



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, JUNE 21, 2018 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. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following communication from the Chair:-

Visiting Students from various schools in Makueni County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Kitundu/Kithungo Division, Mbooni Constituency in Makueni County. The students comprise the top performers in the 2017 KCPE examination, as well as the best performing 2018 class eight pupils from the Division.

On behalf of the Senate and on my own behalf, I welcome you to the Senate and wish you well for the remainder of your stay.

I thank you.”

4. **MESSAGES**

The Speaker conveyed the following Messages from the National Assembly:-

a) Message on approval, by the National Assembly, on the County Allocation of Revenue Bill (Senate Bill No. 11 of 2018)

“Hon. Senators, I wish to report to the Senate that, pursuant to Standing Order 41 (3) and (4), I received the following message from the Speaker of the National Assembly regarding the approval of the County Allocation of Revenue Bill (Senate Bills No. 11 of 2018)-

“WHEREAS, the County Allocation of Revenue Bill (Senate Bills No. 11 of 2018) was published vide Kenya Gazette Supplement No. 39 of 13th March 2018 as a special Bill concerning county governments to provide for the equitable allocation of revenue raised nationally among the county governments for the financial year 2018/2019 and the responsibilities of the national and county governments pursuant to such allocation;

WHEREAS, the said Bill was passed by the Senate on Wednesday, 30th March 2018 after public participation and referred to the National Assembly for consideration;

AND WHEREAS, the National Assembly also passed the said Bill on Wednesday, 20th June 2018, without amendments and in the form passed by the Senate;

NOW THEREFORE, in accordance with the provisions of Article 110 of the Constitution and Standing Orders 41(1) and 142 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

Honourable Senators, Article 110 (5) of the Constitution provides that “*if both Houses pass the Bill in the same form, the Speaker of the House in which the Bill originated shall within seven days, refer the Bill to the President for Assent*”.

Honourable Senators, in this regard, I will process the Bill and present to His Excellency the President for Assent.

I thank you.”

b) Message on passage, by the National Assembly, on the Energy Bill (National Assembly Bill No. 50 of 2017)

“Hon. Senators, I wish to report to the Senate that, pursuant to Standing Order 41 (3), and (4), I received the following message from the Speaker of the National Assembly regarding the approval of the Energy Bill (National Assembly Bills No. 50 of 2017)-

“WHEREAS, the Energy Bill (National Assembly Bills No. 50 of 2017) was published vide Kenya Gazette Supplement No. 194 of 29th December 2017, as a Bill concerning county governments proposing to inter alia, consolidate the laws relating to energy; to provide for National and County Government functions in relation to energy, to provide for the establishment of powers and functions of the energy sector entities; promotion of renewable energy; exploration, recovery and commercial utilization of geothermal energy; regulation of midstream and downstream petroleum and coal activities; regulation, production, supply and use of electricity and other energy forms;

AND WHEREAS, the National Assembly considered and passed the said Bill on Thursday, June 7, 2018 with amendments in the form attached hereto;

NOW THEREFORE, in accordance with the provisions Article 110(4) of the Constitution and Standing Order 142 of the National Assembly Standing Orders, I hereby refer the said Bill to the Senate for consideration.”

Honourable Senators, pursuant to Standing Order 151 which requires that a Bill originating in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order 133, I direct that the Bill be listed for First Reading when the Senate sits next.

I thank you.”

5. **SUBSTANTIATION OF FACTS ALLEGED TO BE TRUE, PURSUANT TO PROVISIONS OF STANDING ORDER 94(2)**

The Speaker having directed, the previous day, that the Senator for Machakos County (Sen. Boniface Kabaka), either substantiates allegations made or withdraws the same and apologize;

Senator Kabaka brought to the attention of the Speaker that the statements made, as recorded in the Hansard, did not fall within the provisions of standing order 94 as to require withdrawal or an apology;

And the Speaker, having reviewed the Hansard, vacated the directions given the previous day requiring the Senator to substantiate the allegations made or withdraw and apologize. The Speaker further cautioned the Senator to observe the provisions of standing order 90(1) during debate, which prohibited debate on the personal conduct of certain persons, save upon a substantive Motion having been so moved.

6. **PETITIONS**

The following reports on Petitions were laid on the Table of the Senate:-

- i) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Murang'a County on the proposed Mitubiri Sanitary Landfill Project;
- ii) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Chairpersons of County Wildlife Conservation and Compensation Committees, regarding operationalization of certain provisions of the Wildlife Conservation and Management Act, 2013; and
- iii) Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Taratisio Ileri Kawe, for enactment of a single legislation on the protection and sustainable management of water sources and riparian zones in Kenya.

(Chairperson, Standing Committee on Land, Environment and Natural Resources)

7. **PAPERS LAID**

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

- i) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Public Participation Bill (Senate Bills No. 4 of 2018)

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

- ii) Report of the 138th Assembly of the Inter – Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland on 22nd – 28th March, 2018.

(Sen. Enoch Wambua)

- iii) Report of the Senate Delegation to the Women Political Leaders Annual Global Summit, 6th -8th June, 2018, Vilnius Lithuania.

(Sen. (Dr.) Agnes Zani)

8. **NOTICE OF MOTION**–(Sen. John Kinyua)

THAT AWARE that National Forum of Former Councilors petitioned the Senate regarding the need for legislative interventions to address the plight and welfare of former Councilors;

FURTHER AWARE that the Senate Standing Committee on Labour and Social Welfare considered the Petition and tabled its report on Tuesday, 16th February, 2016;

ACKNOWLEDGING that the Committee’s report on the Petition made five recommendations among them that-

1. one-off honorarium of Kshs. 1.5 Million be paid to former councilors who served a minimum of one term since independence; and
2. monthly pension of at least Kshs. 30,000 be paid to former councilors.

APPRECIATING that the recommendations were based on the fact that former Councilors did not receive fixed emoluments and experienced disparities with regard to access to pension services and terms and conditions of pension schemes over the years, which made it difficult to fairly and equitably determine each councilor’s rightful benefits retrospectively;

CONCERNED that the State Department for Social Services and Security, State Department for Devolution and the National Treasury have to date not implemented the Committee’s recommendations on the Petition;

NOW THEREFORE, the Senate calls upon the Principal Secretaries to the said State Departments and the National Treasury to take necessary steps to implement the recommendations contained in the Report.

