



**REPUBLIC OF KENYA**

**THE SENATE**

**ELEVENTH PARLIAMENT – THIRD SESSION**

**VOTES AND PROCEEDINGS**

**THURSDAY, MAY 5, 2016 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 Speaker.

3. **PAPER LAID**

The following paper was laid on the Table of the House:-

Statement regarding the Business of the Senate for the week commencing Tuesday, May 31, 2016

*(Sen. (Prof.) John Lonyangapuo on behalf of the Senate Majority Leader)*

4. **NOTICE OF MOTION**- (Sen. (Prof.) Lonyangapuo, on behalf of the Senate Majority Leader)

**THAT**, pursuant to the provisions of Standing Order 28 (4), the Senate resolves to alter its Calendar in respect of the First Part of the Fourth Session for the recess scheduled to commence on 6<sup>th</sup> May, 2016 to end on 30<sup>th</sup> May, 2016 instead of 16<sup>th</sup> May, 2016.

5. **STATEMENTS**

**Statements pursuant to standing order 45 (2) (b)**

- a) The Senator for Vihiga County (Sen. George Khaniri) sought a statement from the Chairperson of the Standing Committee on Education regarding allocation of funds for school infrastructural development.

- b) The Senator for Vihiga County (Sen. George Khaniri) sought a statement from the Chairperson of the Standing Committee on Education regarding delay in payment of teachers who marked the Kenya Certificate of Primary Education and the Kenya Certificate of Secondary Education national examinations in 2015.
- c) The Senator for Vihiga County (Sen. George Khaniri) sought a statement from the Chairperson of the Standing Committee on Finance, Commerce and Budget regarding government plans to ban trade in second hand clothes popularly known as *mitumba*.
- d) The Senator for West Pokot County (Sen. (Prof.) John Lonyangapuo) sought a statement from the Chairperson of the Standing Committee on Roads and Transportation regarding the status of the Makutano-Kapenguria Town road and bridge.
- e) The Senator for West Pokot County (Sen. (Prof.) John Lonyangapuo) sought a statement from the Chairperson of the Standing Committee on Energy regarding frequent electrical power failure in Pokot North Sub-County.
- f) The Senator for Nyeri County (Sen. Mutahi Kagwe) sought a statement from the Chairperson of the Standing Committee on Finance, Commerce and Budget regarding the regulatory procedures for putting a Bank under receivership.

**Statement pursuant to Standing Order 45 (2) (c)**

Sen. (Prof.) John Lonyangapuo issued a Statement, on behalf of the Senate Majority Leader, regarding the Business of the Senate for the week commencing Tuesday, 31<sup>st</sup> May, 2016.

6. **THE POLITICAL PARTIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2016)**

(The Senate Majority Leader)

Order for first Reading Read;

Bill Read a First Time and Committed to the Standing Committee on Legal Affairs and Human Rights.

7. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO. 3 OF 2016)**

Order for Second Reading read;

Motion made and Question proposed:-

**THAT**, the County Allocation of Revenue Bill (Senate Bill No. 3 of 2016) be now read a Second Time.

*(Senate Majority Leader - 04.05.2016)*

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;

After the expiry of two minutes, the Speaker directed that the doors be locked and bars drawn and Senators asked 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 Deputy Speaker allowed three Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Daniel
- 3) Sen. Kembi Gitura

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf – voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura - voted verbally
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred
- 15) Sen. Leshore Sammy Prisa
- 16) Sen. Melly Isaac

- 17) Sen. Njoroge Ben - on behalf of Nakuru County Delegation
- 18) Sen. Murkomen Onesmus Kipchumba
- 19) Sen. Murungi Kiraitu
- 20) Sen. Mutahi Kagwe
- 21) Sen. Muthama Johnson Nduya
- 22) Sen. Mwakulegwa Danson
- 23) Sen. Nabwala Catherine Mukiite - on behalf of Trans Nzoia County Delegation
- 24) Sen. Ntutu Stephen
- 25) Sen. Nyong'o Peter Anyang'
- 26) Sen. Obure Christopher

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

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

Order for Second Reading read;

Motion made and Question proposed:-

**THAT**, the Persons with Disabilities (Amendment) Bill (National Assembly Bill No. 43 of 2013) be now read a Second Time.

*(Senate Majority Leader-27.04.2016)*

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;

After the expiry of two minutes, the Speaker directed that the doors be locked and bars drawn and Senators asked 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 two Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Daniel

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf –Voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred
- 15) Sen. Leshore Sammy Prisa
- 16) Sen. Melly Isaac
- 17) Sen. Njoroge Ben-on behalf of Nakuru County Delegation
- 18) Sen. Murkomen Onesmus Kipchumba
- 19) Sen. Murungi Kiraitu
- 20) Sen. Mutahi Kagwe
- 21) Sen. Muthama Johnson Nduya
- 22) Sen. Mwakulegwa Danson
- 23) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 24) Sen. Ntutu Stephen
- 25) Sen. Nyong'o Peter Anyang'
- 26) Sen. Obure Christopher

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

**9. COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. Sang) in the Chair)

**The Universities (Amendment) Bill (Senate Bill No. 31 of 2014)**

Clauses 3 and 4.

Debate interrupted on 15<sup>th</sup> March, 2016 resumed on a Division;

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. Kindiki Kithure;
- 2) Sen. (Prof.) Lesan Wilfred;
- 3) Sen. Njoroge Ben; on behalf of Nakuru County Delegation;
- 4) Sen. Karaba Daniel Dickson;
- 5) Sen. Mong'are Kennedy Okong'o.

The results of the Division were as follows;

AYES - 24

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Mohamud Halima Abdille – on behalf of Wajir County Delegation;
- 2) Sen. Chiaba Abu Mohammed;
- 3) Sen. Hargura Godana;
- 4) Sen. Kajwang' Moses;
- 5) Sen. Karaba Dickson Daniel –voted verbally;
- 6) Sen. Kembi-Gitura James;
- 7) Sen. Kindiki Kithure –voted verbally;
- 8) Sen. Khalwale Boni;
- 9) Sen. Khaniri George;
- 10) Sen. Kiyonga John Munyes;
- 11) Sen. Leshore Sammy Prisa;
- 12) Sen. Lesan Wilfred – voted verbally;
- 13) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 14) Sen. Melly Isaac Kipkemboi;
- 15) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 16) Sen. Murkomen Onesmus Kipchumba;
- 17) Sen. Murungi Kiraitu;

- 18) Sen. Mutahi Kagwe;
- 19) Sen. Muthama Johnson Nduya;
- 20) Sen. Mwakulegwa Danson Mwazo;
- 21) Sen. Nabwala Catherine Mukiite; on behalf of Trans Nzoia County Delegation;
- 22) Sen. Ntutu Stephen Kanyinke;
- 23) Sen. Nyong'o Peter Anyang';
- 24) Sen. Obure Christopher Mogere;

Clauses 3 and 4 - agreed to

**NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 3-

Amendment  
of section 14  
of No. 42 of  
2012.

**3A.** Section 14 of the principal Act is amended by inserting the following new sub-section immediately after subsection (3)-

(4) The Commission shall not issue to an applicant a letter of interim authority where that applicant is a public mid-level learning institution.

*(Vice-Chairperson, Committee on Education)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on 15<sup>th</sup> March, 2016 resumed on a Division;

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. (Prof.) Lesan Wilfred;

- 2) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 3) Sen. Karaba Daniel Dickson;
- 4) Sen. Mong'are Kennedy Okong'o;
- 5) Sen. Haji Mohamed Yusuf.

