



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 03, 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. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following communications from the Chair:-

a) On a Breakfast Meeting to consider the Petroleum Bill (National Assembly Bills No. 48 of 2017)

Honourable Senators,

Before we proceed to Order No. 8 in today's Order Paper, I wish to make the following Communication.

As you may be aware, the Petroleum Bill (National Assembly Bill No. 48 of 2017) was introduced in the Senate on 10th July, 2018, by way of First Reading, having been referred from the National Assembly for concurrence by the Senate.

The Bill was debated at Second Reading stage on 25th and 26th September, 2018, and is scheduled for Division at Order Number 8 in today's Order Paper. In the course of debate, the Bill elicited a lot of interest from Members, with Senators highlighting several areas in the Bill would require amendments in order to align it to, among others, the Constitution and the devolved structure of government.

In this regard, a breakfast meeting has been organized for all Honourable Senators for deliberations on the Bill, with a view to arriving at a consensus on the amendments to be made to the Bill at Committee stage, so that these may be canvassed before the Bill is scheduled for Committee of the Whole and Third

Reading. The meeting is scheduled to be held on Tuesday next week, 9th October, 2018, at a venue to be communicated.

I invite and urge all Honourable Senators to actively participate in this important meeting.

I thank you.

b) Visiting Students and Teachers from St. Jude's Girls School, Bungoma County.

"Honorable Senators,

I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of visiting Students and Teachers from St. Jude's Girls School, Bungoma County.

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."

c) Visiting Students and Teachers from Dawamu Academy, Kajiado County.

"Honorable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting Students and Teachers from Dawamu Academy, Kajiado County.

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. **THE PETROLEUM BILL (NATIONAL ASSEMBLY BILLS NO. 48 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed-

That, the Petroleum Bill (National Assembly Bills No. 48 Of 2017) be now read a Second Time.

(The Senate Majority Leader – 25.09.2018)

Debate interrupted on 26th September, 2018 resumed on a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Speaker allowed two Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. (Prof.) Kamar Margaret

The results of the Division were as follows;

AYES = 27 NOES = 1 ABSTENTIONS = 1

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jillo – voted on behalf of Marsabit County Delegation
6. Sen. Iman Falhada Dekow – voted on behalf of Garrisa County Delegation
7. Sen. Kamar Margaret Jepkoech – voted verbally
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Kilonzo Mutula Junior
11. Sen. Kirinyaga Ephraim Mwangi Maina
12. Sen. Lang’at Christopher Andrew
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Mwangi Paul Githiomi
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Olekina Ledama
21. Sen. Onger Samson Kegengo
22. Sen. Orengo James
23. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
24. Sen. Poghio Samuel Losuron
25. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
26. Sen. Wambua Enoch Kiio
27. Sen. Wario Golich Juma

NOES

Sen. Kibiru Charles Reubenson

ABSTENTIONS

Sen. Wetang’ula Moses Masika

Question agreed to.

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

5. **THE IMPEACHMENT PROCEDURE BILL (NATIONAL ASSEMBLY BILLS NO. 48 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed-

That, the Petroleum Bill (National Assembly Bills No. 48 of 2017) be now read a Second Time.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 07.08.2018)

Debate interrupted on 2nd October, 2018 resumed;

There being no other Senator wishing to contribute;

Mover replied;

The House proceeded to a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Speaker allowed six Senators to record their votes verbally.

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

1. Sen. Irungu Kang’ata
2. Sen. Iman Falhada
3. Sen. (Prof.) Kamar Margaret
4. Sen. Mahamud Mohamed
5. Sen. Adan Dullo Fatuma
6. Sen. (Dr.) Musuruve Getrude

The results of the Division were as follows;

AYES = 30 NOES = 0 ABSTENTIONS = 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Waqo Naomi Jillo – voted on behalf of Marsabit County Delegation
6. Sen. Iman Falhada Dekow – voted verbally on behalf of Garrisa County Delegation
7. Sen. Kamar Margaret Jepkoech – voted verbally
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kirinyaga Ephraim Mwangi Maina
14. Sen. Lang’at Christopher Andrew
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim – voted verbally
17. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron
27. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
28. Sen. Wambua Enoch Kiiro
29. Sen. Wario Golich Juma
30. Sen. Wetang’ula Moses Masika

Question agreed to.

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

6. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

The County Boundaries Bill (Senate Bills No. 6 of 2017)

Clauses 3 - 6

Motion made and question proposed-

THAT, Clauses **3 - 6** be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang’ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma ohnes Mwashushe
18. Sen. OleKina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika – voted verbally

Clauses 3 - 6 - Agreed to.

Clause 7 – amendment proposed;

THAT the Bill be amended by deleting clause 7 and substituting therefor the following new clause-

Establishment of a county boundaries mediation committee. 7. (1)The Senate may pass a resolution for the establishment of a county boundaries mediation committee upon —

- (a) a request by the governor of any county whose boundary is disputed; or
- (b) a request by the senator of any county whose boundary is disputed;
- (c) a request by a registered voter of a county whose boundary is disputed; or
- (d) the recommendation of the Senate, made under section 21, for mediation as the means of resolving a boundary dispute.

(2) A request under subsection (1) (a) to (c) shall be made to the Senate and shall be accompanied by —

- (a) evidence that notice was given to every county government of a county whose boundary is the subject of the dispute referred to in subsection (1); and
- (b) a description in writing identifying the specific disputed county boundary under the First Schedule.

(3) The Senate shall consider a request under subsection (2) within twenty-one days.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma ohnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 7 (as amended) - Agreed to.

Clause 8 - amendment proposed;

THAT clause 8 of the Bill be amended by deleting the marginal note and substituting therefor the following new marginal note —

Appointment of members of a mediation committee.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

After the expiry of one minute, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using 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 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. OleKina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio

25. Sen. Wario Golich Juma – voted verbally

26. Sen. Wetang’ula Moses Masika

Clause 8 (as amended) - agreed to.