9. **NOTICE OF MOTION**–(Sen. (Dr.) Gertrude Musuruve)

THAT, AWARE that Article 43 (f) of the Constitution stipulates that every person has a right to education;

FURTHER AWARE that Kenya is among the State Parties that ratified the United Nations Convention on the Rights of Persons with Disabilities in which the parties undertook to ensure that persons with disabilities are not excluded from the general education system and that the education of persons, and in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development;

ACKNOWLEDGING that hearing impaired learners have linguistic challenges and perform dismally in academics since all subjects other than Kiswahili and foreign languages are taught and examined in English;

COGNIZANT that hearing impaired learners who are educable can master the essentials of English language as they are able to sign sing the National Anthem in Signing Exact English (SEE);

NOW THEREFORE, the Senate calls upon the Ministry of Education, Science and Technology to-

1. ensure that Signing Exact English (SEE) is used as a mode of instruction for persons with hearing impairment who are educable;
2. develop SEE instructional materials for learners with hearing impairment;
3. work with linguists and researchers to develop sign language resources; and
4. ensure that sign language linguistics is offered as a discipline in universities and teacher training colleges.

10. **NOTICE OF MOTION**–(Sen. Enoch Wambua)

THAT, this House notes the Report of the 138th Assembly of the Inter – Parliamentary Union (IPU) and related meetings held in Geneva, Switzerland from 22nd – 28th March, 2018 laid on the Table of the Senate on Thursday, 21st June, 2018.

11. **STATEMENTS****a) Statements pursuant to Standing Order 46 (2) (a)**

- i) The Senator for Vihiga County (Sen. George Khaniri) made a statement on the management of the health sector in the country.

In the statement, the Senator informed the House that in the last five years, the ministry of Health had been shrouded in corruption, mismanagement, wastage and disorganization in the management of public health, citing as examples, the Managed Equipment Services (MES) program for all the 47

counties, the mobile clinic initiative and the industrial action of doctors and nurses in the years 2016 and 2017.

Sen. Khaniri brought to the attention of the House that the arrangement between the Governments of Kenya and Cuba to deploy 110 Cuban doctors in Kenya for two years was a waste of both human and financial resources, and called upon the House to step in and prevent the planned wastage.

The Senator further reminded the House that the country was grappling with the largest budget in the country's history, which was accompanied by an unsustainable debt that continued to accrue interest. He stated that it was therefore unfair to continue appropriating funds for programs and projects that did not offer value for money for the millions of Kenya.

Sen. Khaniri concluded by regretting that Kenya was investing so much towards the education of her citizens, only to later deny them the opportunity to work once they acquired the requisite skills and qualifications.

- ii) The Senator for Narok County (Sen. Ledama Olekina) made a statement regarding the listing of farmers from Narok County at Credit Reference Bureaus (CRBs) and the demand by the Co-operative Bank of Kenya Limited (CBKL) for payment of alleged outstanding arrears from farmers.

In the statement, the Senator informed the House that CBKL had adversely forwarded names and details of farmers from Narok County for listing by CRBs, and had further been issuing demand letters to farmers claiming payment for amounts allegedly owed in respect of the Input Financing Loan Scheme (IFLS) for Barley and Sorghum farmers. The IFLS was entered into between the farmers, the East African Malting Limited (EAML), CBKL, and two insurance firms, namely UPA & CIC.

Sen. Olekina brought to the attention of the House that the IFLS Agreement provided for farmers to pick inputs from EAML, use them to farm, and subsequently sell the harvested barley and sorghum to EAML. EAML would then deduct the loan amount owed by farmers from the proceeds payable to them, and remit the same to the financing entity, in this case CBKL. He stated that the IFLS Agreement did not authorize CBKL to demand payment directly from the farmers, or to forward their details to CRBs in the case of alleged default, as CBKL had done.

The Senator therefore urged the relevant government agencies to investigate this fraud on farmers from Narok County, with a view to reconciling the accounts of the affected farmers; compel the Co-operative Bank of Kenya Limited to withdraw the demand letters it has written to farmers; and to review the legal framework establishing CRBs, so as to safeguard the interests of not just lenders but borrowers as well.

Citing the concerns expressed by Honourable Senators on the two Statements, the Speaker referred the matters to the Standing Committee on Health and the

Standing Committee on Agriculture, Livestock & Fisheries for consideration and presentation of a report to the Senate within thirty days.

b) Statement pursuant to Standing Order 46 (2) (c)

The Senate Deputy Majority Whip issued a statement on behalf of the Senate Majority Leader on the business of the Senate for the week commencing Tuesday, 3rd July, 2018.

12. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

The National Flag, Emblems and Names (Amendment) Bill (Senate Bills No. 8 of 2017)

Clauses 2 and 3

Motion made and Question proposed;

That, Clauses 2 and 3 be part of the Bill.

(Sen. Mutula Kilonzo Jnr – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record their vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation
The results of the Division were as follows:

AYES – 24

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga– voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Olekina Ledama
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisio Samuel Losuron
22. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
23. Sen. Wako Sitswila Amos
24. Sen. Wambua Enoch Kiio

Clauses 2 and 3 - agreed to.

Clause 4 - amendment proposed

That, Clause 4 of the Bill be amended in the proposed new section 4B(1) by inserting the words “or any other day designated by the Cabinet Secretary in the gazette” immediately after the words “during a public holiday”

(Sen. Mutula Kilonzo Jnr – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division on the proposed amendment;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed three (3) Senators to record their votes verbally.

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

- 1) Sen. Haji Mohamed Yusuf
- 2) Sen. Kimani Paul Wamatangi
- 3) Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 25

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf – voted verbally
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi – voted verbally
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Olekina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghismo Samuel Losuron
23. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 4 (as amended) - agreed to.

Clauses 5 and 6

Motion made and Question proposed;

That, Clauses 5 and 6 be part of the Bill.

(Sen. Mutula Kilonzo Jnr – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 24

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Olekina Ledama
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisio Samuel Losuron
22. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
23. Sen. Wako Sitswila Amos
24. Sen. Wambua Enoch Kiio

Clauses 5 and 6 - agreed to.