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Mohamud Halima Abdille –on behalf of Wajir County delegation;
- 2) Sen. Cheruiyot Aaron Kipkirui;
- 3) Sen. Chiaba Abu Mohammed;
- 4) Sen. Haji Mohamed Yusuf- voted verbally;
- 5) Sen. Hargura Godana;
- 6) Sen. Kajwang' Moses;
- 7) Sen. Karaba Dickson Daniel –voted verbally;
- 8) Sen. Kembi-Gitura James;
- 9) Sen. Khalwale Boni;
- 10) Sen. Khaniri George;
- 11) Sen. Kimani Paul Wamatangi;
- 12) Sen. Kindiki Kithure;
- 13) Sen. Leshore Sammy Prisa;
- 14) Sen. Lesan Wilfred – voted verbally;
- 15) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 16) Sen. Melly Isaac Kipkemboi;
- 17) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 18) Sen. Murkomen Onesmus Kipchumba;
- 19) Sen. Murungi Kiraitu;
- 20) Sen. Mutahi Kagwe;
- 21) Sen. Muthama Johnson Nduya;
- 22) Sen. Mwakulegwa Danson Mwazo;
- 23) Sen. Nabwala Catherine Mukiite on behalf of Trans Nzoia County delegation;
- 24) Sen. Ntutu Stephen Kanyinke;
- 25) Sen. Nyong'o Peter Anyang';
- 26) Sen. Obure Christopher Mogere;
- 27) Sen. Sang Stephen Kipyego.

New Clause 3A      -agreed to.

**NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after new clause 3A-

Amendment  
of section 19  
of No. 42 of  
2012.      **3B.** Section 19 of the principal Act is amended-



- (a) in subsection (1) by deleting paragraph (c) and substituting therefore the following new paragraph-
  - (c) reject the application if satisfied that the applicant-
    - (i) is a public mid-level learning institution; or
    - (ii) does not meet the requirements for the establishment of a university.
- (b) by inserting the following new sub-section immediately after sub-section (3)-
  - (4) The President shall not grant a Charter where such a grant would result in the conversion of a public mid-level institution to a university.

*(Vice-Chairperson, Committee on Education)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on 15<sup>th</sup> March, 2016 resumed on a Division;

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. (Prof.) Lesan Wilfred;
- 2) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 3) Sen. Karaba Daniel Dickson;
- 4) Sen. Mong'are Kennedy Okong'o;
- 5) Sen. Haji Mohamed Yusuf.

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

- 1) Sen. Mohamud Halima Abdille –on behalf of Wajir County delegation;
- 2) Sen. Cheruiyot Aaron Kipkirui;
- 3) Sen. Chiaba Abu Mohammed;
- 4) Sen. Haji Mohamed Yusuf- voted verbally;
- 5) Sen. Hargura Godana;
- 6) Sen. Kajwang' Moses;
- 7) Sen. Karaba Dickson Daniel –voted verbally;
- 8) Sen. Kembi-Gitura James;
- 9) Sen. Khalwale Boni;
- 10) Sen. Khaniri George;
- 11) Sen. Kimani Paul Wamatangi;
- 12) Sen. Kindiki Kithure;
- 13) Sen. Leshore Sammy Prisa;
- 14) Sen. Lesan Wilfred – voted verbally;
- 15) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 16) Sen. Melly Isaac Kipkemboi;
- 17) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 18) Sen. Murkomen Onesmus Kipchumba;
- 19) Sen. Murungi Kiraitu;
- 20) Sen. Mutahi Kagwe;
- 21) Sen. Muthama Johnson Nduya;
- 22) Sen. Mwakulegwa Danson Mwazo;
- 23) Sen. Nabwala Catherine Mukiite on behalf of Trans Nzoia County delegation;
- 24) Sen. Ntutu Stephen Kanyinke;
- 25) Sen. Nyong'o Peter Anyang';
- 26) Sen. Obure Christopher Mogere;
- 27) Sen. Sang Stephen Kipyego.

New Clause 3B                      -agreed to

NEW CLAUSE PROPOSED :-

**THAT** the Bill be amended by inserting the following new clause immediately after new clause 3B-

Repeal of section 25 of No. 42 of 2012.      **3C.** The principal Act is amended by deleting section 25.

*(Vice-Chairperson, Committee on Education)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on 15<sup>th</sup> March, 2016 resumed on a Division;

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. (Prof.) Lesan Wilfred;
- 2) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 3) Sen. Karaba Daniel Dickson;
- 4) Sen. Mong'are Kennedy Okong'o;
- 5) Sen. Haji Mohamed Yusuf.

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

### AYES

- 1) Sen. Mohamud Halima Abdille –on behalf of Wajir County delegation;
- 2) Sen. Cheruiyot Aaron Kipkirui;
- 3) Sen. Chiaba Abu Mohammed;
- 4) Sen. Haji Mohamed Yusuf- voted verbally;
- 5) Sen. Hargura Godana;
- 6) Sen. Kajwang' Moses;
- 7) Sen. Karaba Dickson Daniel –voted verbally;
- 8) Sen. Kembi-Gitura James;
- 9) Sen. Khalwale Boni;
- 10) Sen. Khaniri George;
- 11) Sen. Kimani Paul Wamatangi;
- 12) Sen. Kindiki Kithure;
- 13) Sen. Leshore Sammy Prisa;
- 14) Sen. Lesan Wilfred – voted verbally;
- 15) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 16) Sen. Melly Isaac Kipkemboi;

- 17) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 18) Sen. Murkomen Onesmus Kipchumba;
- 19) Sen. Murungi Kiraitu;
- 20) Sen. Mutahi Kagwe;
- 21) Sen. Muthama Johnson Nduya;
- 22) Sen. Mwakulegwa Danson Mwazo;
- 23) Sen. Nabwala Catherine Mukiite; on behalf of Trans Nzoia County delegation;
- 24) Sen. Ntutu Stephen Kanyinke;
- 25) Sen. Nyong'o Peter Anyang';
- 26) Sen. Obure Christopher Mogere;
- 27) Sen. Sang Stephen Kipyego.

New Clause 3C      -agreed to.

**NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 4-

Amendment of  
section 36 of No.  
42 of 2012.

**4 A** Section 36 of the principal Act is amended by deleting subsection (2) and substituting therefor the following new subsection-

(2) A person shall be qualified for appointment as the chairperson of the council under subsection (1)(a) or as a member of the council under subsection (1)(d) if the person —

(a) holds a masters degree from a university recognized in Kenya;

(b) has—

(i) in the case of the chairperson of the council, ten years experience; and

(ii) in the case of a member of the council, five years experience;

in leadership, management or academia at a senior level; and

(c) is of high moral character and integrity and meets the requirements of Chapter Six of the Constitution and is capable of contributing to university

education.

*(Chairperson, Standing Committee on Education)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on 3<sup>rd</sup> May, 2016 resumed on a Division.

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. (Prof.) Lesan Wilfred;
- 2) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 3) Sen. Karaba Daniel Dickson;
- 4) Sen. Mong'are Kennedy Okong'o;
- 5) Sen. Haji Mohamed Yusuf.