Clause 9 - amendment proposed;

THAT clause 9 of the Bill be amended in sub-clause (1) by-

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

(b) one person from each of the affected counties with at least five years’ experience in conflict management, nominated by respective the governors;

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

(c) a commissioner of the National Land Commission nominated by the National Land commission from amongst the commissioners;

(c) inserting the following new paragraph immediately after paragraph (c) —

(ca) a licensed surveyor nominated by the Land Surveyors’ Board established under the Survey Act;

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(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

Further amendments proposed;

THAT clause 9 of the Bill be amended –

(a) by deleting the marginal note and substituting therefor the following new marginal note —

Composition of the mediation committee.

(b) in clause (2) by deleting the word “ten” appearing immediately after the words “in the last” and substituting therefor the word “five” in paragraph (a);

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
4. Sen. Nyamunga Rose Ogendo - voted on behalf of Kisumu County
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghismo Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 9 (as amended) - agreed to.

Clause 10 - amendment proposed;

THAT clause 10 of the Bill be amended in the introductory phrase to sub-clause (1), by inserting the words “by the President” immediately after the words “may be removed from office”.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghismo Samuel Losuron

23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 10 (as amended) - Agreed to.

Clause 11 - amendment proposed;

THAT, Clause 11 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang’ula Moses Masika

The results of the Division were as follows: -

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation

14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. OleKina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika – voted verbally

Clauses 11- agreed to.

Clause 12 - amendment proposed;

THAT clause 12 of the Bill be amended by inserting the following new clause immediately after sub clause (2) —

(2a) The secretariat referred to under subsection (1) shall include officers with knowledge and at least five years' experience in physical planning or land survey.

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

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

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 12 (as amended) - agreed to.

Clauses 13 and 14

Motion made and question proposed-

THAT, Clauses 13 and 14 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetangula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma ohnes Mwashushe
18. Sen. Ole Kina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisi Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika – voted verbally

Clauses 13 and 14 - agreed to.

Clause 15 - amendment proposed;

THAT clause 15 of the Bill be amended by deleting the introductory phrase and substituting therefor the following new introductory phrase —

The mediation committee shall, within three months of the resolution of the Senate to establish a mediation committee under section 7, report to the Senate on —

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Aden Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. OleKina Ledama

19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisi Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang'ula Moses Masika

Clause 15 (as amended) - Agreed to.

Clauses 16 and 17

Motion made and question proposed-

THAT, Clauses 16 and 17 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang'ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior

9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang'at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika – voted verbally

Clauses 16 and 17 - agreed to.

Clause 18 - amendment proposed;

THAT clause 18(1) of the Bill be amended by inserting the following new paragraph immediately after paragraph (b) —

(ba) The Senator of a county whose boundary is proposed to be altered or a Member of the National Assembly representing a constituency within the county whose boundary is proposed to be altered;

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar

3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 18 (as amended) - agreed to.

Clause 19

Motion made and question proposed-

THAT, Clause 19 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. OleKina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 19 - agreed to.

Clause 20 - amendment proposed;

THAT clause 20 of the Bill be amended in the introductory phrase by deleting the word “twenty-one” appearing immediately after the words “the Senate shall within” and substituting therefor the word “thirty”.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi

17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kii
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 20 (as amended) - agreed to.

Clauses 21 and 22

Motion made and question proposed-

THAT, Clauses 21 and 22 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang’ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson

7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang'at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika – voted verbally

Clauses 21 and 22 - agreed to.

Clause 23 - amendment proposed;

THAT the Bill be amended by deleting clause 23 and substituting therefor the following new clause-

Consideration **23.** (1) The National Assembly shall consider a resolution received of report of under section 22(b) within thirty days of receipt of the resolution. special

committee by (2) If the National Assembly —

the National (a) concurs with the resolution of the Senate for the Assembly. establishment of a commission, a commission shall be established in accordance with section 24 of this Act; or

(b) does not concur with the resolution of the Senate for the establishment of a commission, the petition shall be referred to a parliamentary mediation committee comprising an equal number of members from each House.

(3) If the National Assembly fails to consider the resolution of the Senate within the specified time, the National Assembly is deemed to have approved the resolution of the Senate.

(4) Where the National Assembly approves the resolution of the

Senate, the Speaker of the Senate shall, within seven days of the approval by the National Assembly, forward the resolution to the President for the establishment of a commission in accordance with section 24.

(5) (a) The parliamentary mediation committee under subsection (2) shall, within twenty-one days of referral of the petition, consider the petition and agree on a recommendation in terms of section 21 (1).

(b) If the parliamentary mediation committee arrives at a common recommendation, each House shall vote to approve or reject the resolution of the parliamentary mediation committee.

(c) If the parliamentary mediation committee recommends the establishment of a county boundaries parliamentary mediation committee, section 22(a) shall apply with necessary modifications.

(d) If the parliamentary mediation committee recommends the establishment of a commission, subsection (4) shall apply with necessary modifications.

(e) If the mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the Petition.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kii
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 23 (as amended) - agreed to.

Clause 24

Motion made and question proposed-

THAT, Clause 24 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika – voted verbally

Clause 24 - agreed to.

Clause 25 - amendment proposed;

THAT clause 25 of the Bill be amended in sub clause (1) by —

- (a) deleting the word “President” appearing at the end of paragraph(b) and substituting therefor the words “Independent Electoral and Boundaries Commission”;

(b) deleting the word “President” appearing at the end of the paragraph (c) and substituting therefor the words “National Land Commission”;

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

(ca) the Principal Secretary for the time being responsible for matters related to land and physical planning or a representative of the Principal Secretary designated in writing;

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation

14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kii
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang'ula Moses Masika

Clause 25 (as amended) - agreed to.

Clauses 26 - 30

Motion made and question proposed-

THAT, Clauses 26 - 30 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetangula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation

5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika

Clauses 26 - 30 - agreed to.

Clause 31 - amendment proposed;

THAT the Bill be amended by deleting clause 31 and substituting therefor the following new clause-

- Tenure of the Commission. 31. A commission shall stand dissolved within one month -
- (a) after the submission of its final report to Parliament; or
 - (b) after the conclusion of any legal proceedings, to which the commission is enjoined as a party, arising from the work of the commission.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma ohnes Mwashushe
18. Sen. Ole Kina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghismo Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 31 (as amended) - agreed to.

