



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 20, 2019 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**

(a) **Communication from the Chair on Visiting Dignitaries from Konrad Adenauer Stiftung**

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of visiting dignitaries from *Konrad Adenauer Stiftung*.

I request Mr. Thomas Toedtling, Director and Ms. Jane Murutu, Project Manager both from Konrad Adenauer Foundation to stand so that they may be acknowledged in the Senate tradition.

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.”

(b) **Communication from the Chair regarding a Breakfast Meeting on the 2019 Budget Policy Statement**

“Hon. Senators,

As you are aware, the 2019 Budget Policy Statement (BPS) was tabled in the Senate on Thursday, 14th February, 2019. The Standing Committees of the Senate are expected to scrutinize the BPS and forward their recommendations to the Standing Committee on Finance and Budget, which will consolidate the same and

table its Report not later than Tuesday, 26th February, 2019. The Senate should then debate and conclude consideration of the report by Thursday, 28th February, 2019.

Hon. Senators, as I mentioned last week, the BPS is an important tool as it sets out the broad strategic priorities and policy goals that will guide the national government and county governments in preparing their budgets both for the following Financial Year and over the medium term.

In light of this, a breakfast meeting has been organized for all Senators where the Parliamentary Budget Office shall assist Senators in unpacking the 2019 Budget Policy Statement and interrogating the proposed strategic priorities and policy goals of the National Government.

The breakfast meeting will be held tomorrow, Thursday, 21st February, 2019 at 7.30 am, in the Senate Chamber. The meeting will be preceded by breakfast which will be served in the Members' restaurant, Parliament Buildings.

Honourable Senators,

I take this opportunity to invite and urge all Honourable Senators to attend this important meeting.

I thank you.”

(c) **Communication from the Chair on Consideration of the Motion for Adoption of the Report of the Ad-hoc Committee on the Maize Crisis in Kenya**

“Honourable Senators,

I have a communication to make regarding consideration of the Motion to adopt the Report of the *Ad-hoc* Committee on the Maize Crisis in Kenya.

As Senators will recall, the Chairperson of the *Ad-hoc* Committee commenced moving the Motion yesterday, in amended form, when the Senate Minority Leader intervened on a Point of Order. The salient issue raised by the Minority Leader was that, while the amendments sought to be made to the Motion were substantive in nature, Senators had not received copies of the said amendments, and in good time, as to enable them fully canvass the issues raised by the said amendments.

Several other Senators intervened, among them Sen. Mutula Kilonzo Junior, Sen. Moses Kajwang', the Senate Majority Leader, Sen. Okong'o Mogeni, Sen. Samson Cherarkey, Sen. Petronila Were and Sen. Moses Wetang'ula. The salient issues raised through the said interventions related to, among others: -

- a) whether the Committee had agreed and signed off on the said amendments;
- and

- b) whether it was proper for the Motion to be moved in amended form, or the Motion should be moved in the same manner as the Notice that was issued, with the amendments being introduced during the course of debate.

Honourable Senators,

Standing order 57 of the Senate Standing Orders provides, and I quote -

“The Speaker may permit a Senator to move in an amended form a Motion of which notice has been given if in the opinion of the Speaker, the amendment does not materially alter any principle embodied in the Motion.”

I wish to confirm to Hon. Senators that I did receive the request for approval of the Motion to be moved in amended form and, being satisfied that the amendment did not materially alter the principle embodied in the Motion, I proceeded to approve for the Motion to be moved in amended form, as the Chairperson of the *Ad-hoc* Committee did yesterday.

I have had occasion to look at the Hansard and noted the reservations raised by Senators, regarding the question whether the amendments should have been introduced at the time of moving the Motion, or should be introduced separately once debate on the Motion has commenced.

Honourable Senators,

Without going into the substance of the proposed amendments and the basis for the same, it has been highlighted that, by proposing to amend the recommendations contained in the Committee Report, the amendments are substantive in nature, and should have secured concurrence of the *Ad-hoc* Committee before its term lapsed.

The issue of the maize crisis in Kenya is a very important one, and indeed the eyes of the country are on this Senate as we proceed to debate this Report. The issue of moving the Motion in amended form, as was the case yesterday, appears to have generated a lot of interest, which might distract the Senate from what is obviously a very important matter before us.

Having considered this, as well as the interventions of various Senators during yesterday's sitting, I therefore direct that the Chairperson proceed to move the Motion in its original form. If it is desired to move the proposed amendments, which I had approved, the appropriate course of action will be to do so once the question on the substantive Motion has been proposed.

The procedure for this is set out at standing order 62, which provides, at paragraph (1) thereof, that: -

“Unless otherwise provided in these Standing Orders, any amendment to a Motion which a Senator wishes to propose may be moved and, if necessary, seconded at any time after the question upon the Motion has been proposed and before it has been put.”

It is so directed.”

4. **PAPERS LAID**

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

- a) Report of the Parliament of Kenya delegation to the 49th Commonwealth Parliamentary Association (CPA) Africa Region Conference, held in Gaborone, Botswana, from 13th to 22nd August, 2018.

(Sen. Petronilla Were Lokorio, MP)

- b) Report of the Parliament of Kenya delegation to the 50th Session of the ACP Parliamentary Assembly and the 35th Session of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium, from 13th to 20th June, 2018.

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

- c) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on Public Participation on the Statutory Instruments (Amendment) Bill (Sen. Bills No. 24 of 2018);
- d) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Conferment of Municipal Status upon Mararal Town by the County Government of Samburu;
- e) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on Public Participation on the County Statutory Instruments Bill (Sen. Bill No. 21 of 2018);
- f) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on Public Participation on the Petition to County Assemblies Bill (Sen. Bill No. 22 of 2018);
- g) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Visit to Eldoret G. K. Prisons and Remand facilities; and
- h) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the Fifth Global Summit on Open Governance Partnership in Tbilisi, Georgia, held from 17th to 19th July, 2018.

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

5. **NOTICE OF MOTION** – (Chairperson, Standing Committee on Finance and Budget)

THAT, this House adopts the Report of the Standing Committee on Finance and Budget on the County Governments' infrastructure projects comprising County Executive Headquarter offices, Assembly Chambers and offices and County State Officers' residences, laid on the Table of the Senate on Thursday, 29th November, 2018.

6. **NOTICE OF MOTION** – (Sen. (Canon) Naomi Waqo Jilo, MP)

AWARE THAT, the Constitution of Kenya recognizes dignity, economic, social and cultural rights, education, housing and the right to health including reproductive health; and that the principle of equality and non-discrimination is established as a core value of leadership and the national values and principles of governance include human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of marginalized groups, among others;

FURTHER AWARE THAT, the Constitution of Kenya has very progressive articles that indicate commitment to the international and regional obligations arising from treaties and conventions and other Commitments signed or ratified;

COGNIZANT that Kenya has ratified the Convention on Elimination of all forms of discrimination against Women and the Protocol to the African Charter on Human and People's Rights of the Right of Women which are international instruments that are key to promoting women's rights;

RECALLING that policy framework to enhance gender equality has also been developed, and include the National Gender and Development Policy 2000, the Kenya Vision 2030, Sessional paper No. 2, of 2006, the National Land Policy, the National Policy for Response to Gender Based Violence, and the National Policy for the Abandonment of Female Genital Mutilation;

NOTING THAT, despite there being sound constitutional provisions and elaborate policy framework to realise gender equity, both national government and county governments have not done enough to realise the achievement of gender equality;

CONCERNED that women in Kenya experience hardships when it comes to elective offices, and are underrated by society with most opportunities for elective and appointive offices being awarded to men;

NOW, THEREFORE, THE SENATE RESOLVES

- 1) that Parliament fast track the enactment of the law that shall give effect to the one third gender rule; and
- 2) that, pursuant to Article 81 of the Constitution, both the National and County governments observe the principle of equality, and empowers the female gender by increasing the appointive position to at least fifty per cent.

7. **NOTICE OF MOTION** – (Sen. Petronilla Were Lokorio, MP)

THAT this House notes the Report of the Parliament of Kenya delegation to the 49th Commonwealth Parliamentary Association (CPA) Africa Resion Conference held in Gaborone, Botswana, from 13th to 22nd August, 2018.

8. **NOTICE OF MOTION** – (Sen. (Prof.) Margaret Kamar, MP)

THAT this House notes the Report of the Parliament of Kenya delegation to the 50th Session of the ACP Parliamentary Assembly and the 35th Session of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium, 13th to 20th June, 2018

9. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi) – in the Chair)

The Energy Bill (National Assembly Bills No. 50 of 2017)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clause 3 - agreed to.

Clause 4 - amendment proposed

That clause 4 of the Bill be amended in sub-clause (1) by inserting the words “Council of County Governors and other” immediately after the words “consultation with the”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana

6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question negatived.

Clause 5 - amendment proposed

That clause 5 of the Bill be amended in sub-clause (1) by inserting the words “Council of County Governors and other” immediately after the words “consultation with the”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich

2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 4, 5, 6, 7 and 8

Motion made and Question proposed;

THAT, Clauses 4, 5, 6, 7 and 8 be part of the Bill.

Debate interrupted on Wednesday, 13th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** on behalf of Kakameg County Delegation and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 1

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru

19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 4, 5, 6, 7 and 8 - agreed to.

Clause 9 - amendment proposed

That clause 9 of the Bill be amended –

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause –
 - (1) There is established the Energy Regulatory Commission hereinafter referred to as the Commission.
 - (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
 - (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “this Act the” and substituting therefor the word “Commission”

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru

23. Sen. Poghio Samuel Losuron

24. Sen. Sakaja Johnson Arthur

Question -negatived.

Clause 10 - amendment proposed

That the Bill be amended by deleting clause 10 and substituting therefor the following new clause –

Functions of the **10**. The functions of the Commission shall be to—
Commission.

(a) regulate—

(i) generation, importation, exportation, transmission, distribution, supply and use of electrical energy with the exception of licensing of nuclear facilities;

(iii) production, conversion, distribution, supply, marketing and use of renewable energy;

(iv) exploration, extraction, production, processing, transportation, storage exportation, importation and sale of coal bed methane gas and other energy forms;

(b) protect consumer, investor and other stakeholder interests;

(c) provide such information and statistics to the Cabinet Secretary as the Cabinet Secretary may from time to time require;

(d) collect and maintain energy data;

e) develop guidelines on applicable treaties, conventions and protocols affecting the energy sector in consultation with other statutory authorities except those relating to nuclear energy;

(f) coordinate the development and implementation of a national energy efficiency and conservation action plan, in consultation with relevant statutory authorities and other stakeholders;

(g) develop testing and certification procedures, in conjunction with relevant statutory agencies, for certification and testing for energy consumption of equipment and appliances;

(h) ensure, in collaboration the Kenya Bureau of Standards, that only energy efficient and cost effective appliances and equipment are imported into the country;

(i) certify energy managers and license energy auditors;

- (j) promote, in consultation with the Kenya National Accreditation Service, the establishment of accredited laboratories for energy efficiency; and
- (k) perform any other function that is incidental or consequential to its functions under this Act or any other written law.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question –negatived.

Clause 11 –amendment proposed

That Clause 11 be amended by –

- (a) deleting the introductory clause and substituting therefor the following new clause
–

11. The Commission shall have all the powers necessary for the performance of its functions under this Act and in particular, the Commission shall have the power to
–

- (b) deleting paragraph (m);
- (c) deleting paragraph (n);
- (d) deleting paragraph (o);
- (e) deleting paragraph (p); and
- (f) deleting paragraph (q).

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9 NOES – 24 ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Clause 11 - negatived.

Clause 12 - amendment proposed

That clause 12 be amended in sub-clause (1) by–

- (a) deleting the introductory clause and substituting therefor the following new clause –

12. The management of the Commission shall vest in a Board of Directors of the Commission consisting of –

- (b) deleting paragraph (c); and
- (c) deleting paragraph (e) and substituting therefor the following new paragraph –
- (e) three county executive committee members responsible for energy nominated by the Council of County Governors;
- (d) deleting the word “five” appearing at the beginning of paragraph (g) and substituting therefor the word “three”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 13 - amendment proposed

That clause 13 of the Bill be amended by –

(a) deleting sub-clause (1) and substituting therefor the following new sub-clause –

(1) The Board shall, subject to the approval of the Cabinet Secretary, appoint a Director General who shall be the chief executive officer of the Commission and shall, subject to the directions of the Board, be responsible for the day to day management of the Commission.

(b) by deleting sub-clause (5) and substituting the following new sub-clause –

(5) The Director General shall be an *ex-officio* member of the Commission but shall have no right to vote at any meetings of the Commission.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Clause 13 - negatived

Clauses 9 - 14

Motion made and Question proposed;

THAT, Clauses 9 - 14 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru Count Delegation
3. Sen. Mwaura Isaac – on behalf of Kaiambu County Delegation

The results of the Division were as follows:-

AYES – 30 NOES – 2 ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior

12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 9 - 14 - agreed to.

Clause 15 - amendment proposed

That clause 15 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “reports of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba

21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 16 - amendment proposed

That the Bill be amended by deleting clause 16 and substituting therefor the following new clause –

Staff of the Commission. **16.** The Commission may in consultation with the Public Service Commission, appoint such staff as it may require for the proper discharge of its functions under this Act, on such terms and conditions of service as the Commission may determine.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 17 - amendment proposed

That clause 17 of the Bill be amended by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9 NOES – 24 ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 18 - amendment proposed

That the Bill be amended by deleting clause 18 and substituting therefor the following new clause –

(Sen. Ledama Olekina)

Protection from personal liability. **16.** A matter or thing or an act done by a member of the Board or an officer, employee or agent of the Commission shall not, if the matter or thing is done *bona fide* for executing the functions, powers or duties of the Commission, render the members of the Board, officer, employee or agent or any person acting on lawful directions of the Commission personally liable to any action, claim or demand whatsoever.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 19 - amendment proposed

That clause 19 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “not relieve the” and substituting therefor the word “Commission”.

(Sen.Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation

5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 20 - amendment proposed

That the Bill be amended by deleting clause 20 and substituting therefor the following new clause –

Funds of the Commission. 20. (1) The funds of the Commission shall consist of—

(a) levies not exceeding one half of a percent on the sales of electricity products;

(b) licence fees;

(c) such monies or assets as may accrue to or vest in the Commission in the course of the exercise of its powers or the performance of its functions under this Act;

(d) such monies as may be provided by Parliament for the purposes of the Commission;

(e) any revenues generated from any proprietary interest held by the Commission whether movable or immovable;

(f) interest from bank deposits; and

(g) all monies from any other source provided for or donated or lent to the Commission:

(1) Any monies collected by the Commission including levies, fines and penalties in exercise of its functions shall be paid into the Consolidated Fund.

(3) Any funds retained by the Commission shall make part of the funds of the Commission by way of appropriation.

(4) There shall be paid out of the funds of the Commission, all expenditure incurred by the Commission in the exercise of its powers or the performance of its functions under this Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 21 - amendment proposed

That clause 21 of the Bill be amended –

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

- (1) The Commission may, by resolution either generally or in any particular case delegate to any committee of the Commission or to any member, officer, employee, self-regulated organization or agent of the Commission, the exercise of any of the powers or the performance of any of its functions or duties.
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “appointed by the” and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “not prevent the” and substituting therefor the word “Commission”;
- (e) in sub-clause (5) by deleting the word “Authority” appearing immediately after the words “such by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kiburu Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 15 - 22

Motion made and Question proposed;

THAT, Clauses 15 - 22 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;
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 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James

27. Sen. Poghiso Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 15- 22 - agreed to.

Clause 23 - amendment proposed

That clause 23 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “decision of the” and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “orders of the” and substituting therefor the word “Commission”;
- (e) in sub-clause (5) by deleting the word “Authority” appearing immediately after the words “Where the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisi Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 24 - amendment proposed

That clause 24 of the Bill be amended in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “decision of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation

5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 23 - 25

Motion made and Question proposed;

THAT, Clauses 23-25 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kii
30. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 23 - 25 - agreed to.

