iii).

(Sen. Stewart Madzayo)

Debate interrupted on Wednesday, 16th November, 2016 resumed on a Division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -24

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Hargura Godana
5. Sen. Hassan, Abdirahman Ali
6. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel

9. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
13. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Nyong'o Peter Anyang'
22. Sen. Obure Christopher
23. Sen. Sang Stephen Kipyego
24. Sen. Wako Sitswila Amos

Clause 4 (as amended) - agreed to

Clause 5

Debate interrupted on Wednesday, 16th November, 2016 resumed on a Division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
3. Sen. (Dr.) Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. (Dr.) Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Hargura Godana
5. Sen. Hassan, Abdirahman Ali
6. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
13. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clause 5 - agreed to

Clause 2, the Title and Clause 1

Debate interrupted on Wednesday, 16th November, 2016 resumed on a Division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in for electronic voting;

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 vote verbally.

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

1. Sen. Gertrude, Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza, Daisy Nyongesa – on behalf of Kakamega County Delegation
3. Sen. (Dr.) Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. (Dr.) Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Hargura Godana
5. Sen. Hassan, Abdirahman Ali
6. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
13. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1 - agreed to

Motion made:

That, the Committee of the Whole do report to the Senate its consideration of the National Cereals and Produce Board (Amendment) Bill (Senate Bill No. 15 of 2015) and its approval thereof with amendments.

(Sen. Stephen Sang, on behalf of Sen. Zipporah Kittony)

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

Question put and agreed to.

32. HOUSE RESUMED – (The Speaker in the Chair)

33. THE NATIONAL CEREALS AND PRODUCE BOARD (AMENDMENT) BILL (SENATE BILL NO. 15 OF 2015)

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. Stephen Sang, on behalf of Sen. Zipporah Kittony)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed:-

THAT, the National Cereals and Produce Board (Amendment) Bill (Senate Bill No. 15 of 2015) be read a Third Time

(Sen. Stephen Sang, on behalf of Sen. Zipporah Kittony)

There being no Senator wishing to contribute;

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

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

Upon the expiry of one minute, the Speaker directed that the doors be locked and Senators asked 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 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES -26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow, Adan Kerrow
2. Sen. Zani, Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule, Ali Abdi
4. Sen. Haji, Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan, Abdirahman Ali
7. Sen. Gertrude, Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza, Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi County Delegation
14. Sen. Adan, Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Bill Read a Third Time and passed.

34. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees - (Sen. Ekwere Ethuro) – in the Chair)

The Medical Practitioners and Dentists (Amendment) Bill (Senate Bill No. 2 of 2016)

Clauses 3, 4, 5, Clause 2, the Title and Clause 1

Debate interrupted on Tuesday, 13th June, 2017 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation

11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 3, 4, 5, Clause 2, the Title and Clause 1 - agreed to

Motion made:

That, the Committee of the Whole do report to the Senate its consideration of the Medical Practitioners and Dentists (Amendment) Bill (Senate Bill No. 2 of 2016) and its approval thereof without amendments.

(Sen. Stephen Sang, on behalf of Sen. (Prof.) Wilfred Lesan)

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

Question put and agreed to.

35. HOUSE RESUMED– The Speaker in the Chair

36. THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) BILL
(SENATE BILL NO. 2 OF 2016)

Bill reported with amendments.

Motion made and Question Proposed;

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

(Sen. Stephen Sang', on behalf of Sen. (Prof.) Wilfred Lesan)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and Question Proposed;

That, the Medical Practitioners and Dentists (Amendment) Bill (Senate Bill No. 2 of 2016) be now read a Third Time.

(Sen. Stephen Sang', on behalf of Sen. (Prof.) Wilfred Lesan)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

Upon the expiry of one minute, the Speaker directed that the doors be locked and Senators asked 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 Standing Order 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George

12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Bill Read a Third Time and passed.

37. THE COUNTY PENSION SCHEME BILL (SENATE BILL NO. 20 OF 2016)

Motion made and Question proposed;

THAT the County Pension Scheme Bill (Senate Bill No. 20 of 2016) be now read a Second time.