Clauses 32 - 39

Motion made and question proposed-

THAT, Clauses 32 – 39 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang'ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang'at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisiio Samuel Losuron

23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika – voted verbally

Clauses 32 - 39 - agreed to.

Clause 40 - amendment proposed;

THAT clause 40 of the Bill be amended in sub clause (2a) by deleting the words “the county gazette” appearing at the beginning of the paragraph and substituting therefor the words “the Kenya Gazette and the county Gazette,” in subparagraph (ii);

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru

12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 40 (as amended) - agreed to.

Clauses 41 - 44

Motion made and question proposed-

THAT, Clauses 41- 44 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetangula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally

2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
5. Sen. Kamar Margaret Jepkoech- voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang'at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika – voted verbally

Clauses 41- 44 - agreed to.

Clause 45 - amendment proposed

THAT the Bill be amended by deleting clause 45 and substituting therefor the following new clause-

Coming into effect of a resolution
45. (1) A resolution for the alteration of the boundaries of a county under section 42(3) shall take effect upon the next a delimitation of the constituency and ward boundaries following a boundaries review process under Article 89 of the Constitution and section 36 of the Independent Electoral and Boundaries Commission Act.

No. 9 of 2011 (2) The Independent Electoral and Boundaries Commission shall, in its report under section 36 (5) of the Independent Electoral and Boundaries Commission Act, state how a resolution under section 42(3) of this Act has been taken into account in the constituency and ward boundaries review process.

(3) The report referred to under subsection (2) shall be submitted to the Senate and the National Assembly for consideration.

(4) The Independent Electoral and Boundaries Commission, in

preparing its final report under section 36(8), shall take into account the views of the Senate and the National Assembly.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo

20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghismo Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 45 (as amended) - agreed to.

Clauses 46 - 49

Motion made and question proposed-

THAT, Clauses 46 - 49 be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang’ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech– voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew

11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika – voted verbally

Clauses 46 - 49 - Agreed to.

New Clause 42A – insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause after clause 42 —

Concurrence by Parliament on alteration of a boundary. **42A.** (1) Where the National Assembly does not concur with the resolution of the Senate to recommend the alteration of the boundaries of a county under section 42, the resolution shall be referred to a parliamentary mediation committee comprising an equal number of members of each House.

(2) The parliamentary mediation committee under subsection (1) shall, within twenty-one days of the referral of the resolution, consider the resolution and agree on a recommendation in terms of section 42(3).

(3) If the parliamentary mediation committee arrives at a common recommendation, each House shall vote to approve or reject the resolution of the parliamentary mediation committee.

(4) If the parliamentary mediation committee recommends the alteration of the boundaries of a county, section 42(3) shall apply with the necessary modifications.

(5) If the parliamentary mediation committee fails to agree on a recommendation, no further proceedings shall take place in respect of the resolution to alter the boundaries of a county.

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

Motion made and Question proposed-

That, the New Clause 42A be now read a Second Time.

Question on the Second Reading of the New Clause 42A, put.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kiburu Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation

22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kii
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika

Question – agreed to

New Clause 42A

Motion made and Question proposed-

That, the New Clause 42A be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Obedo

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang'at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru

12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika

New Clause 42A – agreed to.

New Clause 47A – insertion of New Clause proposed

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

Petition to the alteration of boundaries. **47A.** (1) A petition challenging the alteration of a county boundary under this Act shall be filed in the High Court.

- (2) A petition under subsection (1) shall be-
- (a) filed within twenty-one days of the publication of the boundaries in the *Gazette* under section 42(3); and
 - (b) determined within sixty days of the filing of the petition.

(3) Any appeal from a decision arising from a petition filed under subsection (2) shall be heard and determined within sixty days of the filing of the appeal.

(Sen. Mutula Kilonzo Jnr. – 25.07.2018)

Motion made and Question proposed-

That, the New Clause 47A be now read a Second Time.

Question on the Second Reading of the New Clause 47A, put.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika

Question – agreed to.

New Clause 47A

Motion made and Question proposed;

THAT, New Clause **47A** be be part of the Bill.

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation

22. Sen. Poghio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika

New Clause 47A – agreed to.

The First, Second, Third, Fourth and Fifth Schedules

Motion made and question proposed-

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

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang’ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim

13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghismo Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang'ula Moses Masika – voted verbally

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

Clause 2 - amendment proposed;

Motion made and question proposed-

- THAT** clause 2 of the Bill be amended by —
- (a) deleting the interpretation of the word “cabinet secretary”; and substituting therefor the following new interpretation “cabinet secretary” means the cabinet secretary for the time being responsible for matters related to land and physical planning;
 - (b) deleting the interpretation of the word “county executive committee member”; and substituting therefor the following new interpretation “county executive committee member” means the county executive committee member for the time being responsible for matters related to land and physical planning in the county;
 - (c) inserting the following new definition immediately after the definition of the word, “commission” —
“dispute” means disagreements between two or more neighbouring counties over the possession or control of land bordering the two or more neighbouring counties;

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wario Golich Juma

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang’at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Onger Samson Kegengo
20. Sen. Orengo James
21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma – voted verbally
26. Sen. Wetang’ula Moses Masika

Clause 2 (as amended) - agreed to.

The Title and Clause 1

Motion made and question proposed-

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

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Margaret Kamar
3. Sen. Omanga Millicent
4. Sen. Nyamunga Rose Ogendo
5. Sen. Wetang'ula Moses Masika

The results of the Division were as follows:-

AYES - 26

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena - voted on behalf of Kwale County Delegation
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
5. Sen. Kamar Margaret Jepkoech – voted verbally
6. Sen. Kibiru Charles Reubenson
7. Sen. Kihika Susan Wakarura
8. Sen. Kilonzo Mutula Junior
9. Sen. Kirinyaga Ephraim Mwangi Maina
10. Sen. Lang'at Christopher Andrew
11. Sen. Madzayo Stewart Mwachiru
12. Sen. Mahamud Mohamed Maalim
13. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
14. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Mwangi Paul Githiomi
17. Sen. Mwaruma Johnes Mwashushe
18. Sen. Olekina Ledama
19. Sen. Ongeru Samson Kegengo
20. Sen. Orenge James

21. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron
23. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
24. Sen. Wambua Enoch Kiio
25. Sen. Wario Golich Juma
26. Sen. Wetang’ula Moses Masika – voted verbally

The Title and Clause 1 – agreed to.