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Mohamud Halima Abdille –on behalf of Wajir County delegation;
- 2) Sen. Cheruiyot Aaron Kipkirui;
- 3) Sen. Chiaba Abu Mohammed;
- 4) Sen. Haji Mohamed Yusuf- voted verbally;
- 5) Sen. Hargura Godana;
- 6) Sen. Kajwang' Moses;
- 7) Sen. Karaba Dickson Daniel –voted verbally;
- 8) Sen. Kembi-Gitura James;
- 9) Sen. Khalwale Boni;

- 10) Sen. Khaniri George;
- 11) Sen. Kimani Paul Wamatangi;
- 12) Sen. Kindiki Kithure;
- 13) Sen. Leshore Sammy Prisa;
- 14) Sen. Lesan Wilfred – voted verbally;
- 15) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 16) Sen. Melly Isaac Kipkemboi;
- 17) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 18) Sen. Murkomen Onesmus Kipchumba;
- 19) Sen. Murungi Kiraitu;
- 20) Sen. Mutahi Kagwe;
- 21) Sen. Muthama Johnson Nduya;
- 22) Sen. Mwakulegwa Danson Mwazo;
- 23) Sen. Nabwala Catherine Mukiite ; on behalf of Trans Nzoia County delegation;
- 24) Sen. Ntutu Stephen Kanyinke;
- 25) Sen. Nyong'o Peter Anyang';
- 26) Sen. Obure Christopher Mogere;
- 27) Sen. Sang Stephen Kipyego.

New Clause 4A

-agreed to.

**NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 1-

**1A.** The Universities Act, in this Act referred to as "the principal Act" is amended in section 2 by inserting the following new definition immediately after the definition of the word "institution"-  
**"mid-level institution"** means a post-secondary school learning institution that offers a certification below that of a degree;

*(Chairperson, Standing Committee on Education)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on 15<sup>th</sup> March, 2016 resumed on a Division.

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. (Prof.) Lesan Wilfred;
- 2) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 3) Sen. Karaba Daniel Dickson;
- 4) Sen. Mong'are Kennedy Okong'o;
- 5) Sen. Haji Mohamed Yusuf.

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

#### **AYES**

- 1) Sen. Mohamud Halima Abdille –on behalf of Wajir County delegation;
- 2) Sen. Cheruiyot Aaron Kipkirui;
- 3) Sen. Chiaba Abu Mohammed;
- 4) Sen. Haji Mohamed Yusuf- voted verbally;
- 5) Sen. Hargura Godana;
- 6) Sen. Kajwang' Moses;
- 7) Sen. Karaba Dickson Daniel –voted verbally;
- 8) Sen. Kembi-Gitura James;
- 9) Sen. Khalwale Boni;
- 10) Sen. Khaniri George;
- 11) Sen. Kimani Paul Wamatangi;
- 12) Sen. Kindiki Kithure;
- 13) Sen. Leshore Sammy Prisa;
- 14) Sen. Lesan Wilfred – voted verbally;
- 15) Sen. Njoroge Paul Ben; voted verbally on behalf of Nakuru County delegation;
- 16) Sen. Melly Isaac Kipkemboi;
- 17) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 18) Sen. Murkomen Onesmus Kipchumba;
- 19) Sen. Murungi Kiraitu;
- 20) Sen. Mutahi Kagwe;
- 21) Sen. Muthama Johnson Nduya;
- 22) Sen. Mwakulegwa Danson Mwazo;
- 23) Sen. Nabwala Catherine Mukiite; on behalf of Trans Nzoia County Delegation;

- 24) Sen. Ntutu Stephen Kanyinke;
- 25) Sen. Nyong'o Peter Anyang';
- 26) Sen. Obure Christopher Mogere;
- 27) Sen. Sang Stephen Kipyego.

New Clause 1A -agreed to.

New Clause 3A, New Clause 3B, New Clause 3C, New Clause 4A and New Clause 1A,

Motion made and Question proposed;

THAT New Clause 3A, New Clause 3B, New Clause 3C, New Clause 4A, New Clause 1A be part of the Bill;

Debate interrupted on 3<sup>rd</sup> May, 2016 resumed on a Division;

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. Kindiki Kithure;
- 2) Sen. (Prof.) Lesan Wilfred;
- 3) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 4) Sen. Karaba Daniel Dickson;
- 5) Sen. Mong'are Kennedy Okong'o.

The results of the Division were as follows;

AYES - 24

NOES - 0

ABSTENTIONS - 0



AYES

- 1) Sen. Mohamud Halima Abdille – on behalf of Wajir County delegation;
- 2) Sen. Chiaba Abu Mohammed;
- 3) Sen. Hargura Godana;
- 4) Sen. Kajwang' Moses;
- 5) Sen. Karaba Dickson Daniel –voted verbally;
- 6) Sen. Kembi-Gitura James;
- 7) Sen. Kindiki Kithure –voted verbally;
- 8) Sen. Khalwale Boni;
- 9) Sen. Khaniri George;
- 10) Sen. Kiyonga John Munyes;
- 11) Sen. Leshore Sammy Prisa;
- 12) Sen. Lesan Wilfred – voted verbally;
- 13) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 14) Sen. Melly Isaac Kipkemboi;
- 15) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 16) Sen. Murkomen Onesmus Kipchumba;
- 17) Sen. Murungi Kiraitu;
- 18) Sen. Mutahi Kagwe;
- 19) Sen. Muthama Johnson Nduya;
- 20) Sen. Mwakulegwa Danson Mwazo;
- 21) Sen. Nabwala Catherine Mukiite; on behalf of Trans Nzoia County Delegation;
- 22) Sen. Ntutu Stephen Kanyinke;
- 23) Sen. Nyong'o Peter Anyang';
- 24) Sen. Obure Christopher Mogere;

New Clause 3A, New Clause 3B, New Clause 3C, New Clause 4A and New Clause 1A, - agreed to.

Clause 2, Title and Clause 1

Motion made and Question proposed;

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

Debate interrupted on 15<sup>th</sup> March, 2016 resumed on a Division;

The Committee 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 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 five Senators to record their vote verbally.

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

- 1) Sen. Kindiki Kithure;
- 2) Sen. (Prof.) Lesan Wilfred;
- 3) Sen. Njoroge Paul Ben; on behalf of Nakuru County Delegation;
- 4) Sen. Karaba Daniel Dickson;
- 5) Sen. Mong'are Kennedy Okong'o.

The results of the Division were as follows;

AYES - 24

NOES - 0

ABSTENTIONS - 0

#### **AYES**

- 1) Sen. Mohamud Halima Abdille – on behalf of Wajir County Delegation;
- 2) Sen. Chiaba Abu Mohammed;
- 3) Sen. Hargura Godana;
- 4) Sen. Kajwang' Moses;
- 5) Sen. Karaba Dickson Daniel –voted verbally;
- 6) Sen. Kembi-Gitura James;
- 7) Sen. Kindiki Kithure –voted verbally;
- 8) Sen. Khalwale Boni;
- 9) Sen. Khaniri George;
- 10) Sen. Kiyonga John Munyes;
- 11) Sen. Leshore Sammy Prisa;
- 12) Sen. Lesan Wilfred – voted verbally;
- 13) Sen. Njoroge Ben; voted verbally on behalf of Nakuru County delegation;
- 14) Sen. Melly Isaac Kipkemboi;
- 15) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 16) Sen. Murkomen Onesmus Kipchumba;
- 17) Sen. Murungi Kiraitu;
- 18) Sen. Mutahi Kagwe;
- 19) Sen. Muthama Johnson Nduya;
- 20) Sen. Mwakulegwa Danson Mwazo;
- 21) Sen. Nabwala Catherine Mukiite on behalf of Trans Nzoia County Delegation;

- 22) Sen. Ntutu Stephen Kanyinke;
- 23) Sen. Nyong'o Peter Anyang';
- 24) Sen. Obure Christopher Mogere;

Clause 2, Title and Clause 1 - agreed to

Bill to be reported with amendments.

10. **HOUSE RESUMED** – Deputy Speaker in the Chair

11. **THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)**

Bill reported with amendments

Motion made and Question proposed;

**That**, the House do agree with the Committee in the said report.

*(Sen. Mohamud Halima Abdille)*

There being no Senator wishing to contribute;

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

Question put and **agreed to.**

Motion made and Question Proposed.