(Chairperson, Standing Committee on Labour and Social Welfare)

Debate interrupted on Friday, 9th June, 2017 resumed on a Division;

Before the question was put and pursuant to Standing Order 72, the Speaker informed the Senate that the Motion affected counties and voting would be by Delegations;

The Speaker directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Speaker directed that the bar be drawn and the doors be locked and requested 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 Standing Order 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

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

38. COMMITTEE OF THE WHOLE

Order for Committee read;
(*By leave of the House*)

IN THE COMMITTEE

(The Acting Chairperson of Committees - (Sen. Ekwere Ethuro) – in the Chair)

Consideration of the County Pension Scheme Bill (Senate Bill No. 20 of 2016)

Clauses 3 – 44

Motion made and question proposed;

That, Clauses 3 – 44 be part of the Bill.
(*Sen. Muriuki Karue Muriuki, on behalf of Chairperson, Standing Committee on Labour and Social Welfare*)

There being no Senator wishing to contribute;

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel

10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Clauses 3 – 44 - agreed to

The First, Second, Third and Fourth Schedules

Motion made and Question proposed;

That, the First, Second, Third and Fourth Schedules be part of the Bill.

(Sen. Muriuki Karue Muriuki, on behalf of Chairperson, Standing Committee on Labour and Social Welfare)

There being no Senator wishing to contribute;

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tirole
23. Sen. Nyong’o Peter Anyang’
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

The First, Second, Third and Fourth Schedules - agreed to

The Title and Clause 1

Motion made and Question proposed;

That, the Title and Clause 1 be part of the Bill.
(Sen. Muriuki Karue Muriuki, on behalf of Chairperson, Standing Committee on Labour and Social Welfare)

There being no Senator wishing to contribute;

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali

7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

The Title and Clause 1 - agreed to

Motion made:

That, the Committee of the Whole do report to the Senate its consideration of the County Pension Scheme Bill (Senate Bill No. 20 of 2016) and its approval thereof without amendments.
(*Sen. Stephen Sang, on behalf of Chairperson, Standing Committee on Labour and Social Welfare*)

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson ruled that the Question did not affect counties;

Question put and agreed to.

39. HOUSE RESUMED – (The Speaker in the Chair)

40. THE COUNTY PENSION SCHEME BILL (SENATE BILL NO. 20 OF 2016)

Bill reported without amendments.

Motion made and Question Proposed;

THAT, the House do agree with the Committee in the said report.
(*Sen. Stephen Sang', on behalf of the Chairperson, Standing Committee on Labour and Social Welfare*)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and Question Proposed;

That, the County Pension Scheme Bill (Senate Bill No. 20 of 2016) be now read a Third Time.

(Sen. Stephen Sang', on behalf of the Chairperson, Standing Committee on Labour and Social Welfare)

And there being no Senator wishing to contribute;

The House proceeded to a Division;

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

Upon the expiry of one minute, the Speaker directed that the doors be locked and Senators asked 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 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf

5. Sen. Hargura Godana
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiolo
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

Bill Read a Third Time and passed.

41. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 2 OF 2017)

Motion made and Question proposed;

THAT the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017) be now read a Second time.

(The Senate Majority Leader)

There being no Senator wishing to contribute,

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Speaker informed the Senate that the Motion affected counties and voting would be by Delegations;

The Speaker directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Speaker directed that the bar be drawn and the doors be locked and requested 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 the provisions of Standing Order 74 (5), the Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hassan Abdirahman Ali
6. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
13. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiolo
22. Sen. Nyong’o Peter Anyang’
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego
25. Sen. Wako Sitswila Amos

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

42. COMMITTEE OF THE WHOLE

Order for Committee read;
(By leave of the House)

IN THE COMMITTEE

(The Acting Chairperson of Committees - (Sen. Ekwere Ethuro) – in the Chair)

Consideration of the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017)

Clauses 3 – 13

Motion made and question proposed;

That, Clauses 3 – 13 be part of the Bill.
(The Senate Majority Leader)

