



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, MAY 22, 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**

The Speaker conveyed the following communications from the Chair: -

a) On visiting delegation from Uasin Gishu County Assembly

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation from Uasin Gishu County Assembly, Committee on Delegated Legislation.

I request each member of the Delegation to stand when called out so that they may be acknowledged in the Senate tradition.

They are:

- | | |
|---------------------------|-----------------|
| 1. Hon. Hosea Lamal | -Deputy Speaker |
| 2. Hon. Patrick Bundotich | -Chairperson |
| 3. Hon. Sarah Malel | -Member |
| 4. Hon. Julius Songok | -Member |
| 5. Hon. Aileen Kendagor | -Member |
| 6. Hon. Salina Sang | -Member |
| 7. Hon. Leah Malot | -Member |
| 8. Hon. Nicholas Tallam | -Member |
| 9. Michelle Saina | -Legal Officer |

- | | |
|----------------------|--------------------------|
| 10. Vibian Pongoei | -Committee Clerk |
| 11. Jackline Biwott | -Hansard Officer |
| 12. Victor Toroitich | -Deputy Serjeant-at-Arms |

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

I thank you.”

b) On visiting officers from various county assemblies for the Seventh Senate County Legislative Attachment Program.

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, the visiting officers from various County Assemblies who are undertaking the Seventh County Legislative Attachment Program (CLAP) at the Senate.

I request the officers to stand when called out so that they may be acknowledged in the Senate tradition.

They are:

- | | |
|-------------------------------|-------------------------------|
| 1. Ms. Sally Cheptoo Bett | Kericho County Assembly |
| 2. Mr. Elijah Buyanga | Tharaka Nithi County Assembly |
| 3. Mr. Ismail Mohamud | Wajir County Assembly |
| 4. Mr. David Otieno Ochieng | Kisumu County Assembly |
| 5. Mr. Abraham Walubengo | Trans Nzoia County Assembly |
| 6. Ms. Christine Shivatse | Nakuru County Assembly |
| 7. Ms. Mwathi Lilian Njeri | Narok County Assembly |
| 8. Ms. Mwazani Hamise | Kwale County Assembly |
| 9. Mr. Swaleh Mohamed | Lamu County Assembly |
| 10. Ms. Salya Mboto Mwatsaliu | Kwale County Assembly |
| 11. Ms. Regina Githua | Laikipia County Assembly |
| 12. Mr. Abraham Kipruto | Kericho County Assembly |
| 13. Ms. Martha Alaka | Bungoma County Assembly |
| 14. Ms. Hilda Tago | Narok County Assembly |
| 15. Ms. Prudencia Barasa | Bungoma County Assembly |
| 16. Ms. Fatuma Mohamed | Lamu County Assembly |
| 17. Ms. Oshipae Stephen Kingi | Narok County Assembly |
| 18. Ms. Judy Wamuyu | Kiambu County Assembly |
| 19. Mr. Nicholas Kilanya | Laikipia County Assembly |
| 20. Mr. George Amayo | Kisumu County Assembly |
| 21. Ms. Murithi Kanampiu | Tharaka Nithi County Assembly |
| 22. Ms. Zubeida Abdinasir | Wajir County Assembly |

- | | |
|-----------------------|--------------------------|
| 23. Mr. Gabriel Awiti | Homa Bay County Assembly |
| 24. Mr. Stephen Ojako | Homa Bay County Assembly |

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.”

c) On visiting students and teachers from Anestar Precious School, Nakuru County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Anestar Precious School, Nakuru County.

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

I thank you.”

4. **MOTION** – (Senate Majority Leader)

THAT pursuant to Standing Order 159, the amendments of the National Assembly to the County Governments (Amendment) (No.2) Bill (Senate Bills No. 7 of 2017) be now considered.

Order deferred.

5. **THE ELECTION LAWS (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Election Laws (Amendment) Bill (Senate Bills No. 33 of 2018) be now read a Second Time.

(Sen. Ledama Olekina, MP – 14.05.2019)

Debate interrupted on Tuesday, 14th May, 2019 resumed on a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for three minutes;

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

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Speaker allowed two (2) Senators to record their votes verbally.

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

- 1) Sen. Nyamunga Rose – on behalf of Kisumu County Delegation
- 2) Sen. Waqo Naomi Jilo - on behalf of Marsabit County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation.
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Naomi Waqo - voted verbally on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masistsa Naomi Shiyonga- voted on behalf of Kakamega County Delegation
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- voted verbally on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Onger Samson Kegengo
23. Sen. Orengo James
24. Sen. Nyamunga Rose Ogendo - voted verbally on behalf of Kisumu County Delegation
25. Sen. Poghismo Samuel Lesuron
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kio

Question agreed to.

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

6. **THE ELECTION LAWS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 37 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Election Laws (Amendment) (No. 2) Bill (Senate Bills No. 37 of 2018) be now read a Second Time.

(Sen. (Dr.) Agnes Zani, MP - 14.05.2019)

Debate interrupted on Thursday, 16th May, 2019 resumed on a Division;

The Speaker directed that roll call voting be taken pursuant to Standing Order 83 (1) and that the Division Bell be rung for three minutes;

After the expiry of three minutes the Speaker directed that the doors be locked and the bars drawn;

The names of the Tellers were announced and directed to take seats at their designated places;

The Speaker put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abshiro Halake - voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation.
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Naomi Waqo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart
15. Sen. Mahamud Mohamed Maalim

16. Sen. Masistsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mbogo George Ochilo Ayacko
18. Sen. Seneta Mary Yiane- voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Onger Samson Kegengo
23. Sen. Orengo James – voted verbally
24. Sen. Nyamunga Rose Ogendo - voted on behalf of Kisumu County Delegation
25. Sen. Poghismo Samuel Lesuron
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Question agreed to.