Motion made-

That, the Bill be reported with amendments.

Before the question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. Rose Nyamunga) ruled that the question did not affect counties;

Question put and agreed to.

7. **HOUSE RESUMED** – (The Temporary Speaker Sen. (Prof.) Margaret Kamar) in the Chair)

8. **THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 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 Jr)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. (Prof.) Kamar) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the County Boundaries Bill (Senate Bills No. 6 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. (Prof.) Kamar) directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for one minute;

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

The Temporary Speaker (Sen. (Prof.) Kamar) 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 81 (5), the Temporary Speaker allowed four Senators to record their votes verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Kamar Margaret
4. Sen. Omanga Millicent

The results of the Division were as follows;

AYES = 27 NOES = 0 ABSTENTIONS = 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Mwangi Maina
11. Sen. Lang’at Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Mwangi Paul Githiomi
18. Sen. Mwaruma Johnes Mwashushe
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang’ula Moses Masika

Question agreed to.

Bill Read a Third Time and passed.

9. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

The Office of the County Attorney Bill (Senate Bills No. 3 of 2018)

Clauses 3 and 4

Motion made and Question proposed;

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally

7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghio Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kii
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

Clauses 3 and 4 - agreed to.

Clause 5 - amendment proposed

That, Clause 5 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause-

- (2) A person qualifies for appointment as County Attorney if such person-
 - (a) is an Advocate of the High Court of Kenya of at least five years standing;
 - (b) has experience as a legal practitioner including experience in the legal academic field; and
 - (c) meets the requirements of Chapter Six of the Constitution.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Cherarkey Samson Kiprotich – voted verbally
3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisi Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang’ula Moses Masika

Clause 5 (as amended) - agreed to.

Clause 6 - amendment proposed

That, Clause 6 of the Bill be amended-

- (a) in paragraph (a) by deleting the words “executive committee” appearing immediately after the words “to the county” and substituting therefor the word “government”;
- (b) in paragraph (c) by inserting the words “on the instructions of the county government” immediately after the word “shall”.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Cherarkey Samson Kiprotich
- 3. Sen. Imana Malachy Charles Ekal
- 4. Sen. Kamar Margaret Jepkoech
- 5. Sen. Nyamunga Rose Ogendo
- 6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Adan Dullo Fatuma – voted verbally
- 2. Sen. Cherarkey Samson Kiprotich – voted verbally
- 3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
- 4. Sen. Imana Malachy Charles Ekal – voted verbally
- 5. Sen. Khaniri George
- 6. Sen. Kamar Margaret Jepkoech – voted verbally
- 7. Sen. Kibiru Charles Reubenson
- 8. Sen. Kihika Susan Wakarura
- 9. Sen. Kilonzo Mutula Junior
- 10. Sen. Kirinyaga Ephraim Maina
- 11. Sen. Langat Christopher Andrew
- 12. Sen. Madzayo Stewart Mwachiru
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
- 15. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County delegation

- 16. Sen. Mwangi Paul Githiomi
- 17. Sen. Murkomen Onesimus Kipchumba
- 18. Sen. Ongeru Samson Kegengo
- 19. Sen. Orengo James
- 20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
- 21. Sen. Poghiso Samuel Losuron
- 22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
- 23. Sen. Wambua Enoch Kiio
- 24. Sen. Wario Golich Juma
- 25. Sen. Wetang’ula Moses Masika

Clause 6 (as amended) - agreed to.

Clause 7 - amendment proposed

That, Clause 7 of the Bill be amended in sub-clause (2) by inserting the words “in consultation with the county public service board” immediately after the word “establish” appearing in paragraph (a).

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Cherarkey Samson Kiprotich
- 3. Sen. Imana Malachy Charles Ekal
- 4. Sen. Kamar Margaret Jepkoech
- 5. Sen. Nyamunga Rose Ogendo
- 6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Adan Dullo Fatuma – voted verbally
- 2. Sen. Cherarkey Samson Kiprotich – voted verbally
- 3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation

4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Onger Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisi Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kii
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 7 (as amended) - agreed to.

Clauses 8 and 9

Motion made and Question proposed;

That, Clauses 8 and 9 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal

4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghio Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

Clauses 8 and 9 - agreed to.

Clause 10 - deletion proposed

That, the Bill be amended by deleting clause 10.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed seven Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Iman Falhada Dekow
4. Sen. Imana Malachy Charles Ekal
5. Sen. Kamar Margaret Jepkoech
6. Sen. Nyamunga Rose Ogendo
7. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Iman Falhada Dekow – voted verbally on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Olekina Ledama
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisio Samuel Losuron

22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang’ula Moses Masika

Clause 10 - deleted.

Clauses 11 and 12

Motion made and Question proposed;

That, Clauses 11 and 12 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura

11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghio Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

Clauses 11 and 12 - agreed to.

Clause 13 - amendment proposed

That, clause 13 of the Bill be amended by deleting sub-clause (2).

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

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

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Onger Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisio Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 13 (as amended) - agreed to.

Clauses 14 and 15

Motion made and Question proposed;

That, Clauses 14 and 15 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghismo Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang’ula Moses Masika

Clauses 14 and 15 -agreed to.

Clause 16 - amendment proposed

That, clause 16 of the Bill be amended-

(a) in sub-clause (1) by deleting the words “County Attorney” appearing immediately after the words “without the approval of the” and substituting therefor the words “county executive committee”;

(b) by deleting sub-clause (2) and substituting therefor the following new sub-clause-

(2) A request by a department or public entity to the county executive committee to engage the services of a consultant for the provision of legal services, shall be in writing.

(c) by deleting sub-clause (3) and substituting therefor the following new sub-clause-

(3) An approval by the county executive committee of a request under sub-clause (2) shall be in writing.