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. (Dr.) Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. (Dr.) Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hassan Abdirahman Ali
6. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
13. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiolo
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego
25. Sen. Wako Sitswila Amos

Clauses 3 – 13 - agreed to

The First Schedule - Amendment proposed

Motion made and Question proposed;

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

FIRST SCHEDULE

Allocation of Each County Governments' Equitable Share of Revenue Raised Nationally, Financial Year 2017/2018

No.	County	2016/2017		2017/2018	
		Allocation Ratio*	Ksh.	Allocation Ratio**	Ksh.
		Column A	Column B	Column C	Column D
1	Baringo	1.71%	4,791,438,190	1.65%	4,983,000,000
2	Bomet	1.81%	5,078,797,925	1.74%	5,254,800,000
3	Bungoma	2.95%	8,282,207,063	2.90%	8,758,000,000
4	Busia	2.09%	5,870,097,209	1.93%	5,828,600,000

No.	County	2016/2017		2017/2018	
		Allocation Ratio*	Ksh.	Allocation Ratio**	Ksh.
		Column A	Column B	Column C	Column D
5	Elgeyo/Marakwet	1.26%	3,528,847,275	1.20%	3,624,000,000
6	Embu	1.48%	4,141,186,056	1.36%	4,107,200,000
7	Garissa	2.22%	6,227,726,513	2.21%	6,659,100,000
8	Homa Bay	2.17%	6,080,193,774	2.16%	6,523,200,000
9	Isiolo	1.18%	3,298,073,210	1.25%	3,775,000,000
10	Kajiado	1.70%	4,761,279,539	1.91%	5,768,200,000
11	Kakamega	3.43%	9,612,093,313	3.29%	9,935,800,000
12	Kericho	1.73%	4,861,021,577	1.73%	5,224,600,000
13	Kiambu	2.87%	8,053,256,819	3.20%	9,664,000,000
14	Kilifi	2.86%	8,029,167,703	3.30%	9,950,900,000
15	Kirinyanga	1.36%	3,817,781,963	1.46%	4,409,200,000
16	Kisii	2.73%	7,654,114,597	2.46%	7,429,200,000
17	Kisumu	2.19%	6,130,158,037	2.17%	6,553,400,000
18	Kitui	2.80%	7,841,480,359	2.87%	8,652,300,000
19	Kwale	1.97%	5,530,693,069	2.40%	7,248,000,000
20	Laikipia	1.33%	3,722,107,269	1.49%	4,499,800,000
21	Lamu	0.79%	2,214,008,743	0.82%	2,476,400,000
22	Machakos	2.61%	7,303,463,454	2.45%	7,399,000,000
23	Makueni	2.30%	6,441,351,588	2.26%	6,825,200,000
24	Mandera	3.45%	9,663,318,677	3.23%	9,739,500,000
25	Marsabit	2.00%	5,599,495,638	2.18%	6,583,600,000
26	Meru	2.50%	7,006,680,257	2.55%	7,701,000,000
27	Migori	2.25%	6,298,037,918	2.14%	6,462,800,000
28	Mombasa	2.00%	5,608,593,922	2.70%	8,154,000,000
29	Muranga	2.06%	5,779,189,434	2.05%	6,191,000,000
30	Nairobi	5.00%	14,023,506,892	5.10%	15,402,000,000
31	Nakuru	3.12%	8,757,624,645	3.07%	9,271,400,000
32	Nandi	1.83%	5,130,819,903	1.69%	5,103,800,000
33	Narok	2.04%	5,705,712,796	2.16%	6,523,200,000
34	Nyamira	1.60%	4,482,799,531	1.53%	4,620,600,000
35	Nyandarua	1.66%	4,647,384,382	1.58%	4,771,600,000
36	Nyeri	1.71%	4,800,764,767	1.64%	4,952,800,000
37	Samburu	1.37%	3,832,957,535	1.26%	3,805,200,000
38	Siaya	1.92%	5,389,991,057	1.83%	5,526,600,000
39	Taita	1.27%	3,571,066,305	1.29%	3,895,800,000
40	Tana River	1.53%	4,299,401,839	1.77%	5,345,400,000
41	Tharaka Nithi	1.21%	3,385,474,466	1.22%	3,684,400,000
42	Trans Nzoia	1.96%	5,502,547,171	1.87%	5,647,400,000
43	Turkana	4.03%	11,307,010,771	3.34%	10,071,700,000
44	Uasin Gishu	2.00%	5,601,025,717	1.89%	5,707,800,000
45	Vihiga	1.49%	4,177,302,901	1.46%	4,409,200,000
46	Wajir	2.78%	7,804,219,087	2.70%	8,138,900,000
47	West Pokot	1.66%	4,654,529,143	1.57%	4,741,400,000
		100.00%	280,300,000,000	100.00%	302,000,000,000