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

7. **MOTION – ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILLS NO. 10 OF 2017)**

Motion made and Question proposed: -

THAT, the Senate adopts the Report of the Mediation Committee on the Warehouse Receipt System Bill (Senate Bills No. 10 of 2017), laid on the Table of the Senate on Tuesday, 14th May, 2019 and pursuant to Article 113 of the Constitution and Standing Order 161 (3) of the Senate Standing Orders approves the mediated version of the Bill.

(Chairperson, Mediation Committee – 15.05.2019)

Debate interrupted on Wednesday, 15th May, 2019 resumed on a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for three minutes;

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

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

Before the results of the Division were announced and pursuant to the provisions of Standing Order 81 (5), the Speaker allowed four (4) Senators to record their votes verbally.

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

- 1) Sen. Abshiro Halake - on behalf of Isiolo County Delegation

- 2) Sen. Nyamunga Rose - on behalf of Kisumu County Delegation
- 3) Sen. Naomi Waqo - on behalf of Marsabit County Delegation
- 4) Sen. Orengo James

The results of the Division were as follows:-

AYES – 26

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abshiro Halake - voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation.
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Naomi Waqo - voted verbally on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masistsa Naomi Shiyonga- voted on behalf of Kakamega County Delegation
17. Sen. Seneta Mary Yiane - voted verbally on behalf of Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Olekina Ledama
21. Sen. Ongeru Samson Kegengo
22. Sen. Orengo James – voted verbally
23. Sen. Nyamunga Rose - voted verbally on behalf of Kisumu County Delegation
24. Sen. Poghismo Samuel Lesuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enoch Kiio

Question agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the Warehouse Receipt System Bill (Senate Bills No. 10 of 2017) laid on the Table of the Senate on Tuesday, 14th May, 2019 and pursuant to Article 113 of the Constitution and Standing Order 161 (3) of the Senate Standing Orders approves the mediated version of the Bill.

8. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Early Childhood Education Bill (Procedure) Bill (Senate Bills No. 4 of 2018)

Clauses 3 - 5

Motion made and Question proposed;

THAT, Clauses 3 - 5 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation

6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 3 - 5 - agreed to.

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended in paragraph (d) by deleting the words “that are secular in nature and that promote culture” appearing immediately after the words “curriculum programs” and substituting therefor the words “that promote positive culture”.

(Chairperson, Standing Committee on Education -27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 6 (as amended) Agreed to

Clauses 7 - 18

Motion made and Question proposed;

THAT, Clauses 7 - 18 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama

23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 7- 18 - agreed to

Clause 19 - amendment proposed

THAT clause 19 be amended by-

- (a) deleting sub-clause (3) and substituting therefore the following new sub-clause-
(3) The compound in which an education centre is situated shall not be less than one acre in measurement.
- (b) deleting sub-clause (4).

(Chairperson, Standing Committee on Education - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 19 (as amended) - agreed to

Clauses 20 - 29

Motion made and Question proposed;

THAT, Clauses 20 - 29 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28 NOES – 0 ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clause 20 - 29 -agreed to

Clause 30 - amendment proposed

THAT clause 30 of the Bill be amended-

- (a) in sub-clause 1 by inserting the words “living with disability” immediately after the words “one person” appearing in paragraph (e);
- (b) in sub-clause (3) by deleting the words “and shall report to the County Education Board in the performance of his or her functions under this Act” appearing immediately after the words “board of management”; and
- (c) by inserting the following new sub-clause immediately after sub-clause (3)-(3A)
The board of management shall report to the County Education Board on the performance of its functions under this Act.

(Chairperson, Standing Committee on Education - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as “**Yes**”

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi

13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 30 (as amended) -agreed to

Clauses 31 - 37

Motion made and Question proposed;

THAT, Clauses 31 - 37 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghisio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 31 - 37-agreed toClause 38-amendment proposed

THAT clause 38 of the Bill be amended in sub-clause (1) by deleting the word “training” appearing immediately after the words “Recruitment and” in paragraph (a) and substituting therefor the words “professional development”.

(Chairperson, Standing Committee on Education - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron

28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 38 (as amended) - agreed to.

Clauses 39 and 40

Motion made and Question proposed;

THAT, Clause 39 and 40 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28 NOES – 0 ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loiptip Anuar

14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghisio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 39 and 40 - agreed to

Clause 41 - amendment proposed

THAT clause 41 be amended in sub-clause (1) by deleting the word “three” appearing immediately after the words “the age of” and substituting therefor the word “four”.

(Chairperson, Standing Committee on Education -27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 41(as amended)

-agreed to

Clauses 42 - 48

Motion made and Question proposed;

THAT, Clause 42 - 48 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clause 49 - amendment proposed

THAT clause 49 be amended by inserting the words “and the County Education Boards” at the end of the clause.

(Chairperson, Standing Committee on Education - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as “**Yes**”

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim

17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 49 (as amended)

-agreed to

Clauses 50 - 62

Motion made and Question proposed;

THAT, Clauses 50 - 62 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghisio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kii

Clauses 50 - 62 -agreed to

Clause 63 -amendment proposed

THAT clause 63 be amended-

(a)in sub-clause (1) by –

(i)inserting the words “of either gender” immediately after the words “two persons” in paragraph (a);

(ii)deleting paragraph (b) and inserting therefore the following new paragraph-

(b)the county executive committee member responsible for education or a representative nominated by the county executive member in writing;

(iii)by inserting the following new paragraph immediately after paragraph (b)-

(ba) one public officer in the department responsible for health, nominated by the respective county executive committee member responsible for matters relating to health;

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

(1A) The appointments under subsections (1)(a) and (1)(d) shall be for a term of three years renewable for one further term