New Clause 3A proposed - New Clause proposed

That, the Bill be amended by inserting the following new clause immediately after clause 3-

Amendment of **3A.** Section 4A of the principal Act is amended in section 4 of Cap. 99 subsection 2 by inserting the words “Deputy Speaker of the Senate, Deputy Speaker of the National Assembly, Deputy Chief Justice” immediately after the words “the Speaker of the Senate”.

(Sen. Amos Wako)

Motion made and Question proposed-

That, the New Clause 3A be read a Second Time.

(Sen. Amos Wako – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 25

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf – voted verbally
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation

7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi – voted verbally
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Olekina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Question, agreed to.

Motion made and Question proposed;

That, the New Clause 3A be part of the Bill.

(Sen. Mutula Kilonzo Jnr)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 24

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Olekina Ledama
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisio Samuel Losuron
22. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
23. Sen. Wako Sitswila Amos
24. Sen. Wambua Enoch Kiio

New Clause 3A - agreed to.

New Clause 4A Proposed

That, the Bill be amended by inserting the following new clause immediately after clause 4 –

Amendment of section 5 of Cap. 99 **4A.** Section 5 of the principal Act is amended in subsection (1) by deleting the words “local authority” appearing immediately after the words “the area of a” and substituting therefor the words “county government”

(Sen. Mutula Kilonzo Jnr)

Motion made and Question proposed-

That, the New Clause 4A be read a Second Time.

(Sen. Mutula Kilonzo Jnr – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 25

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf – voted verbally
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi – voted verbally
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Olekina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisi Samuel Losuron
23. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Question, agreed to.

Motion made and Question proposed;

That, the New Clause 4A be part of the Bill.

(Sen. Mutula Kilonzo Jnr)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 24

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Olekina Ledama
19. Sen. Orengo James

- 20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
- 21. Sen. Poghisio Samuel Losuron
- 22. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 23. Sen. Wako Sitswila Amos
- 24. Sen. Wambua Enoch Kiio

New Clause 4A - agreed to.

New Clause 4B Proposed

That, the Bill be amended by inserting the following new clause immediately after the new clause 4A –

Repeal of section 6 of Cap. 99 **4B.** The principal Act is amended by repealing section 6.

(Sen. Mutula Kilonzo Jr)

Motion made and Question proposed-

That, the New Clause 4B be read a Second Time.

(Sen. Mutula Kilonzo Jnr – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 25

NOES – 0

ABSTENTION – 0

AYES

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf – voted verbally
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi – voted verbally
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Olekina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Question, agreed to.

Motion made and Question proposed;

That, the New Clause 4B be part of the Bill.

(Sen. Mutula Kilonzo Jnr)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 24

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Olekina Ledama
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghismo Samuel Losuron
22. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
23. Sen. Wako Sitswila Amos
24. Sen. Wambua Enoch Kiio

New Clause 4B - agreed to.

The Title and Clause 1

Motion made and Question proposed;

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

(Sen. Mutula Kilonzo Jnr – 13.06.2018)

Debate interrupted on Wednesday, 13th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the Division Bell be rung for five minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:

AYES – 24

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Olekina Ledama
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghio Samuel Losuron
22. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
23. Sen. Wako Sitswila Amos
24. Sen. Wambua Enoch Kiio

The Title and Clause 1 - agreed to.

Motion made:

That, the Bill be reported with amendments.

(Sen. Mutula Kilonzo Jnr)

Before the question was put and pursuant to Standing Order 73, the Acting Chairperson (Sen. Nyamunga) ruled that the question did not affect counties;

Question put and Agreed to.

13. **HOUSE RESUMED** – Temporary Speaker – (Sen. Judith Pareno) – in the Chair

14. **THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILLS NO. 8 OF 2017)**

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. Mutula Kilonzo Jnr)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 73, the Temporary Speaker (Sen. Judith Pareno) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

That, the National Flag, Emblems and Names (Amendment) Bill (Senate Bill No. 8 of 2017) be now Read a third time.

(Sen. Mutula Kilonzo Jnr)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Judith Pareno) directed that electronic voting be taken pursuant to Standing Order 75 (1) and that the Division Bell be rung for three minutes;

Upon the expiry of three minutes, the Temporary Speaker (Sen. Judith Pareno) directed that the doors be locked and Senators asked to log-in for electronic voting;

The Temporary Speaker (Sen. Judith Pareno) 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 75 (5), the Temporary Speaker (Sen. Judith Pareno) allowed one (1) Senator to record his vote verbally.

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

Sen. Wako Sitswila Amos

The results of the Division were as follows:

AYES – 25

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Imana Malachy Charles Ekal
7. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga– voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Olekina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
24. Sen. Wako Sitswila Amos – voted verbally
25. Sen. Wambua Enoch Kiio

Question, agreed to.

Bill Read a Third Time and passed.

15. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Temporary Chairperson of Committees (Sen. Rose Nyamunga) – in the Chair)

THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL (SENATE BILLS NO. 1 OF 2018)**Clauses 3 and 4**

Motion made and question proposed-

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

(Sen. Paul Wamatangi – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for 5 minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a

15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clauses 3 and 4 - agreed to

Clause 5 - amendment proposed

THAT clause 5 of the Bill be amended –

(a) by deleting sub clause (2) and substituting therefor the following new sub clause–

- (2) The Committee shall be an *ad hoc* committee and shall comprise –
 - (a) the County Secretary who shall be the chairperson;
 - (b) the officer in charge of legal matters in the county;
 - (c) the chief officer in the department responsible for matters relating to county public service;
 - (d) the chief officer in the department responsible for matters relating to information and communication;
 - (e) the chief officer in the department responsible for matters relating to finance;
 - (f) the chief officer in the department responsible for matters relating to culture and social services;
 - (g) the County Commissioner;
 - (h) a representative of the National Intelligence Service at the county level;
 - (i) a representative of the National Police Service at the county level;
 - (j) the Clerk of the county assembly;
 - (k) a representative of the Judiciary at the county level; and
 - (l) two persons, one man and one woman nominated by the Governor-elect.

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

(4) The members referred to in subsection 2(h) and (i) shall be the members serving as members of the County Policing Authority established under the National Police Service Act.

(c) by inserting the following new sub clauses immediately after sub clause (4) -

(4A) The members referred to in subsection 2(l) shall be nominated upon the declaration of the final results of the election of the Governor.