Clause 26 - amendment proposed

That clause 26 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “possessing” appearing immediately after the words “other persons” and substituting therefor the words “appointed by the Cabinet Secretary and who possess”;
- (b) in sub-clause (4) by deleting the words “Vice Chairperson” appearing immediately after the words “The Chairperson”;
- (c) by deleting sub-clause (11) and substituting therefor the following new sub-clause –

(11) After carrying out the interviews, the selection panel shall select three persons qualified to be appointed as members of the Tribunal for each vacant position and shall –
- (a) in the case of appointment to the position of chairperson, submit the names to the President; and
- (b) in the case of appointment to the position of a member appointed under (1)(b), submit the names to the Cabinet Secretary.
- (d) in sub-clause (12) by deleting the words “The Cabinet Secretary” appearing at the beginning of the sub-clause and substituting therefor the words “The President or the Cabinet Secretary, as the case may be”;
- (e) in sub-clause (13) by deleting the words “the Cabinet Secretary” appearing immediately after the word “Where” and substituting therefor the words “The President or the Cabinet Secretary, as the case may be”;
- (f) in sub-clause (15) by deleting the words “the Cabinet Secretary” appearing immediately after the words “in this section” and substituting therefor the words “the President or the Cabinet Secretary, as the case may be”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9 NOES – 24 ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 27 - amendment proposed

That clause 27 of the Bill be amended in paragraph (d) by inserting the words “by notice in writing to the appointing authority” immediately after the words “resigns from office”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 26 to 35

Motion made and Question proposed;

THAT, Clauses 26 to 35 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba

23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 26 to 35 - agreed to.

Clause 36 - amendment proposed

That the Bill be amended by deleting sub -clause (4) and substituting therefor the following new sub-clause –

(4) The Tribunal shall have appellate jurisdiction over the decisions of the Commission and any licensing authority and in exercise of its functions may refer any matter back to the Commission or any licensing authority for re-consideration.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu

3. Sen. Prengei Victor
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9 NOES – 24 ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 36 to 39

Motion made and Question proposed;

THAT, Clauses 36 to 39 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30 NOES – 2 ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim

20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 36 to 39 - agreed to.

Clause 40 - amendment proposed

That clause 40 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “decisions of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu

3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 40 and 41

Motion made and Question proposed;

THAT, Clauses 40 and 41 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim

20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 40 and 41 - agreed to.

Clause 42 - amendment proposed

That clause 42 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “decisions of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation

4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 42 to 57

Motion made and Question proposed;

THAT, Clauses 42 to 57 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga

21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 42 to 57 - agreed to.

Clause 58 - amendment proposed

That clause 58 of the Bill be amended in sub-clause (1) by –

- (a) deleting the words “not more than four other” appearing at the beginning of the introductory clause of paragraph (e) and substituting therefor the words “two”;
- (b) by inserting the following new paragraph immediately after paragraph (e) –
- (f) two persons with knowledge and experience in matters relating to energy nominated by the Council of County Governors.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 58 to 74

Motion made and Question proposed;

THAT, Clauses 58 to 74 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure

14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 58 to 74 - agreed to.

Clause 75 - amendment proposed

That clause 75 of the Bill be amended –

- (a) in sub-clause (1) by inserting the words “in collaboration with the Council of County Governors” immediately after the words “Cabinet Secretary shall”;
- (b) by inserting the following new sub-clause immediately after sub-clause (2) –
- (3) The Cabinet Secretary shall, in the carrying out of the functions and exercise of powers under subsection (2), consult with, and collaborate with the respective county governments.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghiso Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 76 - amendment proposed

That clause 76 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (g) –

- (h) two persons with knowledge and experience in matter relating to renewable energy nominated by the Council of County Governors.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru

4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 75 to 78

Motion made and Question proposed;

THAT, Clauses 75 to 78 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghismo Samuel Losuron
28. Sen. Sakaja Johnson Arthur

29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 75 to 78 - agreed to.

Clause 79 - amendment proposed

That clause 79 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause –

- (2) A person granted authority under subsection (1) shall –
 - (i) comply with the provisions of Part VII of this Act; and
 - (ii) before commencing with the activities, hold an informational meeting with the local community to sensitize the community on the activities to be undertaken pursuant to the authorization.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 79 to 81

Motion made and Question proposed;

THAT, Clauses 79 to 81 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba

23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 80 and 81 - agreed to.

Clause 82 - amendment proposed

That clause 82 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “advice of the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 84 to 84

Motion made and Question proposed;

THAT, Clauses 82 to 84 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 12

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba

23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisi Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 82 to 84 - agreed to.

Clause 85 - amendment proposed

That clause 85 of the Bill be amended –

- (a) by deleting sub-clause (3) and substituting therefor the following new sub-clause –
(3) Any royalty received by the National Government from geothermal energy produced under this section shall be paid into the Treasury of the national Government and apportioned between the National Government, county government and the local community as follows –
 - (a) the county government's share shall be equivalent to twenty percent of the royalties;
 - (b) the local community's share shall be equivalent to ten percent of the royalties and shall be payable through a trust fund managed by a board of trustees established by the local community in accordance with regulations under this Act; and
 - (c) the remaining seventy percent shall be treated as National revenue to be dealt with in accordance with Article 203 of the Constitution.
- (b) in sub-clause (4) by inserting the words “county governments in whose county the resource is to be exploited and” immediately after the words “consultation with the”;
- (c) in sub-clause (5) by inserting the words “upon consultation with the Council of County Governors and the Renewable Energy Resource Advisory Committee” immediately after the words “Cabinet Secretary shall”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew

14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 85 to 88

Motion made and Question proposed;

THAT, Clauses 85 to 88 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 85 to 88 - agreed to.

Clause 89 - amendment proposed

That clause 89 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “recommendation of the” in sub-clause (1) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure

12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 89 to 91

Motion made and Question proposed;

THAT, Clauses 89 to 91 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 89 to 91 - agreed to.

Clause 92 - amendment proposed

That clause 92 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “recommendation of the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;
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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 93 - amendment proposed

That clause 93 of the Bill be amended by deleting the word "Authority" appearing immediately after the words "recommendation of the" in the introductory clause and substituting therefor the word "Commission".

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as "**Yes**" and the following Senators recorded their vote as "**Yes**"-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 92 to 94

Motion made and Question proposed;

THAT, Clauses 92 to 94 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Kiambu County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba

23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 92 to 94 - agreed to.

Clause 95 - amendment proposed

That clause 95 of the Bill be amended –

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

(1) A person who intends to obtain a licence or permit under this Act shall –

(a) make an application to the Commission in the prescribed form; and

(b) submit to the Commission an environmental impact assessment licence obtained under section 63 of the Environmental Management and Co-ordination Act.

(b) in sub-clause (2) by -

(i) deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;

(ii) deleting the word “Authority” appearing immediately after the words “conditions as the” in paragraph (a) and substituting therefor the word “Commission”;

(c) in sub-clause (2) by -

(i) deleting the word “Authority” appearing immediately after the words “Where the” in the introductory clause and substituting therefor the word “Commission”;

(ii) deleting the word “Authority” appearing immediately after the words “or permit the” in paragraph (b) and substituting therefor the word “Commission”;

(d) by deleting sub-clause (5) and substituting therefor the following new sub-clause –

(5) If the Commission is satisfied that the applicant continues to meet the requirements for the issue of the licence or permit, the Commission shall renew the licence or permit.

(e) in sub-clause (6) deleting the word “Authority” appearing immediately after the words “with by the” and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived

Clause 96 - amendment proposed

That clause 96 of the Bill be amended -

(h) in sub-clause (1) by –

- (i) deleting the word “Authority” appearing immediately after the words “The” in the introductory clause and substituting therefor the word “Commission”;
- (ii) deleting the word “Authority” appearing immediately after the words “recommended by the” in paragraph (c) and substituting therefor the word “Commission”;
- (iii) inserting the following new paragraph immediately after paragraph (d) –

(da) the need and level of public participation undertaken by an applicant for a licence to generate electricity using coal under section 94(2)(a);

- (ii) deleting the word “Authority” appearing immediately after the words “opinion of the” in paragraph (e) and substituting therefor the word “Commission”;
- (i) by inserting the following new sub-clause immediately after sub-clause (1) –
 - (1A) The Commission shall not grant a licence or permit to an applicant unless the applicant has applied for, and obtained, an environmental impact assessment licence in accordance with section 63 of the Environmental Management and Co-ordination Act.
- (j) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “conditions as the” in introductory clause and substituting therefor the word “Commission”;
- (k) by deleting sub-clause (3) and substituting therefor the following new sub-clause –
 - (3) Where a permit contains conditions prescribed in subsection (2) (d), no person shall, before the conditions are satisfied, use any works the execution of which was authorised by the permit, except to the extent specified in a notice given by the Commission to the licensee specifying the extent to which the works may be used, notwithstanding that some of the conditions have not been satisfied and such permit may, at any time, be revoked by the Commission in a subsequent notice in the Gazette.
- (l) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “given by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu

3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 97 - amendment proposed

That clause 97 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “permit and the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “Where the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 98 - amendment proposed

That clause 98 of the Bill be amended –

- (a) in the introductory clause by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in paragraph (b) by deleting the word “Authority” appearing immediately after the words “developed by the” and substituting therefor the word “Commission”;
- (c) in paragraph (c) by deleting the word “Authority” appearing immediately after the words “recommended by the” and substituting therefor the word “Commission”;
- (d) in paragraph (d) by deleting the word “Authority” appearing immediately after the words “recommended by the” and substituting therefor the word “Commission”;
- (e) in paragraph (j) by deleting the word “Authority” appearing immediately after the words “matter that the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation

11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 95 to 99

Motion made and Question proposed;

THAT, Clauses 95 to 99 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 95 to 99 - agreed to.

Clause 100 - amendment proposed

That clause 100 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “form as the” in the introductory clause and substituting therefor the word “Commission”;

- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “issued by the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 101 - amendment proposed

That clause 101 be amended by deleting the word “Authority” appearing immediately after the word “lodged with the” in sub-clause (1) and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 102- amendment proposed

That clause 102 of the Bill be amended –

(a) in sub-clause (1) by –

(i) deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;

(ii) deleting the word “Authority” appearing immediately after the words “period which the” in paragraph (a) and substituting therefor the word “Commission”;

(b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “or permit the” and substituting therefor the word “Commission”;

(c) in sub-clause (3) by deleting paragraph (b) and substituting therefor the following new paragraph –

(b) specify the acts, omissions or other facts which, in the opinion of the Commission or the licensing agent, constitute a contravention of the conditions of the licence or permit or requirements of the Act, and the reasons why the Commission is of the opinion that any of the circumstances mentioned under subsection (1) have occurred or arisen; and

(d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**Yes**” on behalf of Kakamega County Delegation and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 103 - amendment proposed

That the Bill be amended by deleting clause 103 and substituting therefor the following new sub-clause –

103. Where, upon application, it is shown to the satisfaction of the Commission that a licence or permit has been lost, destroyed or defaced, the Commission shall, upon payment of the prescribed fee, issue a duplicate licence or permit to the licensee.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama

7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 104 - amendment proposed

That clause 104 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “consent of the” in the introductory clause and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (d) in sub-clause (5) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** on behalf of Kakamega County Delegation and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac – on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 105 - amendment proposed

That clause 105 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by deleting paragraph (b) and substituting therefor the following new paragraph –
 - (b) an employee of the Commission or person authorised in writing by the Commission;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kii
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 106 - amendment proposed

That clause 106 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “action of the” in the introductory clause and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 107 - amendment proposed

That clause 107 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “writing to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (c) in sub-clause (5) by deleting the word “Authority” appearing immediately after the words “Where the” and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi

15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 108 - amendment proposed

That clause 108 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “to subsection (2) the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “Where the” and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “the” and substituting therefor the word “Commission”;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “Yes” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu

3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9 NOES – 24 ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 109 - amendment proposed

That clause 109 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “period which the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kiburu Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 110 - amendment proposed

That clause 110 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “a permit the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “the works the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru

23. Sen. Poghismo Samuel Losuron

24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 111 - amendment proposed

That clause 111 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause –

(2) Where any licensee wilfully delays to comply with the terms of the contract pursuant to sub-section (1), the Commission may compel the licensee to evacuate the coal products when appropriate and in the event of the licensee failing to comply with such direction the Commission may order disposal of such products held by a common user logistic facility and impose such penalties and fines as may be prescribed in regulations.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior

3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 112 - amendment proposed

That clause 112 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “approved by the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “under subsection (1) the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 100 to 113

Motion made and Question proposed;

THAT, Clauses 100 - 113 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 100 - 113 - agreed to.

Clause 114 - amendment proposed

That clause 114 of the Bill be amended –

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

(2) In the event of a fire, explosion, injury or fatality occurring in the course of operating a facility for energy production using coal, either by accident or through negligence, the operator of the facility shall forthwith clean up the polluted or damaged environment, at the operator's own expense, to the satisfaction of

Commission and the National Environment Management Authority established under section 7 of the Environmental Management and Co-ordination Act.

- (b) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “in subsection (2) the” and substituting therefor the word “Commission”;
- (c) in sub-clause (5) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**Yes**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 114 and 115

Motion made and Question proposed;

THAT, Clauses 114 and 115 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**No**” and the following Senators recorded their vote as “**Yes**”-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 114 and 115

- agreed to.

Clause 116- amendment proposed

That clause 116 of the Bill be amended by deleting the introductory clause and substituting therefor the following new clause –

116. Without limiting the generality of section 208, the Cabinet Secretary in consultation with the Council of County Governors may, on the recommendation of the Commission, make regulations for the use of coal for energy production relating to—

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James

8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 117 - amendment proposed

That clause 117 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “may be to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisi Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 116 to 118

Motion made and Question proposed;

THAT, Clauses 116 to 118 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 116 to 118 - agreed to.

Clause 119 - amendment proposed

That clause 119 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “made to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (c) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “addressed to the” in the introductory clause and substituting therefor the word “Commission”;
- (d) in sub-clause (5) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew

14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 120 - amendment proposed

That the Bill be amended by deleting clause 120 and substituting therefor the following new clause –

120. The Commission may hear any objections in public, at a time and place of which not less than fifteen days' notice shall be given to the applicant and to every objector and the Commission shall make known its decision regarding any objection within thirty days after the hearing.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14^h February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negative

Clause 121 - amendment proposed

That clause 121 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “decision of the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation

5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisiio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 122 - amendment proposed

That clause 122 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “form as the” in the introductory clause and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “issued by the” in the introductory clause and substituting therefor the word “Commission”;
- (c) in sub-clause (4) by

- (i) deleting the word “Authority” appearing immediately after the words “approved by the” in in paragraph (a) and substituting therefor the word “Commission”;
- (ii) deleting the word “Authority” appearing immediately after the words “specified by the” in paragraph (b) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 123 - amendment proposed

That clause 123 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “consent of the” in the introductory clause and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “action as the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 851 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika

16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 124 - amendment proposed

That clause 124 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “consent of the” in the introductory clause and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (d) in sub-clause (5) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 125 - amendment proposed

That clause 125 of the Bill be amended –

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause –
 - (1) If a licensee fails to meet his obligations under this Act, the Commission shall serve upon him a notice in writing to meet those obligations within fourteen days or such longer period but not exceeding sixty days as the Commission may determine.
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “the notice the” in the introductory clause and substituting therefor the word “Commission”;
- (c) by deleting sub-clause (3) and substituting therefor the following new sub-clause –
 - (3) The appointment of a statutory manager under subsection (2) shall be for such period, not exceeding twelve months, as the Commission may specify in the instrument of appointment and may be extended upon the application of the Commission if such extension appears to the court to be justified and such extension shall be notified to all interested parties.
- (d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “subsection (2) the” and substituting therefor the word “Commission”;
- (e) in subsection (5) by deleting the word “Authority” appearing immediately after the words “consultation with the” in paragraph (b) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.
Clause 126 - amendment proposed

That clause 126 of the Bill be amended –

- (a) in sub-clause (1) by –
 - (i) deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;
 - (ii) deleting the word “Authority” appearing immediately after the words “period which the” in paragraph (a) and substituting therefor the word “Commission”;
 - (iii) deleting the word “Authority” appearing immediately after the words “upon inquiry the” in paragraph (d) and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “this section the” and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting paragraph (b) and substituting therefor the following new paragraph –
 - (b) specify the acts, omissions or other facts which, in the opinion of the Commission, constitute a contravention of the conditions or the Act, and the reasons why the Commission is of the opinion that any of the circumstances mentioned under subsection (1) have occurred or arisen; and
- (d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (e) in sub-clause (5) by deleting the word “Authority” appearing immediately after the words “or revoked the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a

19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 127 - amendment proposed

That clause 127 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause –

(1) Where, upon application, it is shown to the satisfaction of the Commission that a licence has been lost, destroyed or defaced, the Commission shall issue a duplicate licence.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 128 - amendment proposed

That clause 128 of the Bill be amended –

(a) in sub-clause (1) by –

- (i) deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;

(ii) deleting the word “Authority” appearing immediately after the words “information as the” in paragraph (e) and substituting therefor the word “Commission”;

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

(2) In entering any provision in the register, the Commission shall have regard to the need for excluding, so far as is practicable any matter which relates to the affairs of any person, where publication of that matter would or might, in the opinion of the Commission, be prejudicial to the interests of that person or the public interest.