Further amendment proposed:

That, the Bill be amended by deleting the heading “PART III – PERFORMANCE OF FUNCTIONS OF THE COUNTY ATTORNEY” appearing immediately before clause 16.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Cherarkey Samson Kiprotich – voted verbally
3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisi Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 16 (as amended) -agreed to.

Clause 17

Motion made and Question proposed;

That, Clause 17 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghismo Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang’ula Moses Masika

Clause 17 - agreed to.

Clause 18 - amendment proposed

That, clause 18 of the Bill be amended in sub-clause (1) by inserting the words ‘in consultation with the County Attorney’ immediately after the words “public service board shall”.

(Chairperson, Standing Committee Justice, Legal and Human Rights)

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Cherarkey Samson Kiprotich – voted verbally
3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Onger Samson Kegengo

- 19. Sen. Orengo James
- 20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
- 21. Sen. Poghismo Samuel Losuron
- 22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
- 23. Sen. Wambua Enoch Kiio
- 24. Sen. Wario Golich Juma
- 25. Sen. Wetang’ula Moses Masika

Clause 18 (as amended) - agreed to.

Clause 19 - amendment proposed

That, clause 19 of the Bill be amended by inserting the words “County Attorney, County Solicitor and” immediately before the words “County Legal Counsel”.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Cherarkey Samson Kiprotich
- 3. Sen. Imana Malachy Charles Ekal
- 4. Sen. Kamar Margaret Jepkoech
- 5. Sen. Nyamunga Rose Ogendo
- 6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Adan Dullo Fatuma – voted verbally
- 2. Sen. Cherarkey Samson Kiprotich
- 3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
- 4. Sen. Imana Malachy Charles Ekal – voted verbally
- 5. Sen. Khaniri George
- 6. Sen. Kamar Margaret Jepkoech – voted verbally
- 7. Sen. Kibiru Charles Reubenson

8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghiso Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiiro
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 19 (as amended) - agreed to.

Clause 20 - amendment proposed

That, clause 20 of the Bill be amended-

- (a) in sub-clause (1) by inserting the words “County Attorney, County Solicitor” immediately before the words “County Legal Counsel”;
- (b) in sub-clause (2) by deleting the words “County Attorney” appearing immediately before the words “may from time to time” and substituting therefor the words “Cabinet Secretary”

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma

2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Cherarkey Samson Kiprotich – voted verbally
3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghio Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kii
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 20 (as amended) - agreed to.

Clause 21

Motion made and Question proposed;

That, Clauses 21 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation

- 23. Sen. Poghismo Samuel Losuron
- 24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
- 25. Sen. Wambua Enoch Kiio
- 26. Sen. Wario Golich Juma
- 27. Sen. Wetang’ula Moses Masika

Clause 21 - agreed to.

Clause 22 - amendment proposed

That, clause 22 of the Bill be amended in sub-clause (1) by inserting the words “in consultation with the county public service board” immediately after the words “the County Attorney”.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Cherarkey Samson Kiprotich
- 3. Sen. Imana Malachy Charles Ekal
- 4. Sen. Kamar Margaret Jepkoech
- 5. Sen. Nyamunga Rose Ogendo
- 6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Adan Dullo Fatuma – voted verbally
- 2. Sen. Cherarkey Samson Kiprotich – voted verbally
- 3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
- 4. Sen. Imana Malachy Charles Ekal – voted verbally
- 5. Sen. Khaniri George
- 6. Sen. Kamar Margaret Jepkoech – voted verbally
- 7. Sen. Kibiru Charles Reubenson
- 8. Sen. Kihika Susan Wakarura

9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Onger Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghio Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 22 (as amended) - agreed to.

Clauses 23 and 24

Motion made and Question proposed;

That, Clauses 23 and 24 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghio Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiiro
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

Clauses 23 and 24 - agreed to.

Clause 25 - deletion proposed

That, the Bill be amended by deleting clause 25.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed seven Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Iman Falhada Dekow
4. Sen. Imana Malachy Charles Ekal
5. Sen. Kamar Margaret Jepkoech
6. Sen. Nyamunga Rose Ogendo
7. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 25

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Olekina Ledama
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisi Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 25 - deleted.

Clauses 26, 27, 28 and 29

Motion made and Question proposed;

That, Clauses 26, 27, 28 and 29 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew

14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghision Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang’ula Moses Masika

Clauses 26, 27, 28 and 29 - agreed to.

Clause 30 - amendment proposed

That, Clause 30 of the Bill be amended by deleting the words “County Attorney” appearing immediately before the words “may make Regulations” and substituting therefor the words “Cabinet Secretary”

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

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

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Cherarkey Samson Kiprotich – voted verbally
3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
4. Sen. Imana Malachy Charles Ekal – voted verbally
5. Sen. Khaniri George
6. Sen. Kamar Margaret Jepkoech – voted verbally
7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghision Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 30 (as amended) - agreed to.

Clauses 31 and 32

Motion made and Question proposed;

That, Clauses 31 and 32 be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghismo Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kii
26. Sen. Wario Golich Juma
27. Sen. Wetang’ula Moses Masika

Clauses 31 and 32 - agreed to.

New Clause 5A - insertion of New Clause proposed

That the Bill be amended by inserting the following new clause immediately after clause 5-

Tenure of office. **5A.** The County Attorney shall hold office for a term of six years.

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

Motion made and Question proposed-

That, the New clause 5A be now read a Second Time.

Question on the Second Reading of the New Clause 5A, put.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Nyamunga Rose Ogendo
6. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Imana Malachy Charles Ekal – voted verbally
6. Sen. Khaniri George
7. Sen. Kamar Margaret Jepkoech – voted verbally
8. Sen. Kibiru Charles Reubenson

9. Sen. Kihika Susan Wakarura
10. Sen. Kilonzo Mutula Junior
11. Sen. Kirinyaga Ephraim Maina
12. Sen. Langat Christopher Andrew
13. Sen. Mahamud Mohamed Maalim
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghisi Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

Question, agreed to.