(4B) The chairperson of the Committee shall convene the first meeting of the Committee thirty days before the date of the general elections.

(4C) In the absence of the chairperson, the members of the Committee shall elect a chairperson from among the members appointed under subsections (2)(b) to (f) to preside over the meeting

(d) in the proposed new sub clause (7) by deleting the words “section 16” appearing at the end of the subsection and substituting therefor the words “section 21”;

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo - Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 5 (as amended) -agreed to.

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended –

(a) in sub clause (1) by –

(i) deleting paragraph (b) and substituting therefor the following new paragraph -

(b) ensure and coordinate the provision of security services to the Governor-elect;

(ii) deleting paragraph (d) and substituting therefor the following new paragraph -

(d) co-ordinate the briefings of the Governor-elect by the relevant county public officers including submission of the following information —

- (i) an up to date assets register;
- (ii) an up to date register of liabilities;
- (iii) a complete list of all bank accounts and reconciled balances;
- (iv) a report of staff establishment per department;
- (v) a comprehensive report on county entities or corporations and agencies containing information outlined in (i) to (iv);
- (vi) a report of all ongoing projects including donor funded projects;
- (vii) an up to date report on all pending legal cases; and
- (viii) county source of funding.

(iii) inserting the following new paragraph immediately after paragraph (f) —

(fa) prepare the oath and the certificate of inauguration; and

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

(3) The information to be provided during the briefings referred to under section 6(1)(d) shall be submitted in the form set out in the Second Schedule and shall be information for a period of up to thirty days before the date of the general elections.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - - Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo - Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 6 (as amended) - agreed to

Clause 7 - amendment proposed

THAT clause 7 of the Bill be amended by deleting sub clause (2) and substituting therefor the following new sub clause —

(2) The Committee may co-opt into a sub-committee established under subsection (1), not more than two persons whose knowledge and skills are necessary for the effective functioning of the Committee.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo - Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiiio

Clause 7 (as amended)

- agreed to

Clause 8

Motion made and Question proposed-

THAT, Clause 8 be part of the Bill.

(Sen. Paul Wamatangi – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - voted on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo - Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi

17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 8 - agreed to

Clause 9 - amendment proposed

THAT, clause 9 of the Bill be amended by inserting the word “of” immediately after the words “results of the election”

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - voted on behalf of Kisumu County Delegation
The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena- Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation

7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 9 (as amended) - agreed to

Clause 10

Motion made and Question proposed;

THAT, Clause 10 be part of the Bill.

(Sen. Paul Wamatangi - 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Assembly
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Assembly
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 10 - agreed to

Clauses 11, 12, 13 and 14 - amendment proposed

Motion made and Question proposed;

THAT, Clauses 11, 12, 13 and 14 be deleted.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed two (2) Senators to record their votes verbally.

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

1. Sen. Langat Christopher Andrew
2. Sen. Nyamunga Rose Ogendo - voted on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew – Voted verbally
13. Sen. Masitsa Naomi Shiyonga
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghismo Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clauses 11, 12, 13 and 14 - deleted

Clause 15 - amendment proposed

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

Swearing in ceremony. **15.** (1) The Committee shall publish, by notice in the Kenya *Gazette* and the county *Gazette*, the date, time and place for the conduct of the swearing-in ceremony.

(2) The County Governor-elect shall be sworn-in on the first Thursday after the tenth day following the declaration of the final results of the election of the County Governor by the Commission.

(3) The swearing-in of the County Governor-elect shall be conducted in a public ceremony before a High Court Judge.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations - 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation
The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation

7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kii

Clause 15 (as amended) - agreed to

Clause 16 - amendment proposed

THAT clause 16 of the Bill be amended –

(a) in sub clause (1) by deleting the words “or affirmation” appearing immediately after the words “subscribe to the oath” and substituting therefor the words “or affirmation”;

(b) by deleting sub clause (3) and substituting therefor the following new sub clause –

(3) Upon taking or subscribing to the oath or affirmation under subsection (1), the County Governor shall sign a certificate of inauguration in the presence of the High Court Judge who conducts the swearing in ceremony under section 15.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - voted on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25 NOES - 0 ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 16 (as amended) - agreed to

Clause 17 - amendment proposed

THAT clause 17 of the Bill be amended in sub clause (1) by inserting the following new paragraph immediately after paragraph (a) —

(aa) the county coat of arms;

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for 5 minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James

- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
- 22. Sen. Poghisio Samuel Losuron
- 23. Sen. Haji Farhiya Ali – Voted on behalf Nairobi County Delegation
- 24. Sen. Wako Sitswila Amos
- 25. Sen. Wambua Enoch Kiio

Clause 17 (as amended) - agreed to

Clauses 18 – 22

Motion made and Question proposed-

THAT Clauses 18 – 22 be part of the Bill.

{Sen. Paul Wamatangi – 20.06.18}

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Adan, FatumaDullo
- 2. Sen. Ali, Abdullahi Ibrahim
- 3. Sen. Zani Agnes Philomena – Voted verbally on behalf of Kwale County Delegation
- 4. Sen. Cheruiyot Aaron Kipkirui
- 5. Sen. Haji Mohamed Yusuf
- 6. Sen. Waqo Naomi Jilo – Voted verbally on behalf Marsabit County Delegation
- 7. Sen. Kabaka Boniface Mutinda
- 8. Sen. Kajwang’ Moses Otieno

9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delagtion
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clauses 18 - 22 - agreed to

Clause 23 - amendment proposed

THAT clause 23 of the Bill be amended -

(a) in sub clause (2) by inserting the following new paragraphs immediately after paragraph (a) —

- (aa) the applicant has failed to satisfy the confidentiality requirements to the Committee; or
- (ab) payment of the prescribed fee has not been made.

(b) in sub clause (3) by deleting the words “subsection (2).” appearing immediately after the words “specified under” and substituting therefor the words “this section.”

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clause 23 (as amended) - agreed to

Clauses 24 and 25

THAT Clauses 24 and 25 be part of Bill.