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

(3) The contents of the register shall be published on the website of the Commission and shall be available for inspection by the public, during such hours and subject to the payment of such fee as may be prescribed by the Commission.

(d) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “prescribed by the” and substituting therefor the word “Commission”;

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

(4) A person may, on the payment of such fee as may be prescribed, require the Commission to supply him with a copy of, or extract of, any part of the register, being a copy or extract which is certified by the Commission to be a true copy or extract.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich

2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question negatived - negatived.

Clause 129 - amendment proposed

That clause 129 of the Bill be amended –

(a) in sub-clause (1) by –

(i) deleting the introductory clause and substituting therefor the following new clause –

(1) For the purposes of this Act, where a person holds a licence or licences, the accounts of each undertaking under each licence shall, unless specifically exempted by the Commission, be subject to the provisions of this Act, and be kept separate and distinct and in the manner and form prescribed by the Commission:

(ii) in paragraph (a) of the proviso by deleting the word “Authority” appearing immediately after the word “the” and substituting therefor the word “Commission”

(b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “accounts to the” and substituting therefor the word “Commission”;

(c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “request of the” and substituting therefor the word “Commission”;

(d) in sub-clause (4) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation

4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 130 - amendment proposed

That clause 130 of the Bill be amended –

(a) in sub-clause (1) by –

(i) deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”;

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

(b) require a licensee to furnish to the Commission, books, accounts, records and other documents in such form as the Commission may demand.

(b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;

(c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “authorized by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 131 - amendment proposed

That clause 131 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “recommendation of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech

7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 132 - amendment proposed

That clause 132 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “proposal to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 119 to 135

Motion made and Question proposed;

THAT, Clauses 119 to 135 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally

9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 119 to 135 - agreed to.

Clause 136 - amendment proposed

That clause 136 of the Bill be amended in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “to enable the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

- 22. Sen. Ndwiga Peter Njeru
- 23. Sen. Poghisi Samuel Losuron
- 24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 137 - amendment proposed

That clause 137 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “report to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

- 1. Sen. Cherarkey Samson Kiprotich
- 2. Sen. Kang’ata Irungu
- 3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
- 4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

- 1. Sen. Kajwang’ Moses Otieno
- 2. Sen. Kilonzo Mutula Junior
- 3. Sen. Madzayo Stewart Mwachiru
- 4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
- 5. Sen. Mwinyihaji Mohamed Faki
- 6. Sen. Olekina Ledama

7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 138 - amendment proposed

That clause 138 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “recommendation of the” in the introductory clause and substituting therefor the word “Commission”;
- (c) in sub-clause (7) by –
 - (i) deleting the word “Authority” appearing immediately after the words “referred to the” in the introductory clause and substituting therefor the word “Commission”;
 - (ii) deleting the word “Authority” appearing immediately after the words “decision of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally

8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 136 to 140

Motion made and Question proposed;

THAT, Clauses 139 to 140 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 136 to 140 - agreed to.

Clause 141 - amendment proposed

That clause 141 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “report to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew

14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question negatived - negatived.

Clause 142 - amendment proposed

That clause 142 of the Bill be amended in sub-clause (6) by deleting the word "Authority" appearing immediately after the words "determined by the" and substituting therefor the word "Commission".

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **"Yes"** and the following Senators recorded their vote as **"No"**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 141 to 144

Motion made and Question proposed;

THAT, Clauses 141 to 144 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James

27. Sen. Poghismo Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 141 to 144 - agreed to.

Clause 145 - amendment proposed

That clause 145 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “specified by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 146 - amendment proposed

That clause 146 of the Bill be amended in sub-clause (1) by deleting the word "Authority" appearing immediately after the word "The" and substituting therefor the word "Commission".

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson

9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 147 - amendment proposed

That clause 147 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “approved by the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “under subsection (1) the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich

2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 148 - amendment proposed

That clause 148 of the Bill be amended in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “contractor by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 149 - amendment proposed

That clause 149 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “application to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 150 - amendment proposed

That clause 150 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “application to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru

4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 151 - amendment proposed

That clause 151 of the Bill be amended in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “authorized by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi

15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 145 to 158

Motion made and Question proposed;

THAT, Clauses 145 to 158 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **"No"** and the following Senators recorded their vote as **"Yes"**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 145 to 158 - agreed to.

Clause 159 - amendment proposed

That clause 159 of the Bill be amended –

- (a) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “referred to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “referred to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 160 - amendment proposed

That clause 160 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “approved by the” in the proviso and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “referred to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 134th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu

3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9 NOES – 24 ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 161 - amendment proposed

That clause 161 of the Bill be amended by –

(a) renumbering the existing provision as sub-clause (1);

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

(3) Parliament may, as a condition for, or in addition to any appropriation it may make under subsection (1), impose such conditions as it may consider necessary to avoid the recurrence of the default.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 149 to 162

Motion made and Question proposed;

THAT, Clauses 149 to 162 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “No” and the following Senators recorded their vote as “**Yes**”-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 1

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation

2. Sen. Mwinyihaji Mohamed Faki

Clauses 149 to 162 - agreed to.

Clause 163 - amendment proposed

That clause 163 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “submitted to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “submitted to the” and substituting therefor the word “Commission”;
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “under subsection (1) the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

- 1. Sen. Cherarkey Samson Kiprotich
- 2. Sen. Kang’ata Irungu
- 3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
- 4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

- 1. Sen. Kajwang’ Moses Otieno
- 2. Sen. Kilonzo Mutula Junior

3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 164 - amendment proposed

That clause 164 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “submitted to the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 134th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew

14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 165 - amendment proposed

That clause 165 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “prescribed by the” and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by –
 - (i) deleting the word “Authority” appearing immediately after the words “filed with the” in the introductory clause and substituting therefor the word “Commission”;
 - (ii) deleting the word “Authority” appearing immediately after the words “Provided that the” in the proviso and substituting therefor the word “Commission”;
- (c) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “filed with the” and substituting therefor the word “Commission”;
- (d) in sub-clause (7) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru

23. Sen. Poghiso Samuel Losuron

24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 166 - amendment proposed

That clause 166 of the Bill be amended by deleting sub-clause (4) and substituting therefor the following new sub-clause –

(4) The Cabinet Secretary shall –

(a) sensitize consumers on the compensation mechanism provided under this section; and

(b) make regulations to give effect to this section within six months of the coming into force of this Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 167 - amendment proposed

That clause 167 of the Bill be amended in sub-clause (1) –

- (a) by deleting the word “Authority” appearing immediately after the words “recommendation of the” in the introductory clause and substituting therefor the word “Commission”;
- (b) by deleting the word “Authority” appearing immediately after the words “proceedings before the” in paragraph (m) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 168 - amendment proposed

That clause 168 of the Bill be amended in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “period as the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 163 to 170

Motion made and Question proposed;

THAT, Clauses 163 to 170 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi

24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 163 to 170 - agreed to.

Clause 171 - amendment proposed

That clause 171 of the Bill be amended –

(a) in sub-clause (1) by deleting the proviso; and

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

(1A) Where the owner of a property cannot be traced, the applicant shall –

- (a) carry out a search in the Ministry responsible for matters relating to land with respect to the land in order to determine the name of the person in whom the land is registered;
- (b) send a notice by registered post to the last known address of the said person; and
- (c) issue a thirty notice in the Gazette and through an advertisement in at least two newspapers of nationwide circulation and an announcement in a vernacular radio station of local coverage for a period of two weeks.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a

19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 171 to 177

Motion made and Question proposed;

THAT, Clauses 171 to 177 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech

8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 171 to 177 - agreed to

Clause 178 - amendment proposed

That clause 178 of the Bill be amended in sub-clause (1) by inserting the words “the Environmental Management and Co-ordination Act” immediately after the words “provided in this Act”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru

23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 178 and 179

Motion made and Question proposed;

THAT, Clauses 178 and 179 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 178 and 179 - agreed to

Clause 180 - amendment proposed

That clause 180 of the Bill be amended in sub-clause (2) by –

- (a) deleting the phrase “Authority for determination and the Authority” appearing immediately after the words “referred to the” and substituting therefor the phrase “Commission for determination and the Commission”;
- (b) deleting the word “Authority” appearing immediately after the words “decision of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika

16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 180 to 186

Motion made and Question proposed;

THAT, Clauses 180 to 186 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghismo Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 180 to 186 - agreed to.

Clause 187 - amendment proposed

That clause 187 of the Bill be amended by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the words “Commission in collaboration with county governments”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew

14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 188 - amendment proposed

That clause 188 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing at the beginning of the sub-clause and substituting therefor the word “Commission”;
- (b) by deleting sub-clause (4) and substituting therefor the following new sub-clause –

(4) If the Commission determines that the owner of the building is not able to comply without financial or technical assistance and that the activities required to be in compliance may be eligible for assistance from an identified source, the Commission may decide to give additional grace period to allow the owner to access assistance from the identified source.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question

- negatived.

Clauses 187 to 189

Motion made and Question proposed;

THAT, Clauses 187 to 189 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi

17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 187 to 189 - negatived.

Clause 190 - amendment proposed

That clause 190 of the Bill be amended–

- (a) by deleting the word “Authority” appearing immediately after the words “recommendation by the” in the introductory clause and substituting therefor the word “Commission”;
- (b) in paragraph (f) by deleting the word “Authority” appearing immediately after the words “recommendation by the” in the proviso and substituting therefor the word “Commission”;
- (c) in paragraph (i) by deleting the word “Authority” appearing immediately after the words “furnish to the” and substituting therefor the word “Commission”;
- (d) in paragraph (j) by deleting the word “Authority” appearing immediately after the words “year to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar

17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 191 - amendment proposed

That clause 191 of the Bill be amended in sub-clause (1) by deleting the word "Authority" appearing immediately after the word "The" and substituting therefor the word "Commission".

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as "**Yes**" and the following Senators recorded their vote as "**No**"-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 192 - amendment proposed

That clause 192 of the Bill be amended by deleting the word “Authority” appearing immediately after the words “recommendation by the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orenge James
8. Sen. Wambua Enoch Kio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure

12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 193 - amendment proposed

That clause 193 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “Authority” appearing immediately after the words “approval of the” and substituting therefor the word “Commission”;
- (b) in paragraph (g) by deleting the word “Authority” appearing immediately after the words “furnish to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu

3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 190 to 197

Motion made and Question proposed;

THAT, Clauses 190 to 197 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga

21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 190 to 197 - agreed to.

Clause 198 - amendment proposed

That clause 198 of the Bill be amended–

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “recommendation by the” and substituting therefor the phrase “Commission and in consultation with the Council of County Governors”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “imposed by the” in paragraph (y) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 198 and 199

Motion made and Question proposed;

THAT, Clauses 198 and 199 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure

14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 198 and 199 - agreed to.

Clause 200 - amendment proposed

That clause 200 of the Bill be amended–

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “under subsection (1) the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim

18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 201 - amendment proposed

That clause 201 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “complied with the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kioo
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 202 - amendment proposed

That clause 202 of the Bill be amended–

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

(1) Where the Commission is of the view that any person including any public body is consuming unacceptable levels of energy in their respective premises or installations, over and above the benchmarks established by the

Commission under this Act, such person shall be called upon to submit to the Commission a detailed audit report compiled by an accredited energy auditor and a detailed remedial plan of action proposing measures to be taken by such person to reduce the energy consumption to acceptable levels.

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

(2) The failure to submit a detailed audit report and a detailed remedial plan of action when called upon to do so by the Commission under subsection (1) and the failure to implement such plan on approval by the Commission shall be an offence under this Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama

7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 203 - amendment proposed

That clause 203 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) by deleting sub-clause (2) and substituting therefor the following new sub-clause –
 - (2) Every person who is issued with a certificate under subsection (1) shall be required to sit for such examinations at such periods as the Commission may prescribe and where the Commission so requests, submit performance reviews at such intervals as specified by the Commission.
- (c) in sub-clause (3) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 204 - amendment proposed

That clause 204 of the Bill be amended–

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “report to the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang'ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orenge James
8. Sen. Wambua Enoch Kio
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 205 - amendment proposed

That clause 205 of the Bill be amended–

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “under subsection (1) the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 206 - amendment proposed

That clause 206 of the Bill be amended–

- (a) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “program to the” and substituting therefor the word “Commission”;
- (b) in sub-clause (3) by deleting the word “Authority” appearing immediately after the words “submitted to the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a

19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 207 - amendment proposed

That clause 207 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the word “The” and substituting therefor the word “Commission”;
- (b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “of subsection (1) the” in the introductory clause and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiiro
9. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 208 - amendment proposed

That clause 208 of the Bill be amended–

- (a) in sub-clause (1) by deleting the word “Authority” appearing immediately after the words “recommendation of the” and substituting therefor the word “Commission”;
- (b) by deleting sub-clause (2) and substituting therefor the following new sub-clause –

(2) The regulations to be made under this Act may be formulated by the Commission on its own motion or may be proposed to the Commission by any licensee or person.

(c) in sub-clause (4) by deleting the word “Authority” appearing immediately after the words “satisfaction of the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 200 to 209

Motion made and Question proposed;

THAT, Clauses 200 to 209 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 200 to 209 - agreed to.

Clause 210 - amendment proposed

That clause 210 of the Bill be amended by deleting the phrase “Authority, committee, agent or an officer acting on behalf of the Authority” appearing immediately after the words “or to the” and substituting therefor the phrase “Commission, committee, agent or an officer acting on behalf of the Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 211 - amendment proposed

That clause 211 of the Bill be amended in the proviso by deleting the word “Authority” appearing immediately after the words “manner which the” in paragraph (b) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisiio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 210 to 213

Motion made and Question proposed;

THAT, Clauses 210 and 213 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally

9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 210 to 213 - agreed to.

Clause 214 - amendment proposed

That clause 214 of the Bill be amended–

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

(1) A person engaged in any undertaking or activity pursuant to a licence under this Act shall notify the respective licensing authority and the Commission within forty eight hours in writing, in the form and manner prescribed by the Commission, of any accident or incident causing loss of life, personal injury, explosion, oil spill, fire or any other accident or incident causing harm or damage to the environment or property which has arisen in Kenya or within Kenya's Exclusive Economic Zone or Outer Continental Shelf.

(b) in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “authority or the” and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation

10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 214 and 215

Motion made and Question proposed;

THAT, Clause 214 and 215 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 214 and 215 - agreed to.

Clause 216 - amendment proposed

That clause 216 of the Bill be amended in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “imposed by the” in paragraph (f) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson

9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 216 to 219

Motion made and Question proposed;

THAT, Clauses 216 to 219 be part of the Bill.

Debate interrupted on Thursday, 13th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang'ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 216 to 219 - agreed to.

Clause 220 - amendment proposed

That the Bill be amended by deleting clause 220 and substituting therefor the following new clause –

Prosecution of offences. **220.** The Director Public Prosecutions shall, on the request of the Commission, appoint any officer of the Commission or an advocate of the High Court to be a public prosecutor for the purposes of prosecuting offences under this Act. Debate

(Sen. Ledama Olekina)

interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 220 to 223

Motion made and Question proposed;

THAT, Clauses 220 to 223 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “**No**” and the following Senators recorded their vote as “**Yes**”-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghismo Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiiro
30. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

Clauses 220 to 223 - agreed to.

Clause 224 - amendment proposed

That clause 224 of the Bill be amended in sub-clause (2) by deleting the word “Authority” appearing immediately after the words “granted by the” in paragraph (b) and substituting therefor the word “Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as “**Yes**” and the following Senators recorded their vote as “**No**”-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clauses 224 and 225

Motion made and Question proposed;

THAT, Clauses 224 and 225 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as “No” and the following Senators recorded their vote as “Yes”-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loitiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiiro
30. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Inimah Gertrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

First Schedule

Motion made and Question proposed;

THAT, the First Schedule be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew

16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

First Schedule - agreed to.