(The Senate Majority Leader)

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Hargura Godana
3. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
4. Sen. Kithure Kindiki
5. Sen. (Dr.) Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. (Dr.) Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hargura Godana – voted verbally
6. Sen. Hassan Abdirahman Ali
7. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
8. Sen. Kajwang Moses
9. Sen. Karaba Dickson Daniel
10. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
11. Sen. Khaniri George
12. Sen. Kindiki Kithure – voted verbally
13. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
14. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
15. Sen. Lesan Wilfred
16. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation

17. Sen. Machage, Wilfred Gisuka
18. Sen. Melly Isaac
19. Sen. Muriuki Karue Muriuki
20. Sen. Mutahi Kagwe
21. Sen. Mwakulegwa Danson
22. Sen. Ndiema Henry Tiole
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Sang Stephen Kipyego
26. Sen. Wako Sitswila Amos

The First Schedule (as amended) - agreed to

The Second, Third and the Fourth Schedules

Motion made and Question proposed;

That, the Second, Third and the Fourth Schedules be part of the Bill.
(*The Senate Majority Leader*)

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Kithure Kindiki
4. Sen. (Dr.) Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 25**NOES - 0****ABSTENTIONS - 0****AYES**

1. Sen. Billow Adan Kerrow
2. Sen. (Dr.) Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hassan Abdirahman Ali
6. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure – voted verbally
12. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
13. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiolo
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego
25. Sen. Wako Sitswila Amos

The Second, Third and the Fourth Schedules -agreed to.

Clause 2, the Title and Clause 1

Motion made and Question proposed;

That, Clause 2, the Title and Clause 1 be part of the Bill
(*The Senate Majority Leader*)

The House proceeded to a Division;

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson informed the Senate that the Motion affected counties and voting would be by Delegations;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 74 (1) and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the bar be drawn and the doors be locked and requested Senators to log-in for electronic voting;

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 the provisions of Standing Order 74 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
2. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
3. Sen. Kithure Kindiki
4. Sen. (Dr.) Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. (Dr.) Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Bule Ali Abdi
4. Sen. Haji Mohamed Yusuf
5. Sen. Hassan Abdirahman Ali
6. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure – voted verbally
12. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
13. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiolo
22. Sen. Nyong’o Peter Anyang’
23. Sen. Obure Christopher

- 24. Sen. Sang Stephen Kipyego
- 25. Sen. Wako Sitswila Amos

Clause 2, the Title and Clause 1 - agreed to

Motion made:

That, the Committee of the Whole do report to the Senate its consideration of the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017) and its approval thereof with amendments.

(Sen. Stephen Sang on behalf of the Senate Majority Leader)

Before the question was put and pursuant to Standing Order 72, the Acting Chairperson of Committees ruled that the Question did not affect counties;

Question put and agreed to.

43. HOUSE RESUMED – (The Speaker in the Chair)

44. THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 2 OF 2017)

Bill reported with amendments.

Motion made and Question Proposed;

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

(Sen. Stephen Sang, on behalf of the Senate Majority Leader)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

Motion made and Question Proposed;

That, the County Allocation of Revenue Bill (Senate Bill No. 2 of 2017) be now read a Third Time.

(Sen. Stephen Sang, on behalf of the Senate Majority Leader)

And there being no Senator wishing to contribute;

The House proceeded to a Division;

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

Upon the expiry of one minute, the Speaker directed that the doors be locked and Senators asked 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 Standing Order 74 (5), the Speaker allowed four Senators to record their vote verbally.