**That**, the Universities (Amendment) Bill (Senate Bill No. 31 of 2014) be now read a Third Time.

*(Sen. Mohamud Halima Abdille)*

There being no Senator wishing to contribute;

The House proceeded on a Division;

The Deputy Speaker 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 Deputy Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Deputy Speaker allowed nine Senators to record their vote verbally.

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

- 1) Sen. Beatrice Elachi –on behalf of Nairobi County delegation;
- 2) Sen. Bule Ali;
- 3) Sen. Ndiema Henry Tiole;
- 4) Sen. Zani Agnes –on behalf of Kwale County delegation;
- 5) Sen. Mungai Kiarie James;
- 6) Sen. Karaba Daniel Dickson;
- 7) Sen. Mong'are Kennedy Okong'o;
- 8) Sen. Madzayo Stewart Mwachiru;
- 9) Sen. Mutula Kilonzo Junior.

The results of the Division were as follows;

AYES - 28

NOES - 0

ABSTENTIONS - 1

#### **AYES**

- 1) Sen. Zani Agnes Philomena –voted verbally on behalf of Kwale County delegation
- 2) Sen. Bule Ali –voted verbally;
- 3) Sen. Mohamud Halima Abdille –on behalf of Wajir County delegation;
- 4) Sen. Cheruiyot Aaron Kipkirui;
- 5) Sen. Chiaba Abu Mohammed;
- 6) Sen. Haji Mohamed Yusuf- voted verbally;
- 7) Sen. Hargura Godana;
- 8) Sen. Kajwang' Moses;
- 9) Sen. Karaba Dickson Daniel –voted verbally;
- 10) Sen. Kembi-Gitura James;
- 11) Sen. Khalwale Boni;
- 12) Sen. Kindiki Kithure;
- 13) Sen. Kiyonga John Munyes;
- 14) Sen. Leshore Sammy Prisa;
- 15) Sen. Melly Isaac Kipkemboi;
- 16) Sen. Mong'are Kennedy Okong'o –voted verbally;
- 17) Sen. Mungai Kiarie James – voted verbally;
- 18) Sen. Murkomen Onesmus Kipchumba;
- 19) Sen. Murungi Kiraitu;
- 20) Sen. Mutahi Kagwe;
- 21) Sen. Mutula Kilonzo Junior –voted verbally;
- 22) Sen. Mwakulegwa Danson Mwazo;
- 23) Sen. Ndiema Henry Tiole –voted verbally;
- 24) Sen. Ntutu Stephen Kanyinke;
- 25) Sen. Nyong'o Peter Anyang'.

- 26) Sen. Obure Christopher Mogere;
- 27) Sen. Sang Stephen Kipyego.
- 28) Sen. Elachi Beatrice – voted verbally on behalf of Nairobi County Delegation;

### **ABSTENTION**

Sen. Kimani Paul Wamatangi

Bill read a Third Time and passed.

## 12. **COMMITTEE OF THE WHOLE**

Order for Committee read;

### **IN THE COMMITTEE**

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

### **The County Governments Disaster Management Bill (Senate Bill No. 40 of 2014)**

#### **Clauses 3-6**

Motion made and Question proposed

THAT Clauses 3-6 be part of the Bill

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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. Haji Mohammed Yusuf

- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben; on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 28

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf - voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille- on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred
- 15) Sen. Leshore Sammy Prisa
- 16) Sen. Lonyangapuo John Krop
- 17) Sen. Melly Isaac
- 18) Sen. Njoroge Ben-voted verbally on behalf of Nakuru County Delegation
- 19) Sen. Murkomen Onesmus Kipchumba
- 20) Sen. Murungi Kiraitu
- 21) Sen. Mutahi Kagwe
- 22) Sen. Muthama Johnson Nduya
- 23) Sen. Mwakulegwa Danson
- 24) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 25) Sen. Ntutu Stephen
- 26) Sen. Nyong'o Peter Anyang'
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are - voted verbally

Clauses 3-6 - agreed to

Clause 7 - amendment proposed.

**THAT** clause 7 be amended in sub-clause 2, by inserting the following new paragraph immediately after paragraph (h)-

(ha) set up an emergency command centre within the county; -

*(Sen. Fatuma Dullo)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 five Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Leshore Sammy Prisa
- 4) Sen. Njoroge Ben- on behalf of Nakuru County Delegation
- 5) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 28

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf - voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille- on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura - voted verbally
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred

- 15) Sen. Leshore Sammy Prisa - voted verbally
- 16) Sen. Lonyangapuo John Krop
- 17) Sen. Melly Isaac
- 18) Sen. Njoroge Ben – voted verbally on behalf of Nakuru County Delegation
- 19) Sen. Murkomen Onesmus Kipchumba
- 20) Sen. Murungi Kiraitu
- 21) Sen. Mutahi Kagwe
- 22) Sen. Muthama Johnson Nduya
- 23) Sen. Mwakulegwa Danson
- 24) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 25) Sen. Ntutu Stephen
- 26) Sen. Nyong'o Peter Anyang'
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are- voted verbally

Clause 7 (as amended) - agreed to

Clauses 8-45

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;



AYES - 28

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf - voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred
- 15) Sen. Leshore Sammy Prisa
- 16) Sen. Lonyangapuo John Krop
- 17) Sen. Melly Isaac
- 18) Sen. Njoroge Ben – voted verbally on behalf of Nakuru County Delegation
- 19) Sen. Murkomen Onesmus Kipchumba
- 20) Sen. Murungi Kiraitu
- 21) Sen. Mutahi Kagwe
- 22) Sen. Muthama Johnson Nduya
- 23) Sen. Mwakulegwa Danson
- 24) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 25) Sen. Ntutu Stephen
- 26) Sen. Nyong'o Peter Anyang'
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are – voted verbally

Clauses 8-45 - agreed to

The Schedule, Clause 2, the Title and Clause 1

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 28

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf – voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred
- 15) Sen. Leshore Sammy Prisa
- 16) Sen. Melly Isaac
- 17) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 18) Sen. Murkomen Onesmus Kipchumba
- 19) Sen. Murungi Kiraitu
- 20) Sen. Mutahi Kagwe
- 21) Sen. Muthama Johnson Nduya
- 22) Sen. Mwakulegwa Danson
- 23) Sen. Nabwala Catherine Mukiite - on behalf of Trans Nzoia County Delegation
- 24) Sen. Ntutu Stephen
- 25) Sen. Nyong'o Peter Anyang'

- 26) Sen. Sang' Stephen Kipyego
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are - voted verbally

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

Bill to be reported with amendments.

13. **HOUSE RESUMED** – The Deputy Speaker in the Chair

14. **THE COUNTY GOVERNMENTS DISASTER MANAGEMENT BILL (SENATE BILL NO. 40 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.

*(Chairperson, Committee on National Security and Foreign Relations)*

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

**THAT**, the County Governments Disaster Management Bill (Senate Bill No. 40 of 2014) be now Read a Third Time.

*(Chairperson, Committee on National Security and Foreign Relations)*

Debate arising

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Deputy Speaker allowed twelve Senators to record their vote verbally.