Second Schedule - amendment proposed

That the Second Schedule to the Bill be amended –

- (a) in paragraph 1 by deleting the word “Authority” appearing immediately after the words “member of the” in sub-paragraph (1) and substituting therefor the word “Commission”;
- (b) in paragraph 2 by deleting the word “Authority” appearing immediately after the words “composition of the” and substituting therefor the word “Commission”;
- (c) in paragraph 4 by –
 - (i) by deleting the word “Authority” appearing immediately after the words “meetings of the” in sub-paragraph (1)(d) and substituting therefor the word “Commission”;
 - (ii) deleting sub-paragraph (1)(e) and substituting therefor the following new sub-paragraph –
 - (e) failure to disclose to the Commission, Tribunal or Board any interest in any contract or matter before the Commission, Tribunal or Board;
- (d) in paragraph 5 by deleting the word “Authority” appearing immediately after the words “Managing Director the” in the introductory clause to sub-paragraph (1) and substituting therefor the word “Commission”;

(e) in paragraph 7 by –

(i) deleting sub-paragraph (1) and substituting therefor the following new sub-paragraph –

(1) At least three months before the commencement of each financial year, the Commission, Tribunal, Corporation or Agency, as the case may be, shall cause to be prepared estimates of the revenue and expenditure of the Commission, the Tribunal or the Agency for that year.

(ii) in sub-paragraph (2) by –

(A) deleting the word “Authority” appearing immediately after the words “expenditure of the” in the introductory clause and substituting therefor the word “Commission”;

(B) deleting the word “Authority” appearing immediately after the words “staff of the” in sub-sub-paragraph (a) and substituting therefor the word “Commission”;

(iii) in sub-paragraph (3) by deleting the word “Authority” appearing immediately after the words “approved by the” and substituting therefor the word “Commission”;

(iv) in sub-paragraph (4) by deleting the word “Authority” appearing immediately after the words “Secretary’s approval the” and substituting therefor the word “Commission”.

(f) in paragraph 8 by –

(i) deleting sub-paragraph (1) and substituting therefor the following new sub-paragraph –

(1) The Commission, Tribunal, Corporation or Agency as the case may be, shall keep or cause to be kept proper books of accounts recording all the income and liabilities, expenditure assets, undertakings, funds, activities, contracts, transactions and any other business of the Commission, the Tribunal, the Commission and the Agency respectively.

(ii) deleting the word “Authority” appearing immediately after the word “The” in sub-paragraph (2) and substituting therefor the word “Commission”;

(iii) deleting the word “Authority” appearing immediately after the words “financial year the” in sub-paragraph (3) and substituting therefor the word “Commission”;

(iv) deleting the word “Authority” appearing immediately after the words “appointed by the” in sub-paragraph (4) and substituting therefor the word “Commission”;

- (v) deleting the word “Authority” appearing immediately after the words “terminated by the” in sub-paragraph (5) and substituting therefor the word “Commission”;
- (vi) deleting sub-paragraph (8) and substituting therefor the following new sub-paragraph –

(8) Within a period of six months after the end of the financial year, the Auditor-General shall report on the examination and audit of the accounts of the Commission, Tribunal, Corporation or Agency, as the case may be, to the Commission, Tribunal, Corporation or Agency as the case may be, and to the Cabinet Secretary, and in the case of an auditor appointed under subsection (4), the auditor shall submit a copy of the report to the Auditor-General.

- (vii) deleting the word “Authority” appearing immediately after the words “inspection of the” in sub-paragraph (9) and substituting therefor the word “Commission”;
- (viii) deleting the word “Authority” appearing immediately after the words “paid by the” in sub-paragraph (12) and substituting therefor the word “Commission”;
- (ix) deleting the word “Authority” appearing immediately after the word “The” in sub-paragraph (13) and substituting therefor the word “Commission”;
- (x) deleting the word “Authority” appearing immediately after the word “The” in sub-paragraph (14) and substituting therefor the word “Commission”;

- (g) by deleting paragraph 9 and substituting therefor the following new paragraph –

9. (1) The common seal of the Commission, Tribunal, Corporation or Agency, as the case may be, shall be kept in such custody as the Commission, the Tribunal or the Board, as the case may be, may direct and shall not be used except on the order of the Commission, the Tribunal or the Board respectively.

(2) The common seal of the Commission, Tribunal, Corporation or Agency, as the case may be, when affixed on a document and duly authenticated shall be judicially and officially noticed unless and until the contrary is proved any necessary order or authorization by the Commission, the Tribunal or the Board, as the case may be, under this section shall be presumed to have been duly given.

(3) The affixing of the common seal of the Commission, Tribunal, Corporation or Agency, as the case may be, shall be authenticated by the signature of the Chairperson and the Chief Executive Officer and any document not required by law to be made under seal and all decisions of the Commission, the Tribunal or Board, as the case may be, may be authenticated by the signature of the Chairperson or the Chief Executive Officer:

Provided that the Commission, the Tribunal or the Board, as the case may be, shall, in the absence of either the Chairperson or the Chief Executive Officer nominate one member to authenticate the seal on behalf of the Chairperson or the Chief Executive Officer.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Third Schedule - amendment proposed

That the Third Schedule to the Bill be amended by deleting item 1 and substituting therefor the following new item –

1. Energy Regulatory Commission

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kii
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba

21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghiso Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Fourth Schedule - amendment proposed

That the Fourth Schedule to the Bill be amended in paragraph 1 by –

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

(a) The Energy Regulatory Commission established under section 9 shall be the successor to the Energy Regulatory Commission established by the Energy Act (now repealed) and subject to this Act, all rights, duties, obligations, assets and liabilities of the Energy Regulatory Commission existing at the commencement of this Act shall be automatically and fully transferred to the Energy Regulatory Commission and any reference to the Energy Regulatory Commission in any contract or document shall, for all purposes, be deemed to be a reference to the Energy and Petroleum Regulatory Authority established under section 9.

(b) deleting the word “Authority” appearing immediately after the words “be of the” in paragraph (b) and substituting therefor the word “Commission”; and

(c) deleting the words “and Petroleum Regulatory Authority” appearing immediately after the words “employee of the” in paragraph (d) and substituting therefor the words “Energy Regulatory Commission”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

Thereupon, Sen. Inimah Getrude Musuruve recorded her vote as **“Yes”** and the following Senators recorded their vote as **“No”**-

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Kang’ata Irungu
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation
4. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 9

NOES – 24

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Madzayo Stewart Mwachiru
4. Sen. Inimah Gertrude Musuruve – voted on behalf of Kakamega County Delegation
5. Sen. Mwinyihaji Mohamed Faki
6. Sen. Olekina Ledama
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio
9. Sen. Wetang’ula Moses Masika

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

22. Sen. Ndwiga Peter Njeru
23. Sen. Poghiso Samuel Losuron
24. Sen. Sakaja Johnson Arthur

Question - negatived.

Clause 2, The Title and Clause 1

Motion made and Question proposed;

That, the Second Schedule, Third Schedule, Fourth Schedule, Clause 2, the Title and Clause 1 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

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

Thereupon, Sen. Inimah Gertrude Musuruve recorded her vote as **“No”** and the following Senators recorded their vote as **“Yes”**-

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 2

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech

8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Loiptip Anuar
18. Sen. Madzayo Stewart Mwachiru
19. Sen. Mahamud Mohamed Maalim
20. Sen. Mbito Michael Malinga
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

NOES

1. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
2. Sen. Mwinyihaji Mohamed Faki

The Second Schedule, Third Schedule, Fourth Schedule, Clause 2, the Title and Clause 1 - agreed to.

Progress report

Motion made:

That, the Bill be reported without amendments.

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

Question put and Agreed to.

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

11. **THE ENERGY BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2017)**

Bill reported without amendments;

Motion made and Question proposed-

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

(The Senate Majority Leader)

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.

Motion made and question proposed-

That, the Energy Bill (National Assembly Bills No. 50 of 2017) be now read a third time.

(The Senate of Majority Leader)

There being no Senator wishing to contribute;

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

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

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

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

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

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

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor – on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation
4. Sen. Inimah Gertrude Musuruve – on behalf of Kakamega County Delegation

The results of the Division were as follows;

AYES = 33

NOES = 0

ABSTENTIONS = 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana

6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac – voted verbally on behalf of Kiambu County Delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Madzayo Stewart Mwachiru
20. Sen. Mahamud Mohamed Maalim
21. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
22. Sen. Mbito Michael Maling'a
23. Sen. Mbogo George Ochilo Ayacko
24. Sen. Mpaayei Phillip Salau
25. Sen. Murkomen Onesimus Kipchumba
26. Sen. Mwangi Paul Githiomi
27. Sen. Mwinyihaji Mohamed Faki
28. Sen. Ndwiga Peter Njeru
29. Sen. Orengo James
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika

Question agreed to

Bill Read a Third Time and passed.

12. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

The Petroleum Bill (National Assembly Bills No. 48 of 2017)

Clauses 3 and 4

Motion made and question proposed-

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

Debate interrupted on Wednesday, 13th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi

17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

1. Sen. Ledama Ole Kina

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) The Cabinet Secretary consult with the Council of County Governors and shall ensure that relevant stakeholders participate effectively in the making of the national policy on petroleum operations.

by inserting the words “shall consult with the Council of County Governors and” immediately after the words “The Cabinet Secretary”.

(Sen. Ledama Olekina)

Debate interrupted on Wednesday, 13th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James - voted verbally
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a

19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended in sub-clause (1) by inserting the words “in consultation with the Council of County Governors” immediately after the words “Cabinet Secretary shall

(Sen. Ledama Olekina)

Debate interrupted on Wednesday, 13th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwangi’ Moses Otieno
2. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation

3. Sen. Kilonzo Mutula Juniour
4. Sen. Wambua Enoch Kiio
5. Sen. Ledama Ole Kina
6. Sen. Madzayo Stewart Mwachiru
7. Sen. Mwinyi Haji Faki
8. Sen. Orengo James

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 5 to 17

Motion made and question proposed-

THAT, Clauses 5 to 17 be part of the Bill.

Debate interrupted on Wednesday, 13th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbitto Michael Maling’a
22. Sen. Mpaayei Phillip Salau

23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clauses 5 to 17 - Agreed to.

Clause 18 - amendment proposed

THAT clause 18 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause-

- (1) Subject to section 23, the Cabinet Secretary shall negotiate, award and execute a petroleum agreement on behalf of the national government.

(Sen. Mutula Kilonzo Jnr.)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted on behalf of Muranga County delegation

4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
3. Sen. Kilonzo Mutula Junior
4. Sen. Wambua Enoch Kiio
5. Sen. Ledama Ole Kina
6. Sen. Madzayo Stewart Mwachiru
7. Sen. Mwinyi Haji Faki
8. Sen. Orengo James – voted verbally

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang’ula Moses Masika

Question -negatived.

Clauses 18 to 21

Motion made and question proposed-

THAT, Clauses 18 to 21 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The House proceeded to a division.

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation
5. Sen. Orengo James

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally

7. Sen. Kajwangi' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ole Kina Ledama

Clauses 18 to 21 - Agreed to.

Clause 22 - amendment proposed

THAT clause 22 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (1) –

(1A) The Authority may, where the exploration activity involves drilling or an activity that is likely to alter the land on which the exploration activity is being undertaken, require an applicant to submit, together with the application under subsection (1) an environmental impact assessment licence obtained under section 63 of the Environmental Management and Co-ordination Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 22 to 49

Motion made and question proposed-

THAT, Clauses 23-49 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga'ta Irungu - Voted verbally
7. Sen. Kajwangi' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

1. Sen. Ledama Ole Kina

Clauses 22 to 49 - agreed to.

Clause 50 - amendment proposed

THAT clause 50 of the Bill be amended in sub-clause (1) by deleting the proviso appearing at the end of that sub-clause.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech

7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 50 to 57

Motion made and question proposed-

THAT, Clauses 50 to 57 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation

4. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga'ta Irungu - Voted verbally
7. Sen. Kajwangi' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

1. Sen. Ledama Ole Kina

Clauses 50 to 57 - agreed to.

Clause 58 - amendment proposed

THAT clause 58 of the Bill be amended in sub-clause (3) by deleting the word “five” appearing immediately after the words “be equivalent to” and substituting therefor the word “ten”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James – Voted verbally

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen, Kajwangi’ Moses Otienio
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 58 to 87

Motion made and question proposed-

THAT, Clauses 58 to 87 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur

- 29. Sen. Wambua Enoch Kiio
- 30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clauses 58 to 87 - agreed to.

Clause 88 - amendment proposed

THAT clause 88 of the Bill be amended in paragraph (a) by deleting the word “construction” appearing immediately after the words “works for the” and substituting therefor the words “repair, replacement and rehabilitation”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

- 1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
- 2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
- 3. Sen. Kang'ata Irungu- voted on behalf of Muranga County delegation
- 4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
- 5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen, Kajwangi' Moses Otienio
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 88 to 91

Motion made and question proposed-

THAT, Clauses 88 to 91 be part of the Bill.

(The Senate Majority Leader)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar

19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Ledama Ole Kina
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clauses 88 to 91 - agreed to.

Clause 92 - amendment proposed

THAT clause 92 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3) –

(3) The licensing authority may, by notice in the *Gazette*, suspend or revoke the licence issued to a person who if found liable for an offence under subsection (2).

(4) Where the licensing authority intends to revoke or suspend a permit under this section, it may, at least twenty-one days before the date of the intended revocation or suspension, notify the holder of the permit of such intention, specifying the reasons thereof, and shall take every precaution to ensure fairness in the exercise of this power.

(Sen. Ledama Olekina)

The Committee proceeded to a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen, Kajwangi’ Moses Otienio
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a

19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 92 to 116

Motion made and question proposed-

THAT, Clauses 92 to 116 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim

2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga'ta Irungu - Voted verbally
7. Sen. Kajwangi' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clauses 92 to 116 - Agreed to.

Clause 117 - amendment proposed

THAT clause 117 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clauses–

(1) Where there is a dispute between parties to a petroleum agreement arising out of or in connection with upstream operations, the dispute shall be settled through arbitration.

(2) Unless otherwise provided for in the petroleum agreement, the parties shall appoint three arbitrators to determine the dispute as follows–

(a) each party shall appoint one arbitrator; and

(b) the arbitrators appointed under paragraph (a) shall, within thirty days of their appointment, jointly appoint an arbitrator who shall preside over the arbitration.

(3) Where a party fails to appoint an arbitrator within thirty days of receipt of a request to do so from the other party, or where the arbitrators appointed by the parties fail to appoint an arbitrator within thirty days of their appointment, the appointment shall be made, on the request of a party, by the Registrar of the Nairobi Centre for International Arbitration and any award, order or determination of or by such arbitrators shall be final and binding on all parties.

(4) The dispute referred to the arbitrators appointed by the Registrar under subsection (1) shall be administered in accordance with the Rules for arbitration of the Nairobi Centre for International Arbitration.

(Sen. Mutula Kilonzo Jnr.)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen, Kajwangi' Moses Otienio
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adana Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

Clauses 117-124

Motion made and question proposed-

THAT, Clauses 117-124 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim

20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kioo
30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clauses 118-124 - Agreed to.

Clause 125 - amendment proposed

THAT clause 125 of the Bill be amended –

(a) in paragraph (a) by inserting the words “including the use of local radio stations” immediately after the words “communication strategy”;

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

(fa) where compensation is payable, to immediate payment of the compensation when such compensation falls due;

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen, Kajwangi' Moses Otienio
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -Negatived.

Clauses 126 and 125

Motion made and question proposed-

THAT, Clauses 126 and 125 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for 5 minutes;

After the expiry of 5 minutes, the Acting Chairperson directed that the doors be locked and Senators asked to log-in using their cards;

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

Following the Division, Question agreed to.

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech

9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clauses 125 and 126 -agreed to

Clause 127 - amendment proposed

THAT clause 127 of the Bill be amended in paragraph (u) by inserting the words “and restoration” immediately after the words “safety environmental protection”.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen, Kajwangi’ Moses Otienio
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -Negatived.

New Clause 13A -

THAT the Bill be amended by inserting the following new clauses immediately after clause 13 –

Establishment of the Petroleum Regulatory Authority.	<p>13A. (1) There is established the Petroleum Regulatory Authority.</p> <p>(2) The Authority is a body corporate with perpetual succession and a common seal and shall be capable of—</p> <ol style="list-style-type: none"> (a) suing and being sued; (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property; (c) borrowing and lending money; and (d) doing or performing all other things or acts for the furtherance of the provisions of the Act which may be lawfully done or performed by a body corporate. <p>(3) Except as otherwise provided in this Act, the Authority shall be independent in the performance of its functions and exercise of its powers and shall not be subject to the direction or control of any person or authority.</p>
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(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron

24. Sen. Sakaja Johnson Arthur
 25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13B - amendment proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 13 –

Functions of
the Authority.