(Sen. Paul Wamatangi – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo – Voted on behalf Marsabit County Delegation
6. Sen. Haji Mohamed Yusuf
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Clauses 24 and 25 - agreed to

New Clause 19A proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 19 —

Swearing in of Deputy Governor who assumes office of County Governor.	19A. The provisions of this Act relating to the swearing in ceremony of a County Governor-elect shall apply, with the necessary modifications – (a) to the swearing in ceremony of a Deputy Governor who assumes the office of the County Governor; or (b) to the swearing in ceremony of a Deputy Governor who is nominated to fill in a vacancy in the office of the Deputy Governor upon assumption by the Deputy Governor of the office of the County Governor.
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(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Motion made and Question proposed;

That the new Clause 19A be read a Second Time.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed two (2) Senators to record their votes verbally.

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

1. Sen. Ndwiga Peter Njeru

2. Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru – Voted verbally
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisi Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Question agreed to.

Motion made and Question proposed;

That, the New Clause 19A be part of the Bill.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Kakamega County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

New Clause 19A - agreed to.

New Clause 23A proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 23 —

Funding. **23A.** The funding for the assumption of office of a governor shall be borne by the respective county government.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Motion made and Question proposed;

That the new Clause 23A be read a Second Time.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed two (2) Senators to record their votes verbally.

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

1. Sen. Ndwiga Peter Njeru
2. Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George

10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru - Voted verbally
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kio

Question agreed to.

Motion made and Question proposed;

That, the New Clause 23A be part of the Bill.

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behald of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

New Clause 23 A - agreed to.

New Clause 24A proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 24 —

Consequential amendments. No. 24 of 2011. **24A.** The Elections Act is amended in section 86 by inserting the following new subsection immediately after subsection (1) -

(1A) Upon the nullification of an election of a county governor, the Commission shall upon receipt of certification under sub section (1), publish a notice in the Gazette within seven days -

(1B) The notice referred to in subsection (2) shall

- (a) indicate that the election of the county governor has been invalidated; and
- (b) announce the date for election of a county governor pursuant to Article 182(5) of the Constitution.

(Sen. Farhiya Ali – 20.06.18)

Motion made and Question proposed;

That the new Clause 24A be read a Second Time.

(Sen. Farhiya Ali - 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed two (2) Senators to record their votes verbally.

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

- 1. Sen. Ndwiga Peter Njeru
- 2. Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Adan, Fatuma Dullo
- 2. Sen. Ali, Abdullahi Ibrahim
- 3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
- 4. Sen. Cheruiyot Aaron Kipkirui
- 5. Sen. Haji Mohamed Yusuf
- 6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
- 7. Sen. Kabaka Boniface Mutinda
- 8. Sen. Kajwang’ Moses Otieno
- 9. Sen. Khaniri George
- 10. Sen. Kilonzo Mutula Jnr

11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru – Voted verbally
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Question agreed to.

Motion made and Question proposed;

That, the New Clause 24A be part of the Bill.

(Sen. Farhiya Ali – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisi Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

New Clause 24A - agreed to

The Schedule

Motion made and Question proposed-

THAT the Schedule be part of the Bill.

(Sen. Paul Wamatangi – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

The Schedule

Agreed to.

New Schedule proposed

THAT the Bill be amended by-

(a) renaming the existing schedule as the First Schedule; and

(b) inserting the following new schedule immediately after the First Schedule —

SECOND SCHEDULE**(s. 6(2A))****FORMAT FOR COUNTY INFORMATION****1. County Assets - Paragraph 1(d)(i)**

A summary of assets currently held by the county government derived from an up-to-date asset registers in conformity with the provisions of the Public Finance Management Act, 2012, the Public Finance Management (County Government) Regulations 2015 and Guidelines issued by the Public Sector Accounting Standards Board; the Public Procurement and Asset Disposal Act, 2015 and the Public Procurement Regulations 2006.

Assets should include those inherited from the defunct local authorities, those transferred from the National Government and those acquired by the county government since 2013 including all assets that have disputes or outstanding unresolved matters.

No.	Category of Assets	Quantity	Status	Ownership Documents	Remarks
1.	Land				
	Categories				
	(i) Residential estates (rental)				
	(ii) Staff housing				
	(iii) Office Blocks				
	(iv) Learning institutions				
	(v) Farm land				
	(vi) Rented premises				
	(vii) Undeveloped				
	(viii) Others				
2.	Motor Vehicles				
3.	Plant and Equipment				
4.	Furniture and Fittings				
5.	ICT equipment, computers and computer accessories				
6.	Intangible assets (software)				

7.	Heritage and cultural assets				
8.	Biological assets				
9.	Investments				
10.	Debtors including outstanding imprests, salary advances, car loan, mortgages and any other recoverable and advances, unpaid rent (detailed listings to be attached)				

Note:

- (a) Land and buildings - indicate whether titles are available or not;
- (b) Motor vehicles - indicate whether the log books are available or not;
- (c) Plant and equipment – indicate whether the log books or certificates are available or not; and
- (d) Intangible assets (software) - indicate whether contracts or licenses are available or not.

2. County Liabilities - Paragraph 1(d)(ii)

Summary of liabilities currently owed by the county government derived from an up-to date schedule of liabilities. Supporting documents should be prepared and availed for scrutiny.

No.	Category of liabilities	Amount	Status	Remarks
1.	Loans and overdrafts (including accrued interest)			
2.	Creditors			
3.	Unremitted statutory deductions (including penalties)			
4.	Unpaid personnel emoluments			
5.	Legal liabilities			
6.	Contingent liabilities			
7.	Any other			

3. County Bank Accounts and Reconciled Balances - Paragraph 1(d)(iii)

Summary of all bank accounts and reconciled balances currently owned by the county government. Bank statements and certificates must be availed. For Cash on hand a cash survey should be conducted.

No.	Account name	Account No.	Bank	Amount	Remarks
1.					
2.					
3.					
4.					
5.					

4. County Staff Establishment per Department - Paragraph 1(d)(iv)

Summary of human resource information of the county government derived from an up-to-date personnel records in conformity with the provisions of Constitution of Kenya (2010), County government Act 2012, Public Service (Values and Principles) Act 2015 and any other legislation and guidelines issued from time to time on human resource management in the public service.

No.	Department	Authorized Establishment	In post		Variance	Pensionable	Contract	Casuals	No. of Persons with Disability	Management	Annual Wage Bill	Remarks
			Male	Female								
1.												
2.												
3.												
4.												
5.												