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

- 1) Sen. Bule Abdi
- 2) Sen. Elachi Beatrice - on behalf of Nairobi County Delegation
- 3) Sen. Haji Mohammed Yusuf
- 4) Sen. Karaba Dickson Daniel
- 5) Sen. Kilonzo Mutula Junior
- 6) Sen. Madzayo Stewart
- 7) Sen. Melly Isaac
- 8) Sen. Ndiema Henry
- 9) Sen. Nyong'o Peter Anyang
- 10) Sen. Okong'o Kennedy Mong'are
- 11) Sen. Zani Agnes - on behalf of Kwale County Delegation
- 12) Sen. Mungai James Kiarie

The results of the Division were as follows;

AYES - 30

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Bule Ali Abdi - voted verbally
- 2) Sen. Cheruiyot Aaron
- 3) Sen. Chiaba Abu
- 4) Sen. Haji Mohammed Yusuf - voted verbally
- 5) Sen. Hargura Godana
- 6) Sen. Hassan Omar Hassan
- 7) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 8) Sen. Kajwang Moses
- 9) Sen. Karaba Dickson Daniel - voted verbally
- 10) Sen. Kembi-Gitura
- 11) Sen. Khalwale Boni
- 12) Sen. Kilonzo Mutula Junior - voted verbally
- 13) Sen. Kindiki Kithure
- 14) Sen. Elachi Beatrice - voted verbally on behalf of Nairobi county Delegation
- 15) Sen. Kiyonga John Munyes
- 16) Sen. Leshore Sammy Prisa
- 17) Sen. Madzayo Stewart - voted verbally
- 18) Sen. Melly Isaac - voted verbally
- 19) Sen. Mungai James Kiarie - voted verbally

- 20) Sen. Murkomen Onesmus Kipchumba
- 21) Sen. Murungi Kiraitu
- 22) Sen. Mutahi Kagwe
- 23) Sen. Mwakulegwa Danson
- 24) Sen. Ndiema Henry - voted verbally
- 25) Sen. Ntutu Stephen
- 26) Sen. Nyong'o Peter Anyang' - voted verbally
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are -voted verbally
- 29) Sen. Sang' Stephen Kipyego
- 30) Sen. Zani Agnes - voted verbally on behalf of Kwale County Delegation

Bill read a Third Time and passed.

15. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

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

**The County Assembly Services Bill (Senate Bill No. 27 of 2014)**

**Clauses 3-7**

Debate interrupted on Wednesday 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel

- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Haji Mohammed Yusuf – voted verbally
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Lesan Wilfred
- 14) Sen. Leshore Sammy Prisa
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben – voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are - voted verbally

Clauses 3-7 - agreed to

Clause 8 - amendment proposed.

**THAT** clause 8 of the Bill be amended by-

- (a) deleting sub-clause (a);
- (b) deleting sub-clause (c) and substituting therefor the following new sub-clause-

(c) community and cultural diversity of the county.

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

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 2) Sen. Okong'o Kennedy Mong'are
- 3) Sen. Karaba Dickson Daniel
- 4) Sen. Haji Mohammed Yusuf

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred

- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang' Stephen Kipyego

Clause 8 (as amended) - agreed to

Clause 9 - amendment proposed

**THAT** clause 9 of the Bill be amended in the introductory phrase by inserting the words “under section 12(3) (d) of the County Governments Act” immediately after the words “member of the Board”.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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



- 1) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 2) Sen. Okong'o Kennedy Mong'are
- 3) Sen. Karaba Dickson Daniel
- 4) Sen. Haji Mohammed Yusuf

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura - voted verbally
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang' Stephen Kipyego

Clause 9 (as amended) - agreed to

Clause 10 - amendment proposed.

**THAT** clause 10 of the Bill be amended by deleting the words "A appointed" appearing at the beginning of the clause and substituting therefor the words "A person".

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 2) Sen. Okong'o Kennedy Mong'are
- 3) Sen. Karaba Dickson Daniel
- 4) Sen. Haji Mohammed Yusuf

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben-voted verbally on behalf of Nakuru County Delegation

- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang' Stephen Kipyego

Clause 10 (as amended) - agreed to

Clause 11

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- (1) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- (2) Sen. Okong'o Kennedy Mong'are
- (3) Sen. Karaba Dickson Daniel
- (4) Sen. Haji Mohammed Yusuf

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

1. Sen. Cheruiyot Aaron
2. Sen. Chiaba Abu
3. Haji Mohamed Yusuf - voted verbally
4. Sen. Hargura Godana
5. Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
6. Sen. Kajwang Moses
7. Sen. Karaba Dickson Daniel - voted verbally
8. Sen. Kembi-Gitura
9. Sen. Khalwale Boni
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Kiyonga John Munyes
13. Sen. Leshore Sammy Prisa
14. Sen. Melly Isaac
15. Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
16. Sen. Murkomen Onesmus Kipchumba
17. Sen. Murungi Kiraitu
18. Sen. Mutahi Kagwe
19. Sen. Muthama Johnson Nduya
20. Sen. Mwakulegwa Danson
21. Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
22. Sen. Ntutu Stephen
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Okong'o Kennedy Mong'are – voted verbally
26. Sen. Sang' Stephen Kipyego

Clause 11 - agreed to

Clause 12 - amendment proposed.

**THAT** clause 12 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (a)-

(aa) sue and be sued;

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Karaba Dickson Daniel
- 2) Sen. Haji Mohammed Yusuf
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille-on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'

- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang' Stephen Kipyego

Clause 12 (as amended) - agreed to

Clauses 13 - 15

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 2) Sen. Okong'o Kennedy Mong'are
- 3) Sen. Karaba Dickson Daniel
- 4) Sen. Haji Mohammed Yusuf

The results of the Division were as follows;

AYES - 26                      NOES - 0                      ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohamed Yusuf - voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima-on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni

- 10) Sen. Khaniri George
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben-on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

Clauses 13 - 15 - agreed to

Clause 16 - amendment proposed.

**THAT** clause 16 of the Bill be amended at subsection (2) by inserting the words "and the Board" immediately after the words "chairperson of the Board".

*(Sen Kichumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Karaba Dickson Daniel
- 2) Sen. Haji Mohammed Yusuf
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

1. Sen. Cheruiyot Aaron
2. Sen. Chiaba Abu
3. Sen. Yusuf Haji – voted verbally
4. Sen. Hargura Godana
5. Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
6. Sen. Kajwang Moses
7. Sen. Karaba Dickson Daniel - voted verbally
8. Sen. Kembi-Gitura
9. Sen. Khalwale Boni
10. Sen. Khaniri George
11. Sen. Kindiki Kithure
12. Sen. Kiyonga John Munyes
13. Sen. Leshore Sammy Prisa
14. Sen. Melly Isaac
15. Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
16. Sen. Murkomen Onesmus Kipchumba
17. Sen. Murungi Kiraitu
18. Sen. Mutahi Kagwe
19. Sen. Muthama Johnson Nduya
20. Sen. Mwakulegwa Danson
21. Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
22. Sen. Ntutu Stephen
23. Sen. Nyong'o Peter Anyang'
24. Sen. Obure Christopher
25. Sen. Okong'o Kennedy Mong'are – voted verbally
26. Sen. Sang' Stephen Kipyego

Clause 16 (as amended) - agreed to

Clauses 17-29

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Yusuf Haji – voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille-on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Melly Isaac
- 15) Sen. Njoroge Ben-on behalf of Nakuru County Delegation
- 16) Sen. Murkomen Onesmus Kipchumba
- 17) Sen. Murungi Kiraitu
- 18) Sen. Mutahi Kagwe
- 19) Sen. Muthama Johnson Nduya
- 20) Sen. Mwakulegwa Danson

- 21) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 22) Sen. Ntutu Stephen
- 23) Sen. Nyong'o Peter Anyang'
- 24) Sen. Obure Christopher
- 25) Sen. Okong'o Kennedy Mong'are – voted verbally
- 26) Sen. Sang' Stephen Kipyego

Clauses 17-29 - agreed to

Clause 30 - amendment proposed.