- 13B.** The functions of the Authority shall be to—
- (a) regulate, monitor and supervise petroleum operations in Kenya in accordance with this Act, the regulations made thereunder and the relevant petroleum agreement;
 - (b) provide such information and statistics in relation to petroleum operations in Kenya to the Cabinet Secretary as may be required from time to time;
 - (c) regulate the importation, refining, exportation, transportation, storage and sale of petroleum and petroleum products with the exception of crude oil;
 - (d) collect, maintain and manage petroleum data;
 - (e) receive and review an application for a non-exclusive exploration and where it is satisfied that it is warranted, grant a non-exclusive exploration permit;
 - (f) co-ordinate the development of petroleum infrastructure and promote capacity building in upstream petroleum operations;
 - (g) enter any area, structure, vehicle, vessel, aircraft or building that has been, is being or is to be used in connection to upstream petroleum operations;
 - (h) inspect and test any machinery or equipment that has been used, is used or shall be used in upstream petroleum operations;
 - (i) take or remove, for analysis, testing or for use in evidence in connection with the commission of an offence under this Act, samples of petroleum or other substances from any area where any upstream petroleum operations are being carried on;
 - (j) inspect, take extracts from, or make copies of any document relating to any petroleum operations;
 - (k) assess field development plans and make recommendations to the Cabinet Secretary for approval, amendment or rejection of the plans;
 - (l) assess tail-end production and cessation of upstream petroleum operations and oversee decommissioning by a contractor;

- (m) verify the measurements of petroleum production to allow for estimation and assessment of royalties and profits of oil and gas due to the National Government;
- (n) verify the recoverable cost of oil and gas due to the parties to a petroleum agreement;
- (o) audit contractors for cost recovery;
- (p) monitor in consultation with the Competition Authority established under the Competition Act conditions of contractors' operations and their trade practices to ensure that competition and fair practice is maintained;
- (q) provide information to the relevant authority for the collection of taxes and fees from upstream petroleum operations;
- (r) set, review and approve contracts, tariffs and charges for common user upstream petroleum facilities;
- (s) make proposals to the Cabinet Secretary in relation to regulations which may be necessary or expedient for the regulation of the petroleum sector or for carrying out the objects and purposes of this Act;
- (t) work with the relevant statutory authorities to formulate, enforce and review environmental, health, safety and quality standards for the petroleum sector;
- (u) develop guidelines, in consultation with other statutory authorities, in relation to the implementation of treaties, conventions or protocols affecting the upstream petroleum sector that have been ratified by Kenya;
- (v) regulate contracts on upstream petroleum operations not specifically provided for under this Act;
- (w) advise the Cabinet Secretary in the evaluation of the bids and applications made for upstream petroleum blocks; and
- (x) perform any other function that may be conferred on it under this Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13C - amendment proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 13 –

- Powers of the Authority.
- 13C.** (1) The Authority shall have all powers necessary or expedient for the performance of its functions under this Act and in particular, the Authority shall have the power to—
- (a) ensure that contractors uphold the relevant laws, regulations and petroleum agreement terms;
 - (b) ensure optimal levels of recovery of petroleum resources;
 - (c) promote well planned, executed and cost-efficient operations;
 - (d) ensure optimal utilization of existing and planned facilities;
 - (e) ensure the establishment of a central database of persons involved in upstream petroleum operations;
 - (f) manage upstream petroleum data and provide periodic updates and publication of the status of upstream petroleum operations
 - (g) take such action as is necessary to enforce the requirements in a petroleum agreement or any regulations and to protect the environment, the health and safety of workers and the public;
 - (h) ensure and facilitate competition, access and utilization of facilities by third parties;
 - (i) prescribe the form and manner in which any application for any authority, consent or approval under this Act shall be made;
 - (j) investigate complaints or disputes arising from upstream petroleum operations;
 - (k) enter, inspect and search any premises at which any undertaking is carried out or an offence under this Act is being committed or is suspected to have been committed;
 - (l) issue orders either requiring acts or things to be performed or done, prohibiting acts or things from being performed or done, and may prescribe periods or dates upon, within or

before which such acts or things shall be performed or done or such conditions shall be fulfilled in furtherance of its powers under this Act;

(m) impose such sanctions and civil fines not exceeding five hundred thousand shillings per violation per day, as may be prescribed in regulations to secure compliance with orders issued under this Act;

(n) enforce local content requirements;

(o) issue operational permits and non-exclusive exploration permits in accordance with this Act; and

(p) ensure enforcement and compliance with the national values and principles.

(2) The Director Public Prosecutions may, on the request of the Authority, appoint any officer of the Authority or an advocate of the High Court to be a public prosecutor for the purposes of prosecuting offences under this Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8**NOES – 25****ABSTENTIONS – 0****AYES**

1. Sen. Kajwang' Moses Otieno
2. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
3. Sen. Kilonzo Mutula Juniour
4. Sen. Wambua Enoch Kiio
5. Sen. Ledama Ole Kina
6. Sen. Madzayo Stewart Mwachiru
7. Sen. Mwinyi Haji Faki
8. Sen. Orengo James

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -Negatived.

New Clause 13D - amendment proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 13 –

Board of Directors of the Authority. **13D.** (1) The management of the Authority shall vest in a Board of Directors which shall consist of—

- (a) a chairperson appointed by the President;
 - (b) the Principal Secretary in the Ministry for the time being responsible for petroleum or his or her authorized representative;
 - (c) the Principal Secretary in the National Treasury or his or her authorized representative;
 - (d) three county executive committee members responsible for petroleum nominated by the Council of County Governors;
 - (e) the Director-General appointed under section 23 of this Act; and
 - (f) one person shall be nominated by the Kenya Private Sector Alliance appointed by the Cabinet Secretary;
 - (g) one person with knowledge and experience in matters relating to petroleum and serving in an institution of higher education appointed by the Cabinet Secretary.
- (2) A person shall be qualified for appointment as a chairperson under subsection (1)(a) or a member under subsection (1)(f) and (g) if that person—
- (a) is a citizen of Kenya;
 - (b) holds a degree from a university recognized in Kenya in any of the following fields—
 - (i) engineering;
 - (ii) physical sciences;
 - (iii) law;
 - (iv) finance;
 - (v) economics; or
 - (vi) energy;
 - (vii) any other relevant degree.
 - (c) has had at least seven years relevant professional and managerial experience;
 - (d) is a member in good standing of the relevant professional association; and
 - (e) meets the requirements set out in Chapter Six of the Constitution.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika

- 16. Sen. Loiptip Anuar
- 17. Sen. Mahamud Mohamed Maalim
- 18. Sen. Mbito Michael Maling'a
- 19. Sen. Mpaayei Phillip Salau
- 20. Sen. Murkomen Onesimus Kipchumba
- 21. Sen. Mwangi Paul Githiomi
- 22. Sen. Ndwiga Peter Njeru
- 23. Sen. Poghisio Samuel Losuron
- 24. Sen. Sakaja Johnson Arthur
- 25. Sen. Wetang'ula Moses Masika

Question -Negatived.

New Clause 13E - amendment proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 13 –

Terms of office of the chairperson and members of the Board.

13E. (1) The chairperson of the Board of the Authority shall be appointed for a term of four years and shall be eligible for re-appointment for one further term.

(2) A member of the Board appointed under section 13D(1)(f) and (g) shall hold office for a period of three years and shall be eligible for re-appointment for one further term.

(3) The chairperson and members of the Board shall be appointed at different times so that the respective expiry dates of their terms of office shall fall at different times.

(4) The chairperson and the members appointed in accordance with section 13D(1)(f) and (g) who shall be appointed immediately upon the coming into force of this Act shall be appointed for such shorter terms than prescribed in subsection (1) or subsection (2) so their tenures do not end on the same date.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -Negatived.

New Clause 13F - amendment proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 13 –

Gender, **13F.** In the composition of the Board of regional and Directors, no more than two-thirds of the members ethnic shall be of one gender and the Board shall also reflect balance. the regional and ethnic diversity of Kenya.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang’ula Moses Masika

Question -negatived.

New Clause 13G - amendment proposed

<p>Conduct of the Board.</p>	<p>of business of the Board.</p>	<p>13G. (1) The conduct and regulation of the business of the Board shall be as provided in the First Schedule of this Act.</p>
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(2) Subject to the provisions of the First Schedule, the Board shall regulate its own procedure.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech

7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question - negatived.

New Clause 13H - amendment proposed

Vacancies in the Board. **13H.** (1) The office of the chairperson or a member of the Board of Directors, as the case may be, shall become vacant if the holder—

- (a) dies;
- (b) by notice in writing addressed to the President or the Cabinet Secretary, as the case may be, resigns from office; or
- (c) is removed from office under any of the circumstances contemplated in section 13I.

(2) The President or the Cabinet Secretary, as the case may be, shall notify every resignation, vacancy or termination in the Gazette within fourteen days.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a

19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13I - amendment proposed

Removal of chairperson or a member of the Board. **13I.** A chairperson or a member appointed under section 13D(1)(f) and (g) may be removed from office for—

- (a) any violation of the Constitution or any other law;
- (b) gross misconduct, whether in the performance of the chairperson's or member's, as the case may be, functions or otherwise;
- (c) physical or mental incapacity to perform the functions of the office;
- (d) being absent from three consecutive meetings of Board without reasonable cause;
- (e) a failure to disclose to the Board of Directors any interest in any contract or matter before the Board;
- (f) being convicted of a criminal offence;
- (g) incompetence; or
- (h) bankruptcy.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang’ula Moses Masika

Question -negatived.

New Clause 13J - amendment proposed

Director-
General.

13J. (1) The Cabinet Secretary shall, on the recommendation of the Board of Directors, appoint a Director-General who shall be the chief executive of the Authority and shall, subject to the directions of the Board, be responsible for the day to day management of the Authority.

(2) The Cabinet Secretary shall appoint the Director General from a list of three names of persons submitted by the Board of Directors after a competitive selection process.

(3) A person shall be qualified for appointment as the Director-General if such person—

(a) is a citizen of Kenya;

(b) holds a degree from a university recognized in Kenya in the fields of—

(i) petroleum geosciences;

(ii) petroleum engineering;

(iii) petroleum economics;

(iv) finance; or

(v) petroleum law.

(c) has at least seven years relevant professional experience;

(d) is a member in good standing of the relevant professional association: and

(e) meets the requirements set out in Chapter Six of the Constitution.

(4) The Director-General shall hold office for a term of three years and shall be eligible for re-appointment for one further term of three years.

(5) The Director-General shall be the secretary to the Board of Directors but shall have no right to vote at any meetings of the Board of Directors.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika

16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13K - amendment proposed

- Removal from office of Director-General.
- 13K.** (1) The Cabinet Secretary may remove the Director-General from office in accordance with the terms and conditions of service only for—
- (a) inability to perform the functions of office due to physical or mental incapacity;
 - (b) gross misconduct or misbehaviour;
 - (c) incompetence or neglect of duty;
 - (d) violation of the Constitution or any other law;
 - (e) bankruptcy; or
 - (f) any other ground that would justify removal from office under the terms and conditions of service.
- (2) Before the Cabinet Secretary removes the Director General from office, the Director-General shall be given—
- (a) sufficient notice of the allegations made against him or her to the Authority; and
 - (b) an opportunity to present his defence against the allegations.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13L - amendment proposed

Staff of the Authority. **13L.** The Authority may, in consultation with the Public Service Commission, appoint such staff as it may require for the proper discharge of the functions of the Authority under this Act, and on such terms and conditions of service as the Board, on the recommendation of the Salaries and Remuneration Commission, may determine.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

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3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13M - amendment proposed

Remuneration of members of the Board. **13M.** The Authority shall pay its members such the remuneration, fees or allowances for expenses as may be determined by the Salaries and Remuneration Commission.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question - negatived.

New Clause 13N - amendment proposed

13N. (1) Any matter or thing done by a member of the Board or any officer, employee or agent of the Authority shall not, if the matter or thing is done bona fide for executing the functions, powers or duties of the Authority, render the member, officer, employee, agent or any other person acting on those directions personally liable to any action, claim or demand whatsoever.

(2) The provisions of subsection (1) shall not relieve the Authority of the liability to pay compensation or damages to any person for an injury to that person, that person's property or any of the persons' interests caused by the exercise of the powers conferred on the Board by this Act or by any other written law or by the failure, whether wholly or partially, of any works.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure

10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negated.

New Clause 130 - amendment proposed

Funds of the Authority.

- 130.** (1) The funds of the Authority shall consist of—
- (a) such moneys as may, from time to time, be appropriated by the National Assembly for that purpose;
 - (b) levies, not exceeding one half of a percent on the sales of petroleum products;
 - (c) such other moneys or assets as may accrue to or vest in the Authority in the exercise of its powers or the performance of its functions under the Act;
 - (d) any revenues generated from any proprietary interest held by the Authority whether movable or immovable;
 - (e) interest from bank deposits; and
 - (f) any revenue from other sources including loans, grants, gifts, or donations approved by the Cabinet Secretary.
- (2) All revenues generated by the Authority including levies shall be paid into the Consolidated Fund.
 - (3) Any funds retained by the Authority shall make part of the funds of the Authority by way of appropriation.
 - (4) Penalties are excluded from the funds of the Authority.
 - (5) The Cabinet Secretary responsible for matters relating to petroleum may make Regulations to provide for a levy prescribing—
 - (a) the amount in Kenya Shillings payable per cubic metre of crude oil;

- (b) the amount of Kenya Shillings payable per one thousand cubic metre of marketable natural gas;
- (c) when the relevant levy may be applied; and any other requirements for implementation of the levy.
- (6) There shall be paid out of the funds of the Authority, all expenditure incurred by the Authority in the exercise of its powers or the performance of its functions under this Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation

6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question - negatived.

New Clause 13P - amendment proposed

Investment of funds of the Authority.

13P. (1) The Authority may invest its funds in any securities which for the time being trustees may by law invest in trust funds, or in any other securities which the Cabinet Secretary may, from time to time, approve for that purpose.

(2) The Authority may place on deposit with such a bank as it may determine, any moneys not immediately required for the purposes of the Authority.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally

8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13Q - amendment proposed

Financial year. **13Q.** The financial year of the Authority shall be the period of twelve months ending on the thirtieth June in each year.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

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2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation

3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
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16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13R - amendment proposed

Annual
estimates.

13R. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Authority for that year.

(2) The annual estimates shall make provision for all estimated expenditure of the Authority for the financial year concerned.

(3) The annual estimates shall be approved by the Board before the commencement of the financial year to which they relate and shall be submitted to the Cabinet Secretary for approval.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang’ula Moses Masika

Question -negatived.

New Clause 13S - amendment proposed

Annual report. **13S.** The Board shall, within a period of three months after the end of each financial year, submit -

- (a) to the Auditor-General, the accounts of the Authority in respect of that year together with —

- (i) a statement of the income and expenditure of the Authority during that year; and
 - (ii) a statement of the assets and liabilities of the Authority on the last day of that financial year; and
- (b) to the Cabinet Secretary, an annual report in respect of that year containing-
- (i) the accounts of the Authority and statements referred to under paragraph (a);
 - (ii) the Authority's performance indicators and any other related information;
 - (iii) a report on the operations of the Authority during that year; and
 - (iv) such other information as the Cabinet Secretary may request.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation

3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13T - amendment proposed

Accounts and
audit.

13T. (1) The Authority shall keep or cause to be kept proper books of account in which shall be recorded all the income and liabilities, expenditure, assets, undertakings, funds, activities, contracts, transactions and any other business of the Authority.

(2) The Authority shall ensure that all moneys received are properly brought to account, all payments out of its funds are properly made and authorized and that adequate control is maintained over its assets and liabilities in accordance with this Act and any other written law.

(3) Within a period of three months after the end of each financial year, the Authority shall prepare annual financial statements in accordance with the provisions of section 81 of the Public Finance Management Act, and submit them to the Auditor-General or to an auditor appointed under subsection (4), for audit.

No.18 of
2012.

(4) Within a period of six months after the end of the financial year, the Auditor-General shall report on the examination and audit of the accounts of the Authority, to the Authority and to the Cabinet Secretary, and in the case of an auditor appointed in accordance with section 81 of the Public Finance Management Act, the auditor shall submit a copy of the report to the Auditor-General and the Auditor-General shall submit the report to the Authority and Cabinet Secretary.

(5) Notwithstanding anything in this Act, the Auditor-General may submit to the Cabinet Secretary a special report on any matter incidental to his powers under this Act, and the provisions of the Public Finance Management Act, on the same issue shall apply with the necessary modifications to any report made under this section.

(6) The fee for an auditor, other than the Auditor-General, appointed under section 81 of the Public Finance Management Act, not being a public officer, shall be determined and paid by the Authority.