New Clause 5A

Motion made and Question proposed-

That, the New clause 5A be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi

6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Ongeru Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghio Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kii
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

New Clause 5A - agreed to

First and Second Schedules

Motion made and Question proposed-

That the First and Second Schedules be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve
7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James

- 22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
- 23. Sen. Poghismo Samuel Losuron
- 24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
- 25. Sen. Wambua Enoch Kiiro
- 26. Sen. Wario Golich Juma
- 27. Sen. Wetang'ula Moses Masika

First and Second Schedules - agreed to.

Clause 2 - amendment proposed

That, clause 2 of the Bill be amended by inserting the following new definition immediately before the definition of the term “County Attorney”-

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to justice and legal affairs.

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed six Senators to record their vote verbally.

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

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Cherarkey Samson Kiprotich
- 3. Sen. Imana Malachy Charles Ekal
- 4. Sen. Kamar Margaret Jepkoech
- 5. Sen. Nyamunga Rose Ogendo
- 6. Sen. Omanga Millicent

The results of the Division were as follows:-

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

AYES

- 1. Sen. Adan Dullo Fatuma – voted verbally
- 2. Sen. Cherarkey Samson Kiprotich – voted verbally
- 3. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
- 4. Sen. Imana Malachy Charles Ekal – voted verbally
- 5. Sen. Khaniri George
- 6. Sen. Kamar Margaret Jepkoech – voted verbally

7. Sen. Kibiru Charles Reubenson
8. Sen. Kihika Susan Wakarura
9. Sen. Kilonzo Mutula Junior
10. Sen. Kirinyaga Ephraim Maina
11. Sen. Langat Christopher Andrew
12. Sen. Madzayo Stewart Mwachiru
13. Sen. Mahamud Mohamed Maalim
14. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
15. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
16. Sen. Mwangi Paul Githiomi
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Ongeru Samson Kegengo
19. Sen. Orengo James
20. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
21. Sen. Poghisi Samuel Losuron
22. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
23. Sen. Wambua Enoch Kiio
24. Sen. Wario Golich Juma
25. Sen. Wetang'ula Moses Masika

Clause 2 (as amended) -agreed to.

The Title and Clause 1

Motion made and Question proposed-

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

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for two minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed eight Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Waqo Naomi Jilo
3. Sen. Imana Malachy Charles Ekal
4. Sen. Kamar Margaret Jepkoech
5. Sen. Lelegwe Steve Ltumbesi
6. Sen. Inimah Getrude Musuruve

7. Sen. Nyamunga Rose Ogendo
8. Sen. Omanga Millicent

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Khaniri George
8. Sen. Kamar Margaret Jepkoech – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi – voted verbally
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Olekina Ledama
20. Sen. Onger Samson Kegengo
21. Sen. Orengo James
22. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
23. Sen. Poghision Samuel Losuron
24. Sen. Omanga Millicent – voted verbally on behalf of Nairobi City County Delegation
25. Sen. Wambua Enoch Kiio
26. Sen. Wario Golich Juma
27. Sen. Wetang'ula Moses Masika

The Title and Clause 1 - agreed to.

Motion made:

That, the Bill be reported with amendments.

Before the question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. Rose Nyamunga) ruled that the question did not affect counties;

Question put and Agreed to.

10. **HOUSE RESUMED** – Temporary Speaker – (Sen. (Prof.) Kamar) – in the Chair

11. **THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILLS NO. 3 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.

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

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Steve Lelegwe) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

That, the Office of the County Attorney Bill (Senate Bill no. 3 of 2018) be now read a Third Time.

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

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for five minutes;

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

The Temporary Speaker (Steve Lelegwe) 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 85 (5), the Temporary Speaker (Sen. Steve Lelegwe) allowed seven Senators to record their vote verbally.

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

1. Sen. Adan Dullo Fatuma
2. Sen. Imana Malachy Charles Ekal
3. Sen. Kamar Margaret Jepkoech
4. Sen. Lelegwe Steve Ltumbesi
5. Sen. Linturi Frankilin Mithika
6. Sen. Olekina Ledama
7. Sen. Haji Farhiya Ali

The results of the Division were as follows;

AYES = 29**NOES = 0****ABSTENTIONS = 0****AYES**

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal – voted verbally
8. Sen. Khaniri George
9. Sen. Kamar Margaret Jepkoech – voted verbally
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kirinyaga Ephraim Maina
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi – voted verbally
16. Sen. Linturi Franklin Mithika – voted verbally
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
19. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County delegation
20. Sen. Mwangi Paul Githiomi
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Onger Samson Kegengo
23. Sen. Olekina Ledama – voted verbally
24. Sen. Orenge James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron
27. Sen. Haji Farhiya Ali – voted verbally on behalf of Nairobi City County Delegation
28. Sen. Wambua Enoch Kiio
29. Sen. Wario Golich Juma

Question, agreed to

Bill Read a Third Time and passed.

12. **COMMITTEE OF THE WHOLE**
THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)
 (Senate Majority Leader)

Order deferred.

13. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 7 OF 2018)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

Clause 3 - vote deferred.

Clause 4

Motion made and Question proposed;

THAT, Clause 4 be part of the Bill.

Clause 4 - vote deferred.

Clause 5 - amendment proposed

That, Clause 5 of the Bill be amended in paragraph (a) by inserting the words “and information” immediately after the words “gazette such documents”

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson of the Standing Committee on Information, Communication and Technology)

Clause 5 - vote deferred.

Clause 6

Motion made and Question proposed;

THAT, Clause 6 be part of the Bill.

Clause 6 - vote deferred.

Clause 7

Motion made and Question proposed;

THAT, Clause 7 be part of the Bill.

Clause 7 - vote deferred.

Clause 8

Motion made and Question proposed;

THAT, Clause 8 be part of the Bill.

Clause 8 - vote deferred.

Clause 9 - amendment proposed

THAT clause 9 of the Bill be amended in sub-clause (3) by –

- (a) inserting the words “qualify to” immediately after the words “A person shall”;
- (b) inserting the words “at least” immediately after the word “holds” in paragraph (a); and
- (c) deleting the word “five” appearing immediately after the words “of at least” in paragraph (b) and substituting therefor the word “ten”.