**THAT** clause 30 of the Bill be deleted.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 five Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Muthama Johnson Nduya
- 4) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 5) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kimani Paul Wamatangi
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya – voted verbally
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite- on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

Clause 30 - deleted

Clauses 31-42

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Haji Mohammed Yusuf – voted verbally
- 5) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kimani Paul Wamatangi
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Leshore Sammy Prisa
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

Clauses 31-42 - agreed to

Clause 43 - amendment proposed.

**THAT** clause 43 of the Bill be deleted.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 five Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are
- 5) Sen. Muthama Johnson Nduya

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George

- 10) Sen. Kimani Paul Wamatangi
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Lesan Wilfred
- 14) Sen. Leshore Sammy Prisa
- 15) Sen. Haji Mohammed Yusuf – voted verbally
- 16) Sen. Melly Isaac
- 17) Sen. Njoroge Ben-voted verbally on behalf of Nakuru County Delegation
- 18) Sen. Murkomen Onesmus Kipchumba
- 19) Sen. Murungi Kiraitu
- 20) Sen. Mutahi Kagwe
- 21) Sen. Muthama Johnson Nduya – voted verbally
- 22) Sen. Mwakulegwa Danson
- 23) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 24) Sen. Ntutu Stephen
- 25) Sen. Nyong'o Peter Anyang'
- 26) Sen. Obure Christopher
- 27) Sen. Okong'o Kennedy Mong'are – voted verbally

Clause 43 - deleted

Clauses 44-45

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel

- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

1. Sen. Cheruiyot Aaron
2. Sen. Chiaba Abu
3. Sen. Hargura Godana
4. Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
5. Sen. Kajwang Moses
6. Sen. Karaba Dickson Daniel - voted verbally
7. Sen. Kembi-Gitura
8. Sen. Khalwale Boni
9. Sen. Khaniri George
10. Sen. Kindiki Kithure
11. Sen. Kiyonga John Munyes
12. Sen. Lesan Wilfred
13. Sen. Leshore Sammy Prisa
14. Sen. Haji Mohammed Yusuf – voted verbally
15. Sen. Melly Isaac
16. Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
17. Sen. Murkomen Onesmus Kipchumba
18. Sen. Murungi Kiraitu
19. Sen. Mutahi Kagwe
20. Sen. Muthama Johnson Nduya
21. Sen. Mwakulegwa Danson
22. Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
23. Sen. Ntutu Stephen
24. Sen. Nyong'o Peter Anyang'
25. Sen. Obure Christopher
26. Sen. Okong'o Kennedy Mong'are – voted verbally

Clauses 44-45 - agreed to

Clause 46 - amendment proposed.

**THAT** clause 46 of the Bill be amended at subsection (3) by deleting the words "Cabinet Secretary" appearing immediately after the words "the authority of the" and substituting therefor the word "Board".

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac



- 16) Sen. Njoroge Ben – voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang' Stephen Kipyego

Clause 46 (as amended) - agreed to

Clause 47

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben - on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

Clause 47 - agreed to

**NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 14-

Allowances for the members of the Board	<b>14A.</b> Members of the Board shall be paid such allowances as the Salaries and Remuneration Commission may determine.
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*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben- on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS - 0

#### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf - voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben-voted verbally on behalf of Nakuru County

Delegation

- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County

Delegation

- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

New Clause 14A - agreed to

#### **NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 47-

- |                                   |  |
|-----------------------------------|--|
| Amendment<br>of No. 17 of<br>2012 | <p><b>47 A.</b> Section 12 of the County Governments Act is amended by-</p> <p>(a) deleting subsection 3 and substituting therefor the following new subsections-</p> <p>(3)The Board consists of—</p> <ul style="list-style-type: none"> <li>(a) the Speaker of the county assembly, as the chairperson;</li> <li>(b) a vice-chairperson elected by the Board from the members appointed under paragraph (c);</li> <li>(c) two members of the County Assembly nominated by the political parties represented in the county assembly according to their proportion of members in the county assembly; and</li> <li>(d) one man and one woman appointed by the county assembly from amongst persons who are experienced in public affairs, but are not members of the county assembly.</li> </ul> <p>(b) inserting the following new sub-section immediately after subsection (3)-</p> <p>(3A) The members of the Board appointed under section 12(3)(d) shall serve on a part-time basis.</p> <p>(c) deleting subsection (c) of paragraph (5) and substituting therefor the following new subsection-</p> <p>(c)if the person is the Speaker, when the person ceases to be such Speaker.</p> |
|-----------------------------------|--|

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;  
Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.  
The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf - voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County

Delegation

- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County

Delegation

- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

New Clause 47A - agreed to

**NEW CLAUSE PROPOSED:-**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 47A-

Transition and savings.	<p><b>47 B.</b> (1) Subject to subsection (2) each county assembly shall appoint the members of county assembly service board under sections 12(3)(b), (c) and (d) within thirty days after the commencement of this Act.</p> <p>(2) Upon the commencement of this Act and before the first general elections held after the coming into force of this Act, a person, who immediately before the commencement of this Act served as a member of a county assembly services board appointed under section 12 (3)(d) of the County Governments Act in force before the commencement of this Act, shall continue to serve as a member of the Board, as one of the persons appointed under section 12 (3)(d).</p>
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*(Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu –voted verbally
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura - voted verbally
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson

- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

New Clause 47B - agreed to

New Clause 14A, New Clause 47A and New Clause 47B

Motion made and Question proposed;

THAT New Clause 14A, New Clause 47A and New Clause 47B be part of the Bill;

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division;

The Committee 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 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. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0



AYES

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu –voted verbally
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Leshore Sammy Prisa
- 13) Sen. Haji Mohammed Yusuf – voted verbally
- 14) Sen. Melly Isaac
- 15) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 16) Sen. Murkomen Onesmus Kipchumba
- 17) Sen. Murungi Kiraitu
- 18) Sen. Mutahi Kagwe
- 19) Sen. Muthama Johnson Nduya
- 20) Sen. Mwakulegwa Danson
- 21) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County
- 22) Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong’o Peter Anyang’
- 25) Sen. Obure Christopher
- 26) Sen. Okong’o Kennedy Mong’are – voted verbally

New Clause 14A, New Clause 47A and New Clause 47B – agreed to

First Schedule - amendment proposed

That the First Schedule to the Bill be amended in paragraph 1 by inserting the words “under section 12(3)(d) of the County Governments Act” immediately after the words “in the membership of the Board”.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben-voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya

- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang Stephen Kipyego

First Schedule (as amended) - agreed to

Second Schedule - amendment proposed

**That**, the Second Schedule to the Bill be amended –

- (a) by deleting paragraph 8; and
- (b) in paragraph 9 by deleting the expression "Subject to any regulations made under paragraph 7" appearing at the beginning of the paragraph.