(7) The Authority shall prepare the financial statements in a form that complies with the Public Finance Management Act.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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;

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

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2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13U - amendment proposed

- Delegation of powers or functions to committees or agents.
- 13U.** (1) The Authority may, by resolution either generally or in any particular case, delegate to any committee of the Authority or to any member, officer, employee or agent of the Authority, the exercise of any of its powers or the performance of any of its functions or duties in accordance with this Act.
- (2) A committee, officer, employee or agent of the Authority shall be appointed in writing and the instrument of appointment shall set out the term of the appointment, the duties of the appointee, the appointee's reporting requirements, functions, authority and powers conferred on the appointee.
- (3) Any instrument issued by the Authority under subsection (2) may be varied or revoked by the Authority at any time.
- (4) The Authority shall pay such allowances and fees to the members of such committees or such officers, employees or agents as the Salaries and Remuneration Commission may recommend.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika

- 16. Sen. Loitytip Anuar
- 17. Sen. Mahamud Mohamed Maalim
- 18. Sen. Mbito Michael Maling'a
- 19. Sen. Mpaayei Phillip Salau
- 20. Sen. Murkomen Onesimus Kipchumba
- 21. Sen. Mwangi Paul Githiomi
- 22. Sen. Ndwiga Peter Njeru
- 23. Sen. Poghisio Samuel Losuron
- 24. Sen. Sakaja Johnson Arthur
- 25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13V - amendment proposed

Powers of committees or agents. **13V.** (1) A committee, member, officer, employee or agent appointed under section 13U may, upon production of evidence of appointment to any person reasonably requiring it, for the purposes of this Act—

- (a) enter upon any premises at which any undertaking is carried out in relation to upstream petroleum operations or an offence under this Act is or is suspected to have been committed;
- (b) inspect and test any process, installation, works or other operation in relation to upstream petroleum operations which is or appears likely to be carried out in those premises;
- (c) be accompanied by a police officer if there is a reason to believe that any serious obstruction may occur in relation to an inspection or inquiry under this section;
- (d) require from any person the production of any book, notice, record, list or other document which appears to the committee, officer, employee or agent to have relevance to the inspection or inquiry, which is in the possession or custody or under the control of that person or of any other person on that committee's or agent's behalf;
- (e) examine and copy any part of any book, notice, record, list or other document which appears to have relevance to the inspections or inquiry, and require any person to give an explanation of any entry therein,

and take possession of any such book, notice, record, list or other document as he believes may afford evidence of an offence under this Act;

- (f) require information relevant to the committee, officer, employee or agents' inspection or inquiry from any person whom the committee, officer, employee or agent has reasonable grounds to believe is or has been employed at any such premises or to have in that person's possession or custody or under the person's control any article referred to in this subsection; or
 - (g) exercise such other powers as may be necessary in connection with the inspection or inquiry and other powers of his appointment under section 13U.
- (2) A member of a committee of the Authority, officer, employee or agent entering upon any premises under this section may be accompanied by such persons and may enter with such equipment as may be necessary.
- (3) Where—
- (a) the premises to which this section relates are unoccupied;
 - (b) the owner, occupier or person in charge thereof is temporarily absent; or
 - (c) entry thereon is refused or obstructed,
- the member of the committee, officer, employee or agent may use such force as is reasonably necessary to effect entry:
- Provided that in the case of an entry under paragraph (a) or (b)—
- (i) reasonable steps shall be taken prior to entry by the member of the committee, officer, employee or agent to find the owner, occupier or person in charge of the premises to be entered; and
 - (ii) the premises shall be left by the member of the committee, officer, employee or agent as effectively secured against trespassers as they were found.
- (4) Where it is suspected that an undertaking is being carried contrary to any licence, permit or regulations issued under this Act, an officer or agent of the Authority may, in the course of his or her duty, lock up, seal, mark or otherwise secure—
- (a) any building, room, place, receptacle or item of plant;
 - (b) any goods or materials in a factory; and
 - (c) aircraft, vessels, vehicles or containers.
- (5) A person who, unless authorized by the Authority or any other competent authority, opens, breaks, alters or in any way interferes with a lock, seal, mark or other fastening placed by a member of a committee, officer, employee or agent in accordance with this

section on any building, room, place, receptacle, item of plant, goods, or materials, commits an offence and shall, on conviction, be liable to a fine not exceeding one million shillings or to imprisonment for a term not exceeding two years or to both .

- (6) A person who resists, hinders or obstructs any committee, officer, employee or agent acting in the course of the committee's or agent's duty under this section or who wilfully fails to comply with any requirements lawfully made thereunder commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand shillings for each day or part thereof that the obstruction occurs.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang’ula Moses Masika

Question -negatived.

New Clause 13W - amendment proposed

How Authority shall exercise its powers and functions.	<p>13W. The Authority shall, in the exercise of its powers and performance of its functions—</p> <p>(a) promote efficiency, economy and safety in the conduct of upstream petroleum operations;</p>
--	--

- (b) ensure that contractors carry out the upstream petroleum operations for which they are licensed to perform;
- (c) promote competition in upstream petroleum operations to ensure the optimal performance of industry players;
- (d) advocate and ensure transparency between upstream petroleum industry and the Authority;
- (e) ensure fair balance in the interests of the National Government and other stakeholders in the upstream petroleum industry; and ensure full compliance of the petroleum agreement by all parties to the agreement.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior

3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
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12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
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19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13X - amendment proposed

Co-operation with others. **13X.** The Authority shall, to the greatest extent possible and in accordance with this Act, consult and co-operate with other ministries, departments and agencies of the National Government in promoting effective upstream petroleum operations.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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;

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The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
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NOES

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17. Sen. Mahamud Mohamed Maalim
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19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13Y - amendment proposed

National Data Centre. **13Y.** The Authority shall establish a national data centre which shall be used for the storage, analysis, interpretation, and management of petroleum data and information from sedimentary basins and field operations.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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;

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3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13Z - amendment proposed

Decisions of the Authority. **13Z.** (1) Where the Authority is required to make a decision under this Act, the Authority shall make that decision within sixty days of obtaining all the documents or information required under this Act or hearing all parties, where necessary, in relation to the decision.

(2) Where the Authority fails to make a decision within the period provided under this section (1), an affected party may apply to the Tribunal for the matter to be considered and determined by the Tribunal.

(3) The decision of the Authority shall be in writing and shall include the reasons for the decision.

(4) A decision of the Authority shall be served upon all relevant parties within seven days of making the decision and may be published in the Gazette as may be prescribed by Regulations.

(5) Where a decision of the Authority requires a party to do or refrain from doing something, that party shall comply with the decision of the Authority within the time prescribed in the decision.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation

3. Sen. Kang'ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13AA - amendment proposed

Appeal
against
decision of the
Authority.

13AA. A party aggrieved by a decision of the Authority may appeal to the Tribunal within sixty days of receipt of the decision:
Provided that the Tribunal may hear an appeal out of time if it is satisfied that there is sufficient cause.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Clause 13BB - amendment proposed

The common seal of the Authority.

13BB. (1) The common seal of the Authority shall be kept in such custody as the Authority may direct and shall not be used except on the direction of the Board.

(3) The common seal of the Authority when affixed on a document and duly authenticated shall be judicially and officially noticed unless and until the contrary is proved, and any necessary order or authorization by the Authority under this section shall be presumed to have been duly given.

(3) The Chairperson and Director-General shall authenticate the affixing of the common seal of the Authority by the signature of the Chairperson and the Director-General: Provided that the Authority shall, in the absence of the Chairperson, nominate one

- member to authenticate the seal on behalf of the Chairperson.
- (4) The Chairperson and Director-General may authenticate, by their signatures—
- (a) any document not required by law to be made under seal and
 - (b) all decisions of the Board.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orenge James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question - negatived.

Second Schedule - amendment proposed

THAT the Second Schedule be amended by deleting paragraph 53 and substituting therefor the following new paragraph -

53. Dispute resolution

- (1) Where there is a dispute between parties to a petroleum agreement arising out of or in connection with upstream operations, the dispute shall be settled through arbitration.
- (2) Unless otherwise provided for in the petroleum agreement, the parties shall appoint three arbitrators to determine the dispute as follows-
 - (c) each party shall appoint one arbitrator; and
 - (d) the arbitrators appointed under paragraph (a) shall, within thirty days of their appointment, jointly appoint an arbitrator who shall preside over the arbitration.

- (3) Where a party fails to appoint an arbitrator within thirty days of receipt of a request to do so from the other party, or where the arbitrators appointed by the parties fail to appoint an arbitrator within thirty days of their appointment, the appointment shall be made, on the request of a party, by the Registrar of the Nairobi Centre for International Arbitration and any award, order or determination of or by such arbitrators shall be final and binding on all parties.
- (4) The dispute referred to the arbitrators appointed by the Registrar under subsection (1) shall be administered in accordance with the Rules for arbitration of the Nairobi Centre for International Arbitration.
- (5) In the arbitration proceedings,
- (a) the place of arbitration proceedings shall be Nairobi, Kenya;
 - (b) the language used for the proceedings shall be English language;
 - (c) the applicable laws shall be the laws of the Republic of Kenya, and the provisions of this contract shall be interpreted in, accordance with those laws;
 - (d) each party shall bear its own legal fees but the costs of the arbitral tribunal shall be borne by the parties in such manner as the arbitral tribunal shall determine;
 - (e) the costs of the sole expert shall be borne equally by both parties;
 - (f) the costs incurred in arbitration shall be recoverable costs and shall be borne by the parties in such manner as the arbitral tribunal shall determine or in accordance with the applicable arbitral rules; and
 - (g) the parties shall continue to perform their, respective obligations under the contract during any sole expert or arbitration proceedings.
- (6) The right to, arbitrate differences or disputes arising out of this contract shall survive the termination of this contract.

(Sen. Mutula Kilonzo Jnr.)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina

13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived.

New Schedule - amendment proposed

THAT the Bill be amended by inserting the following new Schedule immediately before the Schedule –

FIRST SCHEDULE (s. 13F)
CONDUCT OF MEETINGS OF THE BOARD

1. (1) The Board shall meet as often as necessary for the transaction of business but shall meet not less than four times every financial year and not more than four months shall elapse between the date of one meeting and the next.
- (2) The Chairperson shall preside at every meeting of the Board at which the chairperson is present but in the absence of the chairperson, the members of the Board present shall appoint a member from among their number to preside at that meeting.
- (3) The Chairperson or, in the absence of the chairperson a member of the Board appointed by the Board to act in the place of the chairperson, may at any time call a special meeting upon a written request by a majority of the members.
2. Unless five members otherwise agree, at least seven days' written notice of every meeting of the Board shall be given to every member of the Board.
3. Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a majority of votes of the members of the Board present and in the case of an equality of votes, the chairperson or member presiding shall have a casting vote.
4. Any member of the Board present at a meeting of the Board or a Committee thereof, shall have the right to require his opinion to be recorded in the minutes if the Board or the Committee, as the case may be, passes a resolution, which in the opinion of that member is contrary to his advice or to law.

5. (1) A member of the Board who has a direct or indirect interest in a matter being considered or to be considered by the Board shall, as soon as possible after the relevant facts concerning the matter have come to his knowledge, disclose the nature of his interest to the Board and shall not be present during any deliberations on the matter.
- (2) A disclosure of interest made by a member of the Board under sub-section (1) shall be recorded in the minutes of the meeting of the Board and the member shall in respect of that matter—
- (a) remove himself or herself during any deliberations on the matter;
 - (b) not participate in any decision taken by the Board on the matter; and
 - (c) refrain from attempting to influence or coerce any other member to decide in his favour.
6. The Board shall cause the minutes of all proceedings of its meetings to be recorded and kept, and the minutes of each meeting shall be confirmed by the Board at the next meeting of the Board and signed by the Chairperson or the member presiding at the meeting.
7. (1) Subject to subsection (2), five members of the Board shall constitute a quorum for the conduct of business at any meeting of the Board.
- (2) When there is no quorum at or for the continuation of a meeting of the Board only because of the exclusion of a member of the Board under section 26, the other members present may, if they deem it expedient so to do—
- (a) postpone the consideration of that matter until there is a quorum; or
 - (b) proceed to consider and decide the matter as if there was quorum.

(Sen. Ledama Olekina)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted verbally on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally on behalf of Muranga County delegation
4. Sen. (Dr.) Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang’ Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephrahim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question - Negatived.

Clause 2 - amendment proposed

THAT clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the term “Ministry” –

“Nairobi Centre for International Arbitration” means the National Centre for International Arbitration established under section 4 of the the Nairobi Centre for International Arbitration Act.

(Sen. Mutula Kilonzo Jnr.)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson directed that the doors be locked and 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 vote verbally.

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang'ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County delegation
5. Sen. Orengo James

The results of the Division were as follows:-

AYES – 8

NOES – 25

ABSTENTIONS – 0

AYES

1. Sen. Kajwang' Moses Otieno
2. Sen. Kilonzo Mutula Junior
3. Sen. Ledama Ole Kina
4. Sen. Madzayo Stewart Mwachiru
5. Sen. Inimah Getrude Musuruve – Voted verbally on behalf of Kakamega County delegation
6. Sen. Mwinyi Haji Faki
7. Sen. Orengo James
8. Sen. Wambua Enoch Kiio

NOES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu - Voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Kindiki Kithure
10. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
11. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
12. Sen. Kirinyaga Ephraim Maina
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Ndwiga Peter Njeru
23. Sen. Poghisio Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wetang'ula Moses Masika

Question -negatived

The Title and Clause 1

Motion made and question proposed-

THAT, Clause 127, Clause 2, the Title and Clause 1 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Acting Chairperson directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the division bell be rung for five minutes;

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

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

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

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

1. Sen. Prengei Victor – voted on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - voted on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted on behalf of Muranga County delegation
4. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES - 30

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Ali Abdullahi Ibrahim
2. Sen. Adan Dullo Fatuma
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kanga’ta Irungu - Voted verbally
7. Sen. Kajwangi’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Kibiru Charles Reubenson
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Prengei Victor – Voted verbally on behalf of Nakuru County delegation
13. Sen. Mwaura Isaack – Voted verbally on behalf of Kiambu County delegation
14. Sen. Kirinyaga Ephraim Mwangi
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling’a

22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Ledama Ole Kina

Clause 127, Clause 2, the Title and Clause 1 – agreed to

Motion made-

That, the Bill be reported without amendments.

Before the question was put and pursuant to Standing Order 79 (1), the Acting Chairperson of Committees (Sen. Pareno Judith) ruled that the question did not affect counties;

Question put and agreed to.

13. **HOUSE RESUMED** - (The Deputy Speaker in the Chair)

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

Bill reported **without** amendments;

Motion made and Question proposed-

THAT, the Senate do agree with the Committee of the Whole in the said Report.
(The Senate Majority Leader)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79 (1), the Deputy Speaker ruled that the question did not affect counties;

Question put and **agreed to**.

Motion made and question proposed-

THAT, the Petroleum Bill (National Assembly Bills No. 48 of 2017) be now Read a Third Time.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

The House proceeded to a Division;

The Temporary Deputy Speaker directed that electronic voting be taken pursuant to Standing Order 81 (1) and that the Division Bell be rung for three minutes;

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

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

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

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

1. Sen. Prengei Victor –on behalf of Nakuru County delegation
2. Sen. Mwaura Isaack - on behalf of Kiambu County delegation
3. Sen. Kang’ata Irungu- voted verbally
4. Sen. (Dr.) Inimah Getrude Musuruve –on behalf of Kakamega County delegation

The results of the Division were as follows:-

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kibiru Charles Reubenson
9. Sen. Kilonzo Mutula Jnr.
10. Sen. Kindiki Kithure
11. Sen. Prengei Victor - Voted verbally on behalf of Nakuru County delegation
12. Sen. Mwaura Isaack - Voted verbally on behalf of Kiambu County delegation
13. Sen. Kirinyaga Ephrahim Maina
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika

17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve - Voted verbally on behalf of Kakamega County delegation
20. Sen. Mbito Michael Maling'a
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwinyi Haji Faki
25. Sen. Ndwiga Peter Njeru
26. Sen. Mbogo George Ayacko
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Question agreed to.

Bill read a Third Time and passed.

15. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi) – in the Chair)

The Copyright (Amendment) Bill (National Assembly Bills No. 33 of 2017)

Clauses 3 and 4

Motion made and Question proposed;

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

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaack – on behalf of Kiambu County Delegation
3. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loitiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwaura Isaack – voted on behalf of Kiambu County Delegation
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Orengo James
26. Sen. Poghisio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio
29. Sen. Wetang’ula Moses Masika

ABSTENTIONS

Sen. Mwinyihaji Mohamed Faki

Clauses 3 and 4 – Agreed to.