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

1. Sen. Hassan Abdirahman Ali
2. Sen. Gertrude Emma Mbura – on behalf of Mombasa County Delegation
3. Sen. Kanainza Nyongesa Daisy – on behalf of Kakamega County Delegation
4. Sen. Zani, Agnes Philomena – on behalf of Kwale County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Billow Adan Kerrow
2. Sen. (Dr.) Zani Agnes Philomena – voted verbally on behalf of Kwale County Delegation
3. Sen. Haji Mohamed Yusuf
4. Sen. Hargura Godana
5. Sen. Hassan Abdirahman Ali – voted verbally
6. Sen. Gertrude Emma Mbura – voted verbally on behalf of Mombasa County Delegation
7. Sen. Kajwang Moses
8. Sen. Karaba Dickson Daniel
9. Sen. Kanainza Nyongesa Daisy – voted verbally on behalf of Kakamega County Delegation
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Elachi Beatrice – voted on behalf of Nairobi City County Delegation
13. Sen. Adan Dullo Fatuma – voted on behalf of Isiolo County Delegation
14. Sen. Lesan Wilfred
15. Sen. Kisasa, Mshenga Mvita – voted on behalf of Kilifi County Delegation
16. Sen. Machage, Wilfred Gisuka
17. Sen. Melly Isaac
18. Sen. Muriuki Karue Muriuki
19. Sen. Mutahi Kagwe
20. Sen. Mwakulegwa Danson
21. Sen. Ndiema Henry Tiole
22. Sen. Nyong'o Peter Anyang'
23. Sen. Obure Christopher
24. Sen. Sang Stephen Kipyego
25. Sen. Wako Sitswila Amos

Bill Read a Third Time and passed.

45. PROCEDURAL MOTION – EXTENSION OF SITTING TIME OF THE SENATE PURSUANT TO STANDING ORDER 30 (3) (a)

Motion made and Question proposed;

That, pursuant to standing order 30 (3) (a) , the Senate resolves to extend its sitting time today, Thursday, 15th June, 2017, until the conclusion of the business appearing on the Order Paper.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 72, the Speaker ruled that the Question did not affect counties;

Question put and agreed to.

46. COMMITTEE OF THE WHOLE

***THE ASSUMPTION OF OFFICE OF GOVERNOR BILL (SENATE BILL NO. 10 OF 2016)**

(Sen. Paul Kimani Wamatangi)

Order deferred.

47. COMMITTEE OF THE WHOLE

*****THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)**

(The Senate Majority Leader)

Order deferred.

48. COMMITTEE OF THE WHOLE

***THE COUNTY GOVERNMENTS (AMENDMENT) (NO. 4) BILL (SENATE BILL NO. 18 OF 2014)**

(Sen. Kipchumba Murkomen)

Order deferred.

49. COMMITTEE OF THE WHOLE

*****THE AGRICULTURE, FISHERIES AND FOOD AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2015)**

(The Senate Majority Leader)

Order deferred.

50. COMMITTEE OF THE WHOLE

***THE MICRO AND SMALL ENTERPRISES (AMENDMENT) BILL (SENATE BILL NO. 12 OF 2015)**

(Sen. Paul Kimani Wamatangi)

Order deferred.

51. COMMITTEE OF THE WHOLE

***THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL**
(SENATE BILLS NO. 9 OF 2015)

(Sen. Martha Wangari)

Order deferred.

52. MOTION – ADJOURNMENT OF THE SENATE – SINE DIE

Motion made and Question proposed;

THAT, pursuant to Standing Order 28 (3), the Senate do now adjourn ***Sine Die***.

(The Senate Majority Leader)

Debate arising;

And the time being fifteen minutes past Eight O'clock, the Temporary Speaker (Sen. Stephen Sang) adjourned the Senate *Sine Die*, pursuant to the Standing Orders.

53. SENATE ROSE - at fifteen minutes past Eight O'clock.

M E M O R A N D U M

The Senate Adjourned Sine Die.

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