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

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS – 0

AYES

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura - voted verbally
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally
- 27) Sen. Sang' Stephen Kipyego

Second Schedule (as amended) - agreed to

Third Schedule

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Assembly
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Hargura Godana
- 4) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5) Sen. Kajwang Moses
- 6) Sen. Karaba Dickson Daniel - voted verbally
- 7) Sen. Kembi-Gitura
- 8) Sen. Khalwale Boni
- 9) Sen. Khaniri George
- 10) Sen. Kindiki Kithure
- 11) Sen. Kiyonga John Munyes
- 12) Sen. Lesan Wilfred
- 13) Sen. Leshore Sammy Prisa
- 14) Sen. Haji Mohammed Yusuf – voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben- voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen

- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are – voted verbally

Third Schedule - agreed to

Clause 2, the Title and Clause 1

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 26

NOES - 0

ABSTENTIONS – 0

**AYES**

- 1. Sen. Cheruiyot Aaron
- 2. Sen. Chiaba Abu –voted verbally
- 3. Sen. Hargura Godana
- 4. Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 5. Sen. Kajwang Moses
- 6. Sen. Karaba Dickson Daniel - voted verbally
- 7. Sen. Kembi-Gitura - voted verbally
- 8. Sen. Khalwale Boni
- 9. Sen. Khaniri George
- 10. Sen. Kindiki Kithure

11. Sen. Kiyonga John Munyes
12. Sen. Lesan Wilfred
13. Sen. Leshore Sammy Prisa
14. Sen. Haji Mohammed Yusuf – voted verbally
15. Sen. Melly Isaac
16. Sen. Njoroge Ben- voted verbally on behalf of Nakuru County  
Delegation
17. Sen. Murkomen Onesmus Kipchumba
18. Sen. Murungi Kiraitu
19. Sen. Mutahi Kagwe
20. Sen. Muthama Johnson Nduya
21. Sen. Mwakulegwa Danson
22. Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County  
Delegation
23. Sen. Ntutu Stephen
24. Sen. Nyong'o Peter Anyang'
25. Sen. Obure Christopher
26. Sen. Okong'o Kennedy Mong'are – voted verbally

Clause 2, the Title and Clause 1 -      agreed to

Bill to be reported with amendments;

16. **HOUSE RESUMED** – the Deputy Speaker in the Chair
17. **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. Kipchumba Murkomen, on behalf of the 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 Deputy Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

**THAT**, the County Assembly Services Bill (Senate Bill No. 27 of 2014) be now Read a Third Time.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Standing Committee on Legal Affairs and Human Rights)*

Debate arising;

There being no Senator wishing to contribute;

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

The Deputy 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 Deputy Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Deputy Speaker allowed nine Senators to record their vote verbally.

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

- 1) Sen. Bule Abdi
- 2) Sen. Elachi Beatrice - on behalf of Nairobi City County Delegation
- 3) Sen. Haji Mohammed Yusuf
- 4) Sen. James Mungai
- 5) Sen. Karaba Daniel
- 6) Sen. Kilonzo Mutula Junior
- 7) Sen. Ndiema Henry
- 8) Sen. Okong'o Kennedy Mong'are
- 9) Sen. Zani Agnes - on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 30

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Bule Abdi-voted verbally
- 2) Sen. Cheruiyot Aaron
- 3) Sen. Chiaba Abu
- 4) Sen. Haji Mohammed Yusuf - voted verbally
- 5) Sen. Hargura Godana
- 6) Sen. Hassan Omar Hassan



- 7) Sen. Kajwang Moses
- 8) Sen. Karaba Dickson Daniel - voted verbally
- 9) Sen. Kembi-Gitura
- 10) Sen. Khalwale Boni
- 11) Sen. Khaniri George
- 12) Sen. Kilonzo Mutula Junior - voted verbally
- 13) Sen. Kimani Paul Wamatangi
- 14) Sen. Kindiki Kithure
- 15) Sen. Elachi Beatrice - voted verbally on behalf of Nairobi City County Delegation
- 16) Sen. Kiyonga John Munyes
- 17) Sen. Melly Isaac - voted verbally
- 18) Sen. Mungai James Kiarie - voted verbally
- 19) Sen. Murkomen Onesmus Kipchumba
- 20) Sen. Murungi Kiraitu
- 21) Sen. Mutahi Kagwe
- 22) Sen. Kilonzo Mutula Junior - voted verbally
- 23) Sen. Mwakulegwa Danson
- 24) Sen. Ndiema Henry - voted verbally
- 25) Sen. Ntutu Stephen
- 26) Sen. Nyong'o Peter Anyang'
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are - voted verbally
- 29) Sen. Zani Agnes - voted verbally on behalf of Kwale County Delegation
- 30) Sen. Sang Stephen Kipyego

Bill Read a Third Time and passed.

18. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

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

**The County Hall of Fame Bill (Senate Bill No. 33 of 2014)**

**Clauses 3-21**

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Sang) 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;

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 nine Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Khalwale Boni
- 4) Sen. Khaniri George
- 5) Sen. Mugo Beth Wambui – on behalf of Nairobi County Delegation
- 6) Sen. Muthama Johnson Nduya
- 7) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 8) Sen. Obure Christopher Mogere
- 9) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 28

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf - voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni - voted verbally
- 10) Sen. Khaniri George – voted verbally
- 11) Sen. Mugo Beth Wambui – Voted verbally on behalf of Nairobi County Delegation
- 12) Sen. Kindiki Kithure
- 13) Sen. Kiyonga John Munyes
- 14) Sen. Lesan Wilfred
- 15) Sen. Leshore Sammy Prisa

- 16) Sen. Melly Isaac
- 17) Sen. Njoroge Ben - Voted verbally on behalf of Nakuru County Delegation
- 18) Sen. Murkomen Onesmus Kipchumba
- 19) Sen. Murungi Kiraitu
- 20) Sen. Mutahi Kagwe
- 21) Sen. Muthama Johnson Nduya – voted verbally
- 22) Sen. Mwakulegwa Danson
- 23) Sen. Nabwala Catherine Mukiite - on behalf of Trans Nzoia County Delegation
- 24) Sen. Ntutu Stephen
- 25) Sen. Nyong'o Peter Anyang'
- 26) Sen. Obure Christopher – voted verbally
- 27) Sen. Okong'o Kennedy Mong'are - Voted verbally
- 28) Sen. Sang Stephen Kipyego

Clauses 3-21 - agreed to

**NEW CLAUSE PROPOSED**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 6—

Vacancy. **6A.** (1) The office of a member of the Selection Committee nominated under section 6(d) shall become vacant if the member-

- (a) is adjudged bankrupt;
- (b) is convicted of a criminal offence and sentenced to a term of imprisonment of not less than six months;
- (c) is convicted of an offence involving fraud or dishonesty;
- (d) is absent, without reasonable cause, from three consecutive meetings of the Selection Committee;
- (e) resigns in writing addressed to the Governor;
- (f) is removed from office by the Governor for -
  - (i) being unable to perform the functions of his office by reason of mental or physical infirmity; or
  - (ii) failing to declare his interest in any matter being considered or to be considered by the Selection Committee; or

(g) dies.

(2) Before the removal of a member under subsection (1)(f), the Governor shall request the Committee to-

- (a) investigate the circumstances giving rise to the proposed removal; and
- (b) make recommendations on whether or not the member should be removed from office.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Legal Affairs and Human Rights)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

**AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf-voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille -on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Lesan Wilfred
- 14) Sen. Leshore Sammy Prisa-voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben-voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite-on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are - Voted verbally
- 27) Sen. Sang Stephen

New Clause 6A - agreed to

**NEW CLAUSE PROPOSED:-**

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

Conflict of interest.                    **8A.** (1) If any person has a personal or fiduciary interest any matter any matter before the Selection Committee, and is present at a meeting of the Selection Committee at which any matter is the subject of consideration, that person shall as soon as

is practicable after the commencement of the meeting, declare such interest and shall not take part in any consideration or discussion of, or vote on any question touching such matter.