5. County Entities, Corporations and Agencies - Paragraph 1(d)(v)

Summary of Entities, Corporations and Agencies either partially or wholly owned by the County Government.

No.	Name of Entity	Function	Shareholding (%)	Directorship	Remarks
1.					
2.					
3.					
4.					
5.					

6. Ongoing/multiyear projects and donor funded projects in the County - Paragraph 1(d)(vi)

Summary of all on ongoing/multiyear projects and donor funded projects in the County indicating whether the projects are active, stalled, abandoned, terminated or rescaled on the remarks column.

No.	Project	Source of Funding	Contract Value	Expenditure to Date	Implementati on Status (%)	Remarks
1.						
2.						
3.						
4.						
5.						

7. Pending litigations - Paragraph 1(d)(vii)

Summary of all cases where the county government is a party either as a plaintiff/applicant or defendant/respondent. It should also include proceedings under alternative dispute resolution mechanism (ADR) and cases instituted by or against the Council of Governors. Specific details on each case number, place of suing, parties, advocates on record, relief sought, status, legal fees (paid and outstanding) and any other relevant information to be prepared and availed for scrutiny.

No .	Nature of Case	Total No. of Cases	No. of cases where County is the Plaintiff /Applicant	No. of cases where County is the Defendant/ Respondent	Remarks

1.					
2.					
3.					
4.					
5.					

8. County Sources of Funding for Preceding Five Financial Years - Paragraph 1(d)(viii).

Summary of all sources of funds for the preceding five financial years and the projections for the upcoming financial year.

No.	Revenue Source	FY 20...../ 20..... (Actual)	FY 20...../ 20..... (Actual)	FY 20...../ 20..... (Actual)	FY 20...../ 20..... (Actual)	FY 20...../ 20..... (Actual)	FY 20...../ 20..... (Actual)	Remarks
1.	Equitable share							
2.	Conditional grants							
3.	Own source revenue							
4.	Unconditional grants							
5.	Development partners							
6.	Borrowings							
7.	Other sources							

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations - 20.06.18)

Motion made and Question proposed-

THAT the New Schedule be now Read a Second Time;

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations - 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed two (2) Senators to record their votes verbally.

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

1. Sen. Ndwiga Peter Njeru
2. Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, FatumaDullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru – Voted verbally
19. Sen. Ole Kina Ledama
20. Sen. Orenge James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali - Voted on behalf of Nairobi County Delagtion

- 24. Sen. Wako Sitswila Amos
- 25. Sen. Wambua Enoch Kiio

Question agreed to.

Motion made and Question proposed;

That the new Schedule be part of the Bill;

(Sen. Samson Cherarkey on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation

- 14. Sen. Mbito Michael Maling'a
- 15. Sen. Murkomen Onesmus Kipchumba
- 16. Sen. Mwangi Paul Githiomi
- 17. Sen. Nderitu John Kinyua
- 18. Sen. Ndwiga Peter Njeru
- 19. Sen. Ole Kina Ledama
- 20. Sen. Orengo James
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
- 22. Sen. Poghisio Samuel Losuron
- 23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
- 24. Sen. Wako Sitswila Amos
- 25. Sen. Wambua Enoch Kiio

New Schedule - agreed to

Clause 2, the Title and Clause 1

Motion made and question proposed-

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

(Sen. Paul Wamatangi – 20.06.18)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 (2) and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES - 25 NOES - 0 ABSTENTIONS - 0

AYES

- 1. Sen. Adan, FatumaDullo
- 2. Sen. Ali, Abdullahi Ibrahim

3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga - Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Ole Kina Ledama
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Motion made-

That, the Bill be reported with amendments;

Before the question was put and pursuant to Standing Order 73, the Acting Chairperson (Sen. Nyamunga) ruled that the question did not affect counties;

Question put and agreed to.

16. **HOUSE RESUMED** - (The Temporary Speaker (Sen. Judith Pareno) in the Chair)

17. **THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL (SENATE BILL NO. 1 OF 2018)**

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. Wamatangi Paul*)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 73, the Temporary Speaker (Sen. Judith Pareno) ruled that the question did not affect counties;

Question put and **agreed to.**

Motion made and question proposed-

THAT, the Assumption of Office of the County Governor Bill (Senate Bill No.1 of 2018) be now Read a Third Time.

(Sen. Wamatangi Paul)

There being no Senator wishing to contribute;

The House proceeded to a Division;

The Temporary Speaker (Sen. Judith Pareno) directed that electronic voting be taken pursuant to Standing Order 75 (1) and that the Division Bell be rung for one minute;

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

The Temporary Speaker (Sen. Judith Pareno) 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 75 (5), the Temporary Speaker (Sen. Judith Pareno) allowed three (3) Senators to record their vote verbally.

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

- 1) Sen. Kang’ata Irungu
- 2) Sen. Wario Golich Juma
- 3) Sen. Wako Sitswila Amos

The results of the Division were as follows-

AYES - 24

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Fatuma Dullo
2. Sen. Ali, Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno

9. Sen. Kang'ata Irungu – Voted verbally
10. Sen. Kilonzo Mutula Jnr
11. Sen. Kimani Wamatangi
12. Sen. Langat Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesmus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Ole Kina Ledama
19. Sen. Nyamunga Rose Ogendo
20. Sen. Poghio Samuel Losuron
21. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi County Delegation
22. Sen. Wambua Enoch Kio
23. Sen. Wako Sitswila Amos – Voted verbally
24. Sen. Wario Golicha Juma – Voted verbally

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. Rose Nyamunga) – in the Chair)

The County Governments (Amendment) No.2 Bill (Senate Bills No. 7 of 2017)

Clauses 2, 3, the Title and Clause 1

Motion made and question proposed-

THAT, Clauses 2, 3, the Title and Clause 1 be part of the Bill.

(Sen. Rose Nyamunga – 20.6.2018)

Debate interrupted on Wednesday, 20th June, 2018 resumed on a Division;

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 75 and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 75 (5), the Acting Chairperson allowed one (1) Senator to record her vote verbally.