Clause 5 – amendment proposed

Motion made and question proposed;

THAT clause 5 of the Bill be amended -

(a) in paragraph (b) by deleting the word “as” appearing immediately after the word “is” in the proposed new subsection (2)(a);

(b) by inserting the following new paragraph immediately after paragraph (b) –

(c) by inserting the following new subsection immediately after subsection (3) –

(4) The Executive Director shall be appointed for a term of four years and shall be eligible for reappointment for one further term of four years.

(Sen. Moses Kajwang’ on behalf of the Chairperson, Standing Committee on Information and Communication)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve
2. Sen. Kang’ata Irungu
3. Sen. Olekina Ledama
4. Sen. Prengei Victor - on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang'Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loitiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling'a
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama – voted verbally
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

Question agreed to

Clause 5 (as amended) - Agreed to

Clause 6 - amendment proposed

Motion made and question proposed;

THAT the Bill be amended by deleting clause 6 and substituting therefor the following new clause –

6. Section 19 of the principal Act is amended –

- (a) in subsection (2) by deleting the words “Auditor General (Corporations) or to an auditor appointed under this section” appearing immediately after the words “submit to the” and substituting therefor the words “Auditor-General”; and
- (b) by deleting subsection (3) and substituting therefor the following new subsection –

No. 34 of (3) The accounts of the Board shall be audited and
2015. reported in accordance with the provisions of the Public
Audit Act.

(Sen. Moses Kajwang’ on behalf of the Chairperson, Standing Committee on Information and Communication)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

- 1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
- 2. Sen. Kang’ata Irungu
- 3. Sen. Olekina Ledama
- 4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Adan Dullo Fatuma
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Cherarkey Samson Kiprotich

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu –voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling'a
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Ndwiga Peter Njeru
25. Sen. Olekina Ledama – voted verbally
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wetang'ula Moses Masika

Question agreed to

Clause 6 (as amended) - Agreed to

Clauses 7 – 35, Clause 2, the Title and Clause 1

Motion made and Question proposed;

That, Clauses 7 - 35 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaack
3. Sen. Prengei Victor - on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Ndwiga Peter Njeru
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

- 28. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County Delegation
- 29. Sen. Wetang'ula Moses Masika

ABSTENTIONS

Sen. Mwinyi Haji Mohamed Faki

Question agreed to

Clauses 7 – 35, Clause 2, the Title and Clause 1 – Agreed to.

Motion made:

That, the Committee of the Whole do report to the Senate its consideration of the Copyright (Amendment) Bill (National Assembly Bills No. 33 of 2017) and its approval thereof with amendments.

(The Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

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

Question put and agreed to.

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

17. **THE COPYRIGHT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 33 OF 2017)**

Bill reported with amendments;

Motion made and Question proposed-

That, the House do agree with the Committee of the Whole in the said Report.

(The Senate Majority Leader)

Debate arising;

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.

Motion made and question proposed-

That, the Copyright (Amendment) Bill (National Assembly Bills No. 33 of 2017) be now read a Third time.

(The Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

The House proceeded to a division.

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

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

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

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

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

1. Sen. Inimah Getrude Musuruve - on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Isaack – on behalf of Kiamabu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’Moses Otieno
7. Sen. Kamar Margaret Jepkoech

8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Madzayo Stewart Mwachiru
20. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Mbogo George Ochilo Ayacko
28. Sen. Orengo James
29. Sen. Poghio Samuel Losuron
30. Sen. Sakaja Johnson Arthur
31. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County
32. Sen. Wambua Enoch Kioo

Bill read a Third Time and passed.

18. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi) – in the Chair)

The Public Private Partnerships (Amendment) Bill (National Assembly Bills No. 52 of 2017)

Clauses 3 - 6

Motion made and Question proposed;

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

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve - on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Isaack – on behalf of Kiamabu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loitiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Philip Salau

21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwinyi Haji Mohamed Faki
24. Sen. Ndwiga Peter Njeru
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio
29. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County Delegation
30. Sen. Wetang'ula Moses Masika

Clauses 3 - 6 -Agreed to

Clause 7

Motion made and Question proposed;

That, the Bill be amended by deleting clause 7.

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve
2. Sen. Kang'ata Irungu
3. Sen. Mwaura Isaack
4. Sen. Prengei Victor - on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loitiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling’a
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwinyi Haji Mohamed Faki
25. Sen. Ndwiga Peter Njeru
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County Delergation
31. Sen. Wetang’ula Moses Masika

Clause 7 -Deleted

Clause 8 - amendment proposed

THAT clause 8 of the Bill be amended-

- (a) in paragraph (a) by deleting the words “county government” appearing immediately after the words “approval by the” in the proposed new proviso and substituting therefor the words “county assembly”;
- (b) by inserting the following new paragraph immediately after paragraph (b)-

(c) in subsection (3) by inserting the words “in consultation with the Council of County Governors” immediately after the words “the Cabinet Secretary shall”.

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiamabu County Delegation
4. Sen. Omanga Millicent – on behalf of Nairobi County Delegation
5. Sen. Prengei Victor – on behalf of Kiambu County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Hargura Godana
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure

12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’ a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama – voted verbally
25. Sen. Orengo James
26. Sen. Poghisio Samuel Losuron
27. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County delegation
28. Sen. Wambua Enoch Kiio
29. Sen. Wetang’ula Moses Masika

ABSTENTION

Sen. Mwinyihaji Mohamed Faki

Clause 8 (as amended) - Agreed to

Clauses 9 - 11

Motion made and Question proposed;

THAT, Clauses 9 - 11 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve - on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Isaack – on behalf of Kiamabu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwinyi Haji Mohamed Faki
24. Sen. Ndwiga Peter Njeru
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio
29. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County Delegation
30. Sen. Wetang’ula Moses Masika

Clause 12 – amendment proposed

THAT clause 12 of the Bill be amended in the proposed new subsection (1) by deleting the words “in consistence” appearing immediately after the words “this Act and” and substituting therefor the word “consistent”.

((Chairperson, Standing Committee on Finance and Budget – 14.02.19))

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Omanga Millicent – on behalf of Nairobi County Delegation
5. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Hargura Godana
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted on behalf of Nakuru County Delegation

10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’ a
20. Sen. Mpaayi Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama – voted verbally
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Omanga Millicent – voted verbally on behalf on Nairobi County Delegation
28. Sen. Wambua Enoch Kiio
29. Sen. Wetang’ula Moses Masika

ABSTENTION

Sen. Mwinyi Haji Mohamed Faki

Clause 12 (as amended) - Agreed to

Clauses 13 - 15

Motion made and Question proposed;

That, Clauses 13 - 15 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Steve Lelegwe) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve - on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Isaack – on behalf of Kiamabu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwinyi Haji Mohamed Faki
24. Sen. Ndwiga Peter Njeru
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio
29. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County Delegation
30. Sen. Wetang’ula Moses Masika

Clause 16 – amendment proposed

THAT clause 16 of the Bill be amended –

(a) in the proposed new section 54A by deleting subsection (2) and substituting therefor the following new subsection-

(2) Where a county government intends to enter into a public private partnership agreement, it shall cause its user department or county entity, as the case may be, to prepare a project proposal for approval by the respective county assembly, setting out the strategic and operational benefits of entering into such an arrangement.

(b) in the proposed new section 54B by deleting subsection (2).

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Omanga Millicent – on behalf of Nairobi County Delegation
5. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Hargura Godana
5. Sen. Kajwang Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling'a
20. Sen. Mpaayi Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama – voted verbally
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County delegation
28. Sen. Wambua Enoch Kiio
29. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Mwinyi Haji Mohamed Faki

Clause 16 (as amended) - Agreed to

Clauses 17 and 18

Motion made and Question proposed;

That, Clauses 17 and 18 be part of the Bill.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Steve Lelegwe) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve - on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Isaack – on behalf of Kiamabu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kiburu Charles Reubenson
9. Sen. Prengei Victor – voted on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Mwaura Isaack – voted on behalf of Kiambu County Delegation
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling’a
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi

24. Sen. Mwinyi Haji Mohamed Faki
25. Sen. Ndwiga Peter Njeru
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kioo
30. Sen. Wetang'ula Moses Masika

Clauses 17 and 18 – Agreed to.

Clause 19 – amendment proposed

THAT clause 19 of the Bill be amended–

- (a) in paragraph (a)(ii) by inserting the word “relevant” immediately after the words “persons with such” in the proposed new paragraph (b);
- (b) in paragraph (a)(iii) by inserting the words “having relevant experience and knowledge” immediately after the words “opposite gender” in the proposed new paragraph (ba).

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Steve Lelegwe) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang'ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Omanga Millicent – on behalf of Nairobi County Delegation
5. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Hargura Godana
5. Sen. Kajwang'Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling'a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama – voted verbally
25. Sen. Orengo James
26. Sen. Poghisio Samuel Losuron
27. Sen. Omanga Millicent
28. Sen. Wambua Enoch Kiio
29. Sen. Wetang'ula Moses Masika

ABSTENTION

1. Sen. Mwinyi Haji Mohamed Faki

Clause 19 (as amended) - Agreed to

New Clause 4A

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

- Amendment of No. 15 of 2013.
- 4A.**Section 4 of the principal Act is amended in subsection (1) by-
- (a) inserting the following new paragraph immediately after paragraph (f)-
 - (fa) three persons nominated by the Council of County Governors;
 - (b) deleting the word “four” appearing immediately before the words “persons not being” in paragraph (g) and substituting therefor the words “two”;
 - (c) inserting the words “and infrastructure” immediately after the words “responsible for transport” in paragraph (i); and
 - (d) deleting paragraph (j).

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation
5. Sen. Orengo James

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling'a
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwinyi Haji Mohamed Faki
25. Sen. Ndwiga Peter Njeru
26. Sen. Orengo James –voted verbally
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County
31. Sen. Wetang'ula Moses Masika

New Clause 4A

- Agreed to

New Clause 5A

Amendment **5A.** Section 18 of the principal Act is of section amended by inserting the following new 18 of No. 15 subsection immediately after subsection (2) – of 2013. (3)A contracting authority under subsection (1) shall ensure that it facilitates public participation on a

project that it intends to finance, operate, equip or maintain.

(Chairperson, Standing Committee on Finance and Budget – 19.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation
5. Sen. Orengo James

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure

- 13. Sen. Kirinyaga Ephraim Mwangi
- 14. Sen. Langat Christopher Andrew
- 15. Sen. Lelegwe Steve Ltumbesi
- 16. Sen. Linturi Franklin Mithika
- 17. Sen. Loiptip Anuar
- 18. Sen. Mahamud Mohamed Maalim
- 19. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
- 20. Sen. Mbito Michael Maling’a
- 21. Sen. Mpaayei Philip Salau
- 22. Sen. Murkomen Onesimus Kipchumba
- 23. Sen. Mwangi Paul Githiomi
- 24. Sen. Mwinyi Haji Mohamed Faki
- 25. Sen. Ndwiga Peter Njeru
- 26. Sen. Orengo James –voted verbally
- 27. Sen. Poghisio Samuel Losuron
- 28. Sen. Sakaja Johnson Arthur
- 29. Sen. Wambua Enoch Kioo
- 30. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County
- 31. Sen. Wetang’ula Moses Masika

New Clause 5A - Agreed to

New Clause 20

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

Insertion of new section 70A in No. 15 of 2013.

20. The principal Act is amended by inserting the following section immediately after section 70 –

Report of the Committee.

70A.(1) Within three months after the end of each financial year, the Committee shall prepare a report on project agreements entered into by all contracting authorities in that financial year.

(2) The Committee shall, in preparing the report under subsection (1), set out the following information–

- (a) the status of implementation of every project agreement that is under implementation by each contracting authority including the outputs of each project as against the projected targets;
- (b) any challenges or deviations in the implementation and estimated completion of the project and the reasons for such deviation or delay;
- (c) a financial statement with respect to each project;
- (d) a risk assessment including information of any change in circumstances that may have an impact on the implementation of a project; and
- (e) such other information as the Committee and the Cabinet Secretary may consider necessary.

(3) The Committee shall submit the report prepared under subsection (1) to the –

- (a) National Assembly;
- (b) Senate;
- (c) respective county assemblies in which a project is being undertaken under this Act; and
- (d) Controller of Budget.

- (4) Parliament and the county assemblies to which a report is submitted under subsection (3) shall, in accordance with their respective standing orders –
- (a) consider the report within thirty days of receipt of the report;
 - (b) table a report together with its recommendations on the implementation of the projects; and
 - (c) submit their recommendations to the Committee.

(5) The Committee shall, ensure that the contracting authorities take into account the recommendations under subsection (4) in the implementation of a project under this Act.

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed five Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation
5. Sen. Orengo James

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loitiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling’a
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwinyi Haji Mohamed Faki
25. Sen. Ndwiga Peter Njeru
26. Sen. Orengo James –voted verbally
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kii
30. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County
31. Sen. Wetang’ula Moses Masika

New Clause 20

- Agreed to

Clause 2

- amendment proposed

THAT clause 2 of the Bill be amended-

- (a) in paragraph (a) in the proposed new definition of the term “contracting authority” by deleting the word “corporation” appearing immediately after the words “government or county” in sub-paragraph (ii) and substituting therefor the word “entity”;
- (b) by deleting paragraph (b);
- (c) inserting the following new paragraph immediately after paragraph (b)-

(c)inserting the following new definition immediately before the definition of the word “affordability”-

“accounting officer” means in the case of-

- (a) a national government entity, the person designated as an accounting officer by the Cabinet Secretary responsible for finance in accordance with the provisions of the Public Finance Management Act;
- (b) the Parliamentary Service Commission, the Clerk of the Senate;
- (c) the National Assembly, the Clerk of the National Assembly;
- (d) a Constitutional Commission, institution or Independent Office the person responsible for the administration of the Commission or institution or Independent Officein accordance with the provisions of the Public Finance Management Act;
- (e) a county government entity, the person responsible for the administration of the county government entityin accordance with the provisions of the Public Finance Management Act;
- (f) a county assembly, the clerk of the county assembly; and
- (g) the Judiciary, the Chief Registrar of the Judiciary.

(Chairperson, Standing Committee on Finance and Budget – 14.02.19)

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Steve Lelegwe) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Omanga Millicent – on behalf of Nairobi County Delegation
5. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 1

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Hargura Godana
5. Sen. Kajwang’Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang’ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Ndwiga Peter Njeru
24. Sen. Olekina Ledama – voted verbally
25. Sen. Orengo James

- 26. Sen. Poghio Samuel Losuron
- 27. Sen. Omanga Millicent – voted verbally on behalf of Nairobi County Delegation
- 28. Sen. Wambua Enoch Kiio
- 29. Sen. Wetang'ula Moses Masika

ABSTENTION

Sen. Mwinyi Haji Mohamed Faki

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.

Debate interrupted on Thursday, 14th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr) Lelegwe Ltumbesi) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

- 1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
- 2. Sen. Kang'ata Irungu
- 3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
- 4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Kajwang Moses Otieno
6. Sen. Kamar Margaret Jepkoech
7. Sen. Kang'ata Irungu – voted verbally
8. Sen. Kibiru Charles Reubenson
9. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
10. Sen. Kilonzo Mutula Junior
11. Sen. Kindiki Kithure
12. Sen. Kirinyaga Ephraim Mwangi
13. Sen. Langat Christopher Andrew
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Loiptip Anuar
17. Sen. Mahamud Mohamed Maalim
18. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling'a
20. Sen. Mpaayi Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwinyi Haji Mohamed Faki
24. Sen. Ndwiga Peter Njeru
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio
29. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County Delegation
30. Sen. Wetang'ula Moses Masika

The Title and Clause 1 – Agreed to.

Motion made:

THAT, the Committee of the Whole do report to the Senate its consideration of the Public Private Partnerships (Amendment) Bill (National Assembly Bills No. 52 Of 2017) and its approval thereof with amendments.

(The Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

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

Question put and agreed to.

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

20. **THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 52 OF 2017)**

Bill reported with amendments;

Motion made and Question proposed-

That, the House do agree with the Committee of the Whole in the said Report.

(The Senate Majority Leader)

Debate arising;

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.

Motion made and question proposed-

THAT, the Public Private Partnerships (Amendment) Bill (National Assembly Bills No. 52 Of 2017) be now read a Third time.