(Sen. Mercy Chebeni, MP, on behalf of the Chairperson of the Standing Committee on Information, Communication and Technology)

Clause 9 - vote deferred.

Clause 10 - amendment proposed

THAT clause 10 of the Bill be amended by inserting the word “and the County Printer” immediately after the words “the county secretary”.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla W. Lokorio, MP)

Clause 10 - vote deferred.

Further amendments;

Clause 10

Motion made and Question proposed;

THAT clause 10 of the Bill be amended by inserting the words “of the County Printer” immediately after the words “functions of the office”.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla W. Lokorio, MP)

Clause 10 - vote deferred.

Clause 11

Motion made and Question proposed;

THAT, Clause 11 be part of the Bill.

Clause 11 - vote deferred.

New Clause 10A - New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 10 –

Offences.

10A. A person who –

(a) fails, without reasonable cause, to –

- (i) approve the publication of a document required to be published under any written

- law; or
 - (ii) publish, within the period specified under any written law, a document which has been approved for publication;
 - (b) willfully or recklessly, authorises the publication or publishes false or misleading information; or
 - (c) without authorisation, alters a document approved for publication,
- commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla Lokorio, MP)

Motion made and Question proposed-

That, the New Clause 10A be read a Second Time.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla Lokorio, MP)

New Clause 10A - vote deferred

New Clause 10B - New Clause proposed

General **10B.** A person who contravenes any provision of this Act for penalty. which no penalty is provided is liable, on conviction, to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla Lokorio, MP)

Motion made and Question proposed-

That, the New Clause 10B be read a Second Time.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla Lokorio, MP)

New Clause 10B - vote deferred

Clause 2

Motion made and Question proposed;

THAT clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the term “County Gazette”-
“County Printer” means a person appointed under section 9 of the Act as the head the office of the County Printer.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla W. Lokorio, MP)

Clause 2 - vote deferred.

The Title and Clause 1

Motion made and Question proposed-

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

The Title and Clause 1 - vote deferred.

Progress report:

Motion made;

That, the Committee of the Whole do report progress on its consideration of the Office of the County Printer Bill (Senate Bills No. 7 of 2018) and seek leave to sit again tomorrow.

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla Lokorio, MP)

Before the question was put and pursuant to Standing Order 79, the Acting Chairperson (Sen. Rose Nyamunga) ruled that the Question did not affect counties;

Question put and agreed to.

14. **HOUSE RESUMED** – The Temporary Speaker (Sen. Lelegwe) in the Chair

15. **THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 7 OF 2018)**

Progress reported;

Motion made and Question Proposed;

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

(Sen. Mercy Chebeni, MP, on behalf of Sen. Petronilla Lokorio, MP)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79, the Deputy Speaker ruled that the Question did not affect counties;

Question put and agreed to.

16. **COMMITTEE OF THE WHOLE**
THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 8 OF 2018)

(Sen. Mutula Kilonzo Jnr., MP and Sen. Johnson Sakaja, MP)

Order deferred.

17. **THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL**
(SENATE BILLS NO. 17 OF 2018)

(Sen. Aaron Cheruiyot, MP)

Order deferred.

18. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**

(Sen. Judith Pareno, MP)

Order deferred.

19. **MOTION – ESTABLISHMENT OF YOUTH POLYTECHNICS IN COUNTIES**

Motion made and question proposed;

THAT, AWARE THAT Youth Polytechnics, also known as Village Polytechnics, are educational institutions that offer primary school leavers opportunities to acquire relevant knowledge especially technical and vocational skills to increase their employability;

FURTHER AWARE THAT youth polytechnics provide industrial and entrepreneurial skills training to young people in order to increase employment opportunities, reduce dependency levels and increase self-reliance among the youth;

RECALLING THAT in 2005, the Youth Training Department of the then Ministry of Youth Affairs and Sports was established through the Presidential Circular No.1 of 2005, with a mandate of revitalizing the Youth Polytechnics countrywide in order to empower youth through provision of accessible, appropriate and quality training in technical, vocational, industrial, entrepreneurship and life skills;

COGNIZANT THAT youth polytechnics are a devolved function;

PERSUADED THAT Vocational Education and Training is a critical aspect for a developing economy and that it would contribute towards the realization of the Big Four Agenda;

CONCERNED THAT, in Kenya, the number of young people who have completed the primary school education but have not joined secondary schools continues to rise by the day;

FURTHER CONCERNED THAT county governments have not prioritized youth polytechnic functions despite the polytechnics' capacity to ultimately contribute to both social and economic development;

NOW THEREFORE the Senate calls upon each of the 47 county governments to-

- a) establish youth polytechnics in every location within their respective the areas of jurisdiction and to revamp the already existing youth polytechnics;
- b) to develop a structure/guideline for sensitizing the youth who have completed their primary school education but have not joined form one to embrace vocational training in order to acquire the necessary skills to join the labour market.

(Sen. (Prof.) Margaret Kamar, MP – 27.09.2018)

Debate interrupted on Thursday, 27th September, 2018 resumed on a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for one minute;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Speaker allowed three Senators to record their votes verbally.

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

1. Sen. Margret Kamar
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey K. Samson

The results of the Division were as follows:-

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma – voted verbally
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Waqo Naomi Jillo
5. Sen. Iman Falhada Dekow– voted on behalf of Garrisa County Delegation
6. Sen. Kamar Margret Jepkoech – voted verbally
7. Sen. Khaniri George
8. Sen. Kibiru Charles Reubenson
9. Sen. Kihika Susan Wakarura
10. Sen. Kilonzo Mutula Junior
11. Sen. Kirinyaga Ephraim Mwangi Maina
12. Sen. Lang’at Christopher Andrew
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
16. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Mwangi Paul Githiomi
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Olekina Ledama
21. Sen. Ongeru Samson Kegengo
22. Sen. Orengo James
23. Sen. Nyamunga Rose Ogendo- voted verbally on behalf of Kisumu County Delegation

24. Sen. Poghio Samuel Losuron
25. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County
26. Sen. Wambua Enoch Kiio
27. Sen. Wario Golich Juma
28. Sen. Wetang'ula Moses Masika

Question agreed to.