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

Sen. Nyamunga Rose Ogendo - Voted on behalf of Kisumu County

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Haji Mohamed Yusuf
6. Sen. Waqa Naomi Jilo - voted on behalf of Marsabit County Delegation

7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Wamatangi Paul
12. Sen. Lang'at Christopher Andrew
13. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling'a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Nderitu John Kinyua
18. Sen. Ndwiga Peter Njeru
19. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
20. Sen. Ole Kina Ledama
21. Sen. Orengo James
22. Sen. Poghisio Samuel Losuron
23. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
24. Sen. Wako Sitswila Amos
25. Sen. Wambua Enoch Kiio

Motion made-

That, the Bill be reported without amendments.

Before the question was put and pursuant to Standing Order 73, the Acting Chairperson (Sen. Rose Nyamunga) ruled that the question did not affect counties;

Question put and agreed to.

19 **HOUSE RESUMED** - (The Temporary Speaker, (Sen. Judith Pareno) in the Chair)

20 **THE COUNTY GOVERNMENTS (AMENDMENT) (No.2) BILL (SENATE BILLS NO. 7 OF 2017)**

Bill reported without amendments;

Motion made and Question proposed-

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

(Sen. Mutula Kilonzo Jr)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 73, the Temporary Speaker (Sen. Judith Pareno) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the County Governments (Amendment) (No.2) Bill (Senate Bills No. 7 of 2017) be now Read a third time.

(Sen. Mutula Kilonzo Jr)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Judith Pareno) directed that electronic voting be taken pursuant to Standing Order 75 (1) and that the Division Bell be rung for three minutes;

Upon the expiry of three minutes, the Temporary (Sen. Judith Pareno) directed that the doors be locked and Senators asked to log-in for electronic voting;

The Temporary Speaker (Sen. Judith Pareno) 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 75 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

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

Sen. Kang’ata Irungu

The results of the Division were as follows;

AYES = 24 NOES = 0 ABSTENTIONS = 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Kang’ata Irungu – voted verbally
10. Sen. Kilonzo Mutula Junior
11. Sen. Kimani Paul Wamatangi
12. Sen. Lang’at Christopher Andrew
13. Sen. Masistsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
14. Sen. Mbito Michael Maling’a
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Ndwiga Peter Njeru
18. Sen. Ole Kina Ledama
19. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
20. Sen. Poghisio Samuel Losuron
21. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
22. Sen. Wako Sitswila Amos
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma

Question, agreed to.

Bill Read a Third Time and passed.

21. **MOTION – SITTING OF THE SENATE OUTSIDE THE PARLIAMENT BUILDINGS, NAIROBI**

Motion made and Question proposed-

THAT AWARE that the Senate of Kenya is established by Article 93 of the Constitution and its main role, as set out in Article 96 of the Constitution, is to represent and serve the interests of the counties and their governments;

FURTHER AWARE that the Senate plays a critical role in the linkage of the devolved governments and the national government;

NOTING that since its inception the Senate has held its sittings in Nairobi with its committees occasionally visiting the devolved governments on fact finding missions;

COGNIZANT of the need to enhance the interaction between the Senate and county governments as a means of bringing the Senate closer to the counties and the general public;

APPRECIATING the recommendation of the Senate Business Committee that a Sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, in order to-

- i) provide an opportunity to members and staff of county assemblies to learn and borrow best practices from the Senate;
- ii) promote the role and work of the Senate;
- iii) highlight existing opportunities for people to get involved in the work of the Senate; and
- iv) develop and strengthen partnerships at the county level and enhance public awareness regarding the Business of the Senate.

NOW THEREFORE, pursuant to Article 126 (1) of the Constitution and Standing Order 31 (1) of the Senate Standing Orders, the Senate resolves that its plenary and committees sittings be held in Uasin Gishu County from 24th to 28th September, 2018.

(The Senate Deputy Majority Whip on behalf of the Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute on the proposed amendment;

Before the Question was put, and pursuant to Standing Order No. 73, the Temporary Speaker (Sen Judith Pareno) informed the Senate that the amendment to the Motion did not affect Counties.

Question of the amendment put and agreed to.

Question of the Motion, as amended proposed;

Debate arising;

And there being no other Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 73, the Temporary Speaker (Sen Judith Pareno) informed the Senate that the Motion did not affect Counties;

Question of the Motion, as amended, put and agreed to.

RESOLVED ACCORDINGLY-

THAT AWARE that the Senate of Kenya is established by Article 93 of the Constitution and its main role, as set out in Article 96 of the Constitution, is to represent and serve the interests of the counties and their governments;

FURTHER AWARE that the Senate plays a critical role in the linkage of the devolved governments and the national government;

NOTING that since its inception the Senate has held its sittings in Nairobi with its committees occasionally visiting the devolved governments on fact finding missions;

COGNIZANT of the need to enhance the interaction between the Senate and county governments as a means of bringing the Senate closer to the counties and the general public;

APPRECIATING the recommendation of the Senate Business Committee that a Sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, in order to-

- i) provide an opportunity to members and staff of county assemblies to learn and borrow best practices from the Senate;
- ii) promote the role and work of the Senate;
- iii) highlight existing opportunities for people to get involved in the work of the Senate; and
- iv) develop and strengthen partnerships at the county level and enhance public awareness regarding the Business of the Senate.

NOW THEREFORE, pursuant to Article 126 (1) of the Constitution and Standing Order 31 (1) of the Senate Standing Orders, the Senate resolves that its plenary and committees sittings be held in Uasin Gishu County from 24th to 28th September, 2018 and that a programme of sittings outside the Parliament Buildings in Nairobi, be drawn to ensure that such sittings take place in all regions during the term of this Senate.

22. MOTION – REGISTRATION OF PERSONS WITH DISABILITIES (PWDS)

(Sen. George Khaniri, MP)

THAT, AWARE that the National Council for Persons with Disabilities was established through the Persons with Disabilities Act, 2003;

FURTHER AWARE that registration of persons living with disabilities is a function of the National Council for Persons with Disabilities;

ALSO AWARE that persons living with disabilities are estimated to be about 10% of any given population;

COGNIZANT that for purposes of registration of persons living with disability, it is a mandatory requirement for one to undergo medical examination by a registered medical officer in a registered and certified health facility;

CONCERNED that of the nearly 4 million Kenyans living with disabilities who reside in Kenya, there is a very small fraction of the number which is duly registered;

AWARE that medical services are now a devolved function;

FURTHER CONCERNED that without proper registration, many persons living with disabilities are denied services because they lack the necessary proof of disability;

ALSO CONCERNED that owing to lack of accurate data on persons living with disabilities, the government at both levels cannot plan properly for this category of people;

NOW THEREFORE, the Senate calls upon the National Council for Persons with Disabilities in collaboration with Ministry of East African Community, Labour and Social Protection and county governments, to carry out a nationwide registration of all persons living with disabilities in order to determine their exact population to facilitate effective service for this marginalized group of our society.