(The Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

The House proceeded to a division;

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

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

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

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

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

1. Sen. Inimah Getrude Musuruve – on behalf of Kakamega County Delegation
2. Sen. Kang’ata Irungu
3. Sen. Mwaura Issack – on behalf of Kiambu County Delegation
4. Sen. Prengei Victor – on behalf of Nakuru County Delegation

The results of the Division were as follows: -

AYES - 32

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County Delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Kindiki Kithure
13. Sen. Kirinyaga Ephraim Mwangi
14. Sen. Langat Christopher Andrew
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Loiptip Anuar
18. Sen. Mahamud Mohamed Maalim
19. Sen. MadzayoStewart Mwachiru
20. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyi Haji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Mbogo George Ochilo Ayacko
28. Sen. Orengo James
29. Sen. Poghisio Samuel Losuron
30. Sen. Sakaja Johnson Arthur
31. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County
32. Sen. Wambua Enoch Kii

Bill read a Third Time and passed.

21. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. (Dr.) Steve Lelegwe) – in the Chair)

The Irrigation Bill (National Assembly Bills No. 46 of 2017)

Clause 3 – amendment proposed.

That, Clause 3 of the Bill be amended in subclause (1) by deleting the words “as more specifically provided in the Act for” appearing immediately after the words “Act shall apply” and substituting therefor the words “to matters relating to the”.

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kio
31. Sen. Wetang'ula Moses Masika

Clause 3 - agreed to.

Clauses 4 and 5

Motion made and Question proposed;

That, Clauses 4 and 5 be part of the Bill.

(Senate Majority- 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu- voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi

- 25. Sen. Mwinyihaji Mohamed Faki
- 26. Sen. Ndwiga Peter Njeru
- 27. Sen. Orengo James
- 28. Sen. Poghio Samuel Losuron
- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika

Clauses 4 and 5 – agreed to.

Clause 6 – amendment proposed.

That, Clause 6 of the Bill be amended—

(a) by deleting subclause (1) and substituting therefor the following new subclause—

(1) The Cabinet Secretary shall, in consultation with the Council of County Governors, regulate and promote the development and proper management of irrigation throughout Kenya and to this extent shall ensure the effective exercise and performance by any authority or person under the authority of the Cabinet Secretary of their powers and duties in relation to irrigation and drainage, including water harvesting and storage for irrigation.

(b) in subclause (2) by—

- (i) inserting the words “in consultation with the Council of County Governors” immediately after the words “Cabinet Secretary shall” in the introductory clause;
- (ii) deleting the word “facilitate” appearing at the beginning of paragraph (d) and substituting therefor the word “promote”; and
- (iii) deleting the word “Parliament” appearing immediately after the words “report to” in paragraph (h) and substituting therefor the words “the National Assembly and the Senate”; and

(c) by inserting the following new subclause immediately after subclause (3)—

(3A) The Cabinet Secretary shall consult the county governments of all counties affected by an irrigation scheme before issuing a licence under subsection (2)(f).

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a

22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 6(as amended) - agreed to.

Clause 7

Motion made and Question proposed;

That, Clause 7 be part of the Bill.

(Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Irungu Kang'ata
2. Sen. Isaac Mwaura - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kio
31. Sen. Wetang'ula Moses Masika

Clause 7 – agreed to.

Clause 8 – amendment proposed.

That, Clause 8 of the Bill be amended in sub clause (2) by inserting the words “safe storage” immediately after the words “promote the marketing” in paragraph (k).

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki

- 26. Sen. Ndwiga Peter Njeru
- 27. Sen. Orengo James
- 28. Sen. Poghismo Samuel Losuron
- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika

Clause 8(as amended) - agreed to.

Clause 9 - amendment proposed.

That, Clause 9 of the Bill be amended—

(a) in sub clause (1) by—

- (i) deleting the words “State Department of” appearing immediately after the words “the Principal Secretary” in paragraph (b) and substituting therefor the words “responsible for”;
- (ii) deleting the words “five other” appearing at the beginning of paragraph (f) and substituting therefor the word “two”;
- (iii) inserting the following new paragraph immediately after paragraph (f)—
 - (g) four persons nominated by the Council of County Governors and appointed by the Cabinet Secretary, taking into account the various stakeholder interests in irrigation development and management as defined in subsection (2).

(b) in sub clause (2) by deleting the words “include two representatives of county governments nominated by the Council of Governors and shall” appearing at the beginning of paragraph (b);

(c) by inserting the following new sub clause immediately after sub clause (2)—
(2A) The Council of County Governors shall, for purposes of subsection (2)(b), nominate and submit to the Cabinet Secretary, the names of eight persons out of whom the Cabinet Secretary shall appoint four.

(d) by deleting sub clause (4).

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika

Clause 9(as amended) - agreed to.

Clauses 10 - 13

Motion made and Question proposed;

That, Clauses 10 - 13 be part of the Bill.

(Senate Majority– 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson

10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 10 – 13 - agreed to.

Clause 14 - amendment proposed.

That, Clause 14 of the Bill be amended—

- (a) in sub clause (1) by deleting the words “an irrigation function delegated by the Cabinet Secretary as may be prescribed in the Regulations” appearing immediately after the words “carrying out of” and substituting therefor the words “its functions with respect to irrigation pursuant to Part 2 of the Fourth Schedule to the Constitution”; and
- (b) in sub clause (2) by deleting the word “Parliament” appearing immediately after the words “and approved by” and substituting therefor the words “the National Assembly and the Senate”.

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur

30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 14(as amended) - agreed to.

Clause 15

Motion made and Question proposed;

That, Clause 15 be part of the Bill.

(Senate Majority Leader – 13.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang'ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno

7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 15 - agreed to.

Clause 16 - amendment proposed.

That, Clause 16 of the Bill be amended in sub clause (6) by inserting the words “and the impact the irrigation scheme is likely to have on the environment” immediately after the words “and fish producers”.

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Irungu Kang’ata
2. Sen. Isaac Mwaura - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyahaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika

Clause 16(as amended) - agreed to.

Clause 17 - amendment proposed.

That, Clause 17 of the Bill be amended in sub clause (1) by—

- (a) inserting the words “in consultation with the Council of County Governors,” immediately after the words “Cabinet Secretary shall” in the introductory clause; and
- (b) inserting the following new paragraph immediately after paragraph (b)—
- (c) in consultation with the Water Resources Authority, for the handling of irrigation water effluent.

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

- 1. Sen. Kang’ata Irungu
- 2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
- 3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
- 4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

- 1. Sen. Adan Fatuma Dullo
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Cherarkey Samson Kiprotich
- 4. Sen. Cheruiyot Aaron Kipkirui
- 5. Sen. Hargura Godana

6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 17(as amended) - agreed to.

Clauses 18 and 19

Motion made and Question proposed;

That, Clauses 18 and 19 be part of the Bill.

(The Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyahaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika

Clauses 18 and 19 - agreed to.

Clause 20 - amendment proposed.

That, Clause 20 of the Bill be amended by deleting sub clause (3) and substituting therefor the following new sub clause—

(3) An association may, with the approval by the Cabinet Secretary, enter into an agreement with the National Government, a county government, a private sector institution or another farmers’ association for the establishment, expansion, implementation, improvement, modernization, operation or maintenance of a scheme.

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui

5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinjihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 20(as amended) - agreed to.

Clauses 21-24

Motion made and Question proposed;

That, Clauses 21-24 be part of the Bill.

(The Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio

31. Sen. Wetang'ula Moses Masika

Clauses 21-24 - agreed to.

Clause 25 - amendment proposed.

THAT clause 25 of the Bill be amended in sub clause (1) by inserting the word “intra-scheme” immediately after the words “scheme development, management,”.

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

1. Sen. Kang'ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech

8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 25(as amended) - agreed to.

Clauses 26 - 33

Motion made and Question proposed;

That, Clauses 26 - 33 be part of the Bill.

(Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyahaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orenge James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika

Clauses 26 – 33 – agreed to.

Clause 34 – amendment proposed.

THAT clause 34 of the Bill be amended—

- (a) in subclause (1) by inserting the words “and with the approval of the Senate and the National Assembly,” immediately after the words “with county governments”; and
- (b) in subclause (2) by deleting paragraph (e) and substituting therefor the following new paragraph—
 - (e) the requirements, procedures and forms for licensing of irrigation schemes;

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

- 1. Sen. Kang’ata Irungu
- 2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
- 3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
- 4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

- 1. Sen. Adan Fatuma Dullo
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Cherarkey Samson Kiprotich

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Clause 34 (as amended) - agreed to.

Clause 35

Motion made and Question proposed;

That, Clause 35 be part of the Bill.

(Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Mwaura Isaac - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Prengei Victor - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron

- 29. Sen. Sakaja Johnson Arthur
- 30. Sen. Wambua Enoch Kiio
- 31. Sen. Wetang'ula Moses Masika

Clause 35 - agreed to.

Schedule - amendment proposed.

That, the schedule to the Bill be amended in paragraph 3 by deleting subparagraph (5) and substituting the following new subparagraph—

(5) The chairperson shall preside at every meeting of the Board of and in the absence of the chairperson, a member of the Board elected by the members present from among their number shall preside.

(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senators to record their vote verbally.

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

- 1. Sen. Irungu Kang'ata
- 2. Sen. Isaac Mwaura - voted on behalf of Kiambu County Delegation.
- 3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
- 4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

- 1. Sen. Adan Fatuma Dullo

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

Schedule (as amended) - agreed to.

Clause 2 - amendment proposed.

THAT clause 2 of the Bill be amended by —

(a) deleting the definition of the word “irrigation” and substituting therefor the following new definition—

“irrigation” means any process, other than by natural precipitation, which supplies water to crops or any other cultivated plants, livestock, aquaculture and desired forest trees;

(b) deleting the definition of the word “license” and substituting therefor the following new definition—

“licence” means a license issued by the Cabinet Secretary or such other person as the Cabinet Secretary may authorize;

*(Chairperson, Standing Committee on Agriculture, Livestock and Fisheries –
19.02.2019)*

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed four (4) Senator to record their vote verbally.

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

1. Sen. Irungu Kang’ata
2. Sen. Isaac Mwaura - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 31

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor - voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac - voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika

18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. 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.

(Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Acting Chairperson (Sen. (Dr.) Steve Lelegwe) directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five minutes;

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

The Acting Chairperson (Sen. (Dr.) 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 standing order 81 (5), the Acting Chairperson (Sen. (Dr.) Steve Lelegwe) allowed five (5) Senators to record their vote verbally.

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

1. Sen. Irungu Kang'ata
2. Sen. Isaac Mwaura - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.
5. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows:

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu – voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor- voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac- voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
21. Sen. Mbito Michael Maling'a
22. Sen. Mpaayei Philip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang'ula Moses Masika

The Title and Clause 1

– agreed to.

22. **HOUSE RESUMED** - (The Deputy Speaker in the Chair)

23. **THE IRRIGATION BILL (NATIONAL ASSEMBLY BILLS NO. 46 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.

(The Senate Majority Leader)

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.

Motion made and question proposed;

THAT, the Irrigation Bill (National Assembly Bill No. 46 of 2017) be now Read a Third Time.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 81 (5), the Deputy Speaker allowed four (4) Senators to record their vote verbally.

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

1. Sen. Irungu Kang’ata
2. Sen. Isaac Mwaura - voted on behalf of Kiambu County Delegation.
3. Sen. Inimah Getrude Musuruve- voted on behalf of Kakamega County Delegation.
4. Sen. Victor Prengei - voted on behalf of Nakuru County Delegation.

The results of the Division were as follows:

AYES - 33

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang'ata Irungu - voted verbally
9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor - voted verbally on behalf of Nakuru County Delegation.
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaac - voted verbally on behalf of Kiambu County Delegation.
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Langat Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loitiptip Anuar
19. Sen. Madzayo Stewart Mwachiru
20. Sen. Mahamud Mohamed Maalim
21. Sen. Inimah Getrude Musuruve - voted verbally on behalf of Kakamega County Delegation
22. Sen. Mbito Michael Maling'a
23. Sen. Mbogo George Ochilo Ayacko
24. Sen. Mpaayei Philip Salau
25. Sen. Murkomen Onesimus Kipchumba
26. Sen. Mwangi Paul Githiomi
27. Sen. Mwinyihaji Mohamed Faki
28. Sen. Ndwiga Peter Njeru
29. Sen. Orengo James
30. Sen. Poghisio Samuel Losuron
31. Sen. Sakaja Johnson Arthur
32. Sen. Wambua Enoch Kiio
33. Sen. Wetang'ula Moses Masika

Bill read a Third Time and passed.

24. **COMMITTEE OF THE WHOLE**

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. (Dr.) Lelegwe Ltumbesi) – in the Chair)

Consideration of National Assembly Amendment to the Urban Areas and Cities (Amendment) Bill (Senate Bills No.4 of 2017)

National Assembly amendment to Clause 19

THAT, Clause 19 of the Bill be amended in the proposed new FIRST SCHEDULE under the heading marked "City" by inserting the following new services immediately after "Organised Public Transport"-

“Information, Communication and Technology services”
“Telecommunication services”

Motion made and Question proposed;

That, the National Assembly amendment to Clause 19 of the Bill be approved.

(The Senate Majority Leader – 19.02.2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe) 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 Standing Order 81 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Kang’ata Irungu
2. Sen. Prengei Victor - on behalf of Nakuru County Delegation
3. Sen. Mwaura Isaac - on behalf of Kiambu County Delegation
4. Sen. Inimah Getrude Musuruve

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Kang’ata Irungu - voted verbally

9. Sen. Kibiru Charles Reubenson
10. Sen. Prengei Victor – voted verbally on behalf of Nakuru County delegation
11. Sen. Kilonzo Mutula Junior
12. Sen. Mwaura Isaack – voted verbally on behalf of Kiambu County delegation
13. Sen. Kindiki Kithure
14. Sen. Kirinyaga Ephraim Mwangi Maina
15. Sen. Lang’at Christopher Andrew
16. Sen. Lelegwe Steve Ltumbesi
17. Sen. Linturi Franklin Mithika
18. Sen. Loiptip Anuar
19. Sen. Mahamud Mohamed Maalim
20. Sen. Inimah Getrude Musuruve – voted verbally on behalf of Kakamega County delegation
21. Sen. Mbito Michael Maling’a
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ndwiga Peter Njeru
27. Sen. Orengo James
28. Sen. Poghisio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio
31. Sen. Wetang’ula Moses Masika

National Assembly amendment to Clause 19 - agreed to.

Motion made:

That, the Committee of the Whole do report to the Senate its consideration of the National Assembly amendment to the Urban Areas and Cities (Amendment) Bill (Senate Bills No. 4 of 2017) and its approval thereof.

(The Senate Majority Leader)

Debate arising;

There being no Senator wishing to contribute;

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

Question put and agreed to.

25. **HOUSE RESUMED** – The Deputy Speaker in the Chair
26. **THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILLS NO.4 OF 2017)**

Progress reported;

Motion made and Question Proposed;

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

(The Senate Majority Leader)

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.

27. **COMMITTEE OF THE WHOLE**
THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 13 OF 2018)

Order deferred.

28. **MOTION - THE REPORT OF THE AD-HOC COMMITTEE ON THE MAIZE CRISIS IN KENYA.**

(Chairperson Ad-Hoc Committee on Maize)

THAT, this House adopts The Report of the Ad-hoc Committee on the Maize crisis in Kenya laid on the Table of the House on Tuesday, 27th November, 2018.

(Resumption of debate interrupted on Tuesday, 19th February, 2019)

Debate interrupted on Tuesday, 19th February, 2019 resumed;

Amendment proposed

THAT, the Motion be amended by deleting the full stop at the end thereof and inserting the following words-

- (a) by inserting the words "*and the Inter-Ministerial Committee on Food Security*" immediately after the words "*The Cabinet Secretary, the National Treasury & Planning and the Cabinet Secretary, MOALF&I*" appearing in paragraph 3 on page 11 of the report;

- (b) by inserting the words " *and the Inter-Ministerial Committee on Food Security*" immediately after the words "*The CS National Treasury and CS, MOALF&I*" appearing in column 1 of recommendation 7 on page 111 of the report; and
- (c) by inserting the words " *and the Inter-Ministerial Committee on Food Security*" immediately after the words "*CS, National Treasury, CS, Agriculture*" appearing in column 3 of recommendation 7 on page 111 of the report.

(Sen. Petronila Were Lokorio)

Debate arising;

And the time being Thirty Minutes past Six O'clock, the Temporary Speaker (Sen. Judith Pareno) adjourned the Senate without question put, pursuant to the Standing Orders.

29. **SENATE ROSE** – at Thirty Minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, February 26, 2019 at 2.30 p.m.*

--x--