(2) A disclosure of interest made under subsection (1) shall be recorded in the minutes of the meeting at which it is made.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Legal Affairs and Human Rights)*

Motion made and Question proposed;

THAT, the New Clause be now read a Second Time;

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee 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;

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 four Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Njoroge Ben – on behalf Nakuru County Delegation
- 4) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 27

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf-voted verbally

- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille-on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni
- 10) Sen. Khaniri George
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Lesan Wilfred
- 14) Sen. Leshore Sammy Prisa-voted verbally
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben - Voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Murkomen Onesmus Kipchumba
- 18) Sen. Murungi Kiraitu
- 19) Sen. Mutahi Kagwe
- 20) Sen. Muthama Johnson Nduya
- 21) Sen. Mwakulegwa Danson
- 22) Sen. Nabwala Catherine Mukiite - on behalf of Trans Nzoia County Delegation
- 23) Sen. Ntutu Stephen
- 24) Sen. Nyong'o Peter Anyang'
- 25) Sen. Obure Christopher
- 26) Sen. Okong'o Kennedy Mong'are - Voted verbally
- 27) Sen. Sang Stephen

New Clause 8A - agreed to

New Clause 6A, New Clause 8A, Clause 2, the Title and Clause 1

Debate interrupted on Wednesday, 4<sup>th</sup> May, 2016 resumed on a Division.

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Sang) 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;

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 nine Senators to record their vote verbally.

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

- 1) Sen. Haji Mohammed Yusuf
- 2) Sen. Karaba Dickson Daniel
- 3) Sen. Khalwale Boni
- 4) Sen. Khaniri George
- 5) Sen. Mugo Beth Wambui
- 6) Sen. Muthama Johnson Nduya
- 7) Sen. Njoroge Ben – on behalf of Nakuru County Delegation
- 8) Sen. Obure Christopher Mogere
- 9) Sen. Okong'o Kennedy Mong'are

The results of the Division were as follows;

AYES - 28

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Cheruiyot Aaron
- 2) Sen. Chiaba Abu
- 3) Sen. Haji Mohammed Yusuf - voted verbally
- 4) Sen. Hargura Godana
- 5) Sen. Mohamud Halima Abdille - on behalf of Wajir County Delegation
- 6) Sen. Kajwang Moses
- 7) Sen. Karaba Dickson Daniel - Voted verbally
- 8) Sen. Kembi-Gitura
- 9) Sen. Khalwale Boni - Voted verbally
- 10) Sen. Khaniri George - Voted verbally
- 11) Sen. Kindiki Kithure
- 12) Sen. Kiyonga John Munyes
- 13) Sen. Lesan Wilfred
- 14) Sen. Leshore Sammy Prisa
- 15) Sen. Melly Isaac
- 16) Sen. Njoroge Ben - Voted verbally on behalf of Nakuru County Delegation
- 17) Sen. Mugo Beth Wambui - Voted verbally on behalf of Nairobi County Delegation
- 18) Sen. Murkomen Onesmus Kipchumba
- 19) Sen. Murungi Kiraitu



- 20) Sen. Mutahi Kagwe
- 21) Sen. Muthama Johnson Nduya – Voted verbally
- 22) Sen. Mwakulegwa Danson
- 23) Sen. Nabwala Catherine Mukiite - on behalf of Trans Nzoia County Delegation
- 24) Sen. Ntutu Stephen
- 25) Sen. Nyong'o Peter Anyang'
- 26) Sen. Obure Christopher - Voted verbally
- 27) Sen. Okong'o Kennedy Mong'are - Voted verbally
- 28) Sen. Sang' Stephen Kipyego

New Clause 6A, New Clause 8A , Clause 2  
the Title and Clause 1

- agreed to

Bill to be reported with amendments.

19. **HOUSE RESUMED** – The Deputy Speaker in the Chair.

20. **THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 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. Kipchumba Murkomen on behalf of the Chairperson, Legal Affairs and Human Rights)*

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

**THAT**, the County Hall of Fame Bill (Senate Bill No. 33 of 2014) be now Read a Third Time.

*(Sen. Kipchumba Murkomen on behalf of the Chairperson, Legal Affairs and Human Rights)*

There being no Senator wishing to contribute;

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

The Deputy 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 Deputy Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 74 (5), the Deputy Speaker allowed eleven Senators to record their vote verbally.

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

- 1) Sen. Bule Abdi
- 2) Sen. Elachi Beatrice - on behalf of Nairobi County Delegation
- 3) Sen. Haji Mohammed Yusuf
- 4) Sen. Hargura Godana
- 5) Sen. Karaba Daniel
- 6) Sen. Kilonzo Mutula Junior
- 7) Sen. Madzayo Stewart
- 8) Sen. Mungai James Kiarie
- 9) Sen. Ndiema Henry
- 10) Sen. Okong'o Kennedy Mong'are
- 11) Sen. Zani Agnes – on behalf of Kwale County Delegation

The results of the Division were as follows;

AYES - 30

NOES - 0

ABSTENTIONS - 0

### **AYES**

- 1) Sen. Bule Abdi - Voted verbally
- 2) Sen. Cheruiyot Aaron
- 3) Sen. Haji Mohammed Yusuf - Voted verbally
- 4) Sen. Hargura Godana - Voted verbally
- 5) Sen. Hassan omar
- 6) Sen. Mohamud Halima Abdille - On behalf of Wajir County Delegation
- 7) Sen. Kajwang Moses
- 8) Sen. Karaba Dickson Daniel - Voted verbally

- 9) Sen. Kembi-Gitura
- 10) Sen. Khalwale Boni
- 11) Sen. Khaniri George
- 12) Sen. Kilonzo Mutula Junior - Voted verbally
- 13) Sen. Kimani Wamatangi
- 14) Sen. Kindiki Kithure
- 15) Sen. Elachi Beatrice - Voted verbally on behalf of Nairobi County Delegation
- 16) Sen. Kiyonga John Munyes
- 17) Sen. Madzayo Stewart - Voted verbally
- 18) Sen. Melly Isaac
- 19) Sen. Mungai James Kiarie - Voted verbally
- 20) Sen. Murkomen Onesmus Kipchumba
- 21) Sen. Murungi Kiraitu
- 22) Sen. Mutahi Kagwe
- 23) Sen. Mwakulegwa Danson
- 24) Sen. Ndiema Henry - Voted verbally
- 25) Sen. Ntutu Stephen
- 26) Sen. Nyong'o Peter Anyang'
- 27) Sen. Obure Christopher
- 28) Sen. Okong'o Kennedy Mong'are - Voted verbally
- 29) Sen. Sang Stephen Kipyego
- 30) Sen. Zani Agnes - Voted verbally on behalf of Kwale County Delegation

Bill read a Third Time and passed.

21. **MOTION – ALTERATION OF THE SENATE CALENDAR**

Motion made and Question proposed-

**THAT**, pursuant to the provisions of Standing Order 28 (4), the Senate resolves to alter its Calendar in respect of the First Part of the Fourth Session for the recess scheduled to commence on 6<sup>th</sup> May, 2016 to end on 30<sup>th</sup> May, 2016 instead of 16<sup>th</sup> May, 2016.

*(The Senate Majority Leader)*

Debate arising;

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. Sang) informed the House that the Motion did not affect Counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

**THAT**, pursuant to the provisions of Standing Order 28 (4), the Senate resolves to alter its Calendar in respect of the First Part of the Fourth Session for the recess scheduled to commence on 6<sup>th</sup> May, 2016 to end on 30<sup>th</sup> May, 2016 instead of 16<sup>th</sup> May, 2016.

22. **MOTION – ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 28 (3)**

Motion made and Question proposed-

**THAT**, pursuant to Standing Order 28 (3), the Senate do adjourn until Tuesday, 31<sup>st</sup> May, 2016.

*(The Senate Majority Leader)*

Debate arising;

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

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

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

*The Speaker will take the Chair on  
Tuesday, May 31, 2016 at 2:30 p.m.*

--X--