Order Deferred.

23. MOTION – FLOOD SITUATION IN THE COUNTRY

(Sen. Fatuma Dullo, MP)

THAT, aware that several days of heavy rains recently have caused severe flooding in many parts of the country, resulting in multiple deaths and devastating damage to property and infrastructure;

NOTING with concern that, whenever Kenya experiences periods of severe drought, torrential rains usually follow;

CONCERNED that year in year out, the challenge of floods continues to recur, leading to loss of human and animal life, displacement of people and wanton destruction of property;

COGNIZANT that the number of Kenyans needing emergency food aid as a result of displacement caused by the current floods continues to rise by the day, and that the floods have also washed away many bridges and destroyed roads in many parts of Kenya;

ALSO CONCERNED that no effective measures, such as improved storm water harvesting, proper drainage infrastructure and preventing the destruction of

riparian reserves and natural water courses, to mitigate and/or provide a lasting solution to the menace of flooding, have been taken;

NOW THEREFORE, the Senate calls upon the National Government to develop a lasting framework to permanently address the challenge of effects of floods by, among other things-

- i) developing and enforcing regulations for preventing the obstruction of riparian reserves and natural water courses; and
- ii) preventing and regulating the construction of informal settlements and ensuring prevention of construction on low lying areas and flood plains.

And further that the relevant government agency to execute this task submits a report to the Senate within three months of the adoption of this Motion.

Order Deferred.

24. **MOTION – NEED TO REVIEW AND EVALUATE THE STATE OF EDUCATION IN NORTHERN KENYA**

(Sen. (Dr.) Abdullahi Ali, MP)

THAT, AWARE that Article 43 (f) of the Constitution of Kenya stipulates that every person has the right to education, and Article 53(1)(b) provides that every child has the right to free and compulsory basic education;

ALSO AWARE that education is a basic need and a tool for intellectual empowerment and social-political development;

FURTHER AWARE that education is a shared function between the National and the County levels of Government with the National Government being responsible for Primary, secondary and Higher education while the County Government is responsible for preprimary education, village polytechnics and home craft centers;

COGNISANT that both levels of Government complement each other in promoting sustainable education;

CONCERNED that the intake, uptake and quality of education in the Northern Kenya have adversely been affected owing to discrepancies in public resources allocation, insecurity, skewed staffing and teacher training in the region;

FURTHER CONCERNED that both the school completion rate and the national examination outcomes in region are poor and that the number of students from Northern Kenya who qualify for core courses in universities, colleges, technical schools and village polytechnics is minimal compared to other parts of the country;

NOTING WITH CONCERN that due to insecurity and other related concerns, the Teachers Service Commission (TSC) which is the body responsible for the employment and deployment of teachers, has in the recent past, taken steps to transfer non-local teachers from the northern region of Kenya to other parts of the country;

CONCERNED THAT, the transfers have led to shortage of skilled teachers which has been a major cause of the dismal performance in examinations in schools in the region;

NOW THEREFORE, the Senate resolves to task the Standing Committee on Education to conduct an inquiry into the challenges facing the education sector in Northern Kenya with a view to-

1. evaluating the effect of the teacher transfers from the region and recommending to the Ministry of Education, policy measures to address the challenge;
2. evaluating the status of the education infrastructure in the region and proposing solutions to mitigate the current and looming challenges;
3. proposing mechanisms for enhanced resource allocation at both levels of government to facilitate improved education facilities; and
4. assessing school intake compared completion levels in the region in order to ascertain the impact of the challenges facing the schools and how these disadvantages the region compared to other parts of Kenya and proposing ways of addressing the challenges.

And that the Committee submits a report to the Senate within three months of adoption of this Motion by the Senate.

Order Deferred.

25. **MOTION - REPORT OF THE SENATE DELEGATION TO THE FIRST EXTRAORDINARY SESSION OF THE FORUM OF PARLIAMENTS OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR) HELD IN KINSHASA, THE DEMOCRATIC REPUBLIC OF CONGO (DRC)**
(Sen. Samuel Poghio, MP)

THAT, this House adopts the Report of the proceedings of the First Extraordinary Session of the Plenary Assembly of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) held in Kinshasa, Democratic Republic of Congo from 19th – 20th March, 2018, laid on the Table of the Senate on Tuesday, 15th May, 2018.

Order Deferred.

26. **MOTION – REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE KAJIADO COUNTY EXECUTIVE FOR FY 2013/2014**
(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on County Public Accounts and Investments on the inquiry into the Financial operations of Kajiado County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Thursday, 10th May, 2018.

Order Deferred.

27. **MOTION - REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE NAROK COUNTY EXECUTIVE FOR FY 2013/2014**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Narok County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Thursday, 10th May, 2018.

Order Deferred.

28. **MOTION - REPORT OF THE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON FINANCIAL OPERATIONS OF THE TURKANA COUNTY EXECUTIVE FOR FY 2013/2014**

(Chairperson, Sessional Committee on County Public Accounts and Investments)

THAT, this House adopts the Report of the Sessional Committee on the County Public Accounts and Investments on the inquiry into the Financial operations of Turkana County Executive for the Financial year 2013/2014 (1st July 2013 - 30th June, 2014) laid on the Table of the House on Thursday, 10th May, 2018.

Order Deferred.

29. **MOTION - ADJOURNMENT OF THE SENATE**

Motion made and Question proposed-

THAT, pursuant to Standing Orders 28 and 29, the Senate do adjourn until Tuesday, 3rd July, 2018.

(The Senate Deputy Majority Whip on behalf of the Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

The Temporary Speaker (Sen Judith Pareno) adjourned the Senate at twenty eight minutes past Six O'clock without Question put pursuant to the Standing Orders.

30. **SENATE ROSE** - at twenty eight minutes past six O'clock.

M E M O R A N D U M

The Speaker will take the Chair on Tuesday, July 3, 2018 at 2.30 p.m.