RESOLVED ACCORDINGLY

THAT, AWARE THAT Youth Polytechnics, also known as Village Polytechnics, are educational institutions that offer primary school leavers opportunities to acquire relevant knowledge especially technical and vocational skills to increase their employability;

FURTHER AWARE THAT youth polytechnics provide industrial and entrepreneurial skills training to young people in order to increase employment opportunities, reduce dependency levels and increase self-reliance among the youth;

RECALLING THAT in 2005, the Youth Training Department of the then Ministry of Youth Affairs and Sports was established through the Presidential Circular No.1 of 2005, with a mandate of revitalizing the Youth Polytechnics countrywide in order to empower youth through provision of accessible, appropriate and quality training in technical, vocational, industrial, entrepreneurship and life skills;

COGNIZANT THAT youth polytechnics are a devolved function;

PERSUADED THAT Vocational Education and Training is a critical aspect for a developing economy and that it would contribute towards the realization of the Big Four Agenda;

CONCERNED THAT, in Kenya, the number of young people who have completed the primary school education but have not joined secondary schools continues to rise by the day;

FURTHER CONCERNED THAT county governments have not prioritized youth polytechnic functions despite the polytechnics' capacity to ultimately contribute to both social and economic development;

NOW, THEREFORE, the Senate calls upon each of the 47 county governments to-

- a) establish youth polytechnics in every location within their respective the areas of jurisdiction and to revamp the already existing youth polytechnics;
- b) to develop a structure/guideline for sensitizing the youth who have completed their primary school education but have not joined form one to embrace vocational training in order to acquire the necessary skills to join the labour market.

20. **MOTION - DEVELOPMENT AND IMPLEMENTATION OF A NATIONAL DISASTER RISK FINANCING STRATEGY**

Motion made and Question proposed: -

THAT, WHEREAS Kenya's disaster profile is dominated by droughts, fire, floods, terrorism, diseases and epidemics that disrupt livelihoods, destroy infrastructure, divert planned use of resources, interrupt economic activities and retard development;

FURTHER WHEREAS the government, through its various agencies, is ultimately responsible for disaster reduction, preparedness and management;

COGNIZANT of the fact that government agencies involved in disaster management are usually overwhelmed when called upon to provide response services during disasters and emergencies;

AWARE that the Kenya Red Cross Society Act, Cap 256 of the Laws of Kenya establishes the Kenya Red Cross Society, a sole national Red Cross Society in Kenya, as a voluntary aid society;

RECOGNIZING, the efforts of the Kenya Red Cross Society to provide first-line disaster response services in incidences of disasters and other emergencies across the country;

OBSERVING, the huge financial resources required to finance disaster reduction, preparedness and other emergency services;

NOTING that one of the sources of the Kenya Red Cross Society in financing its operations is through accepting unrestricted contributions and assistance, in any form, from individuals, public authorities and private bodies;

APPRECIATING, the efforts made by the prudent management of funds by the Kenya Red Cross Society;

FURTHER AWARE that emergency fund is a substantial proportionate Vote Head in both the national and county government budgets;

CONCERNED, that the Kenya Red Cross Society has not been allocated a budget from the national and county governments despite the huge contribution in disaster and emergency response across the country;

NOW THEREFORE, the Senate urges the national and county governments to explore collaborative mechanisms for the Kenya Red Cross Society to support and implement a paradigm shift from post disaster response to risk reduction by developing and implementing a national disaster risk financing strategy across all sectors and incorporate it into the national and county development planning and financing processes.

(Sen. George Khaniri, MP)

Debate arising;

And there being no other Senator wishing to contribute;

And in the absence of the Mover;

The Temporary Speaker (Sen. Lelegwe) deferred the reply to a later date.

21. **MOTION - IMPROVEMENT OF KENYA'S POSITION IN THE WORLD ECONOMIC FORUM TRAVEL AND TOURISM COMPETITIVENESS INDEX**
(Sen. Ledama Olekina, MP)

THAT, AWARE that the Ministry of Tourism have developed and published the Kenya National Tourism Blueprint 2030 in May 2017;

FURTHER AWARE that Kenya Tourism Agenda 2018 – 2022, launched in April 2018, establishes the foundation for the National Tourism Blueprint 2030 and is the tool for initiating the components of the Blue Print;

ALSO AWARE that the contribution of travel and tourism to Kenyan GDP stood at 9.7 % in 2017, up from the 9.3 % previous year;

COGNIZANT that in the next 10 years every industry will be changed by technology;

ALSO AWARE that Kenya Tourism Board has partnered with Google, Safaricom, Kenya Wildlife Service and Tourism Finance Corporation to create new digital content for local tourism;

CONCERNED that Kenya tourism industry's potential is underutilized;

AWARE that Kenya's position in World Economic Forum's Travel & Tourism Competitiveness Index Ranking is 80 out of 136 in 2017, having improved by 2 points from 2015, while having currently the lowest score in cultural resources and business travel with 1.6 points out of 7;

FURTHER CONCERNED that majority of the solutions proposed by the tourism agenda are brick and mortar type and not addressing the trends; noting that in less than two years, the share of online booking globally has grown from 9% to almost 33% and the lucrative and fast-growing segment of business tourism;

ALSO CONCERNED that Kenya will continue to attract only beach and park type tourists ignoring the large number of conference and business travellers, who largely never leave Nairobi and are offered minimal exposure to Kenya;

NOW THEREFORE, the Senate calls upon the Ministry of Tourism to approach tourism sector with modern innovation and implement tangible, measurable and impactful solutions, resulting in improvement of Kenya's ranking in the World Economic Forum Travel & Tourism Competitiveness Index 2019 by 6 positions

and improve the lowest score of cultural resources and business travel by 1 point.

Order deffered;

And there being no other business, the Temporary Speaker (Sen. Steve Lelegwe) interrupted the proceedings at forty two minutes past Five O'clock, and adjourned the Senate without Question put, pursuant to the Standing Orders.

22. SENATE ROSE - at forty-two minutes past five O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, October 04, 2018 at 2.30 p.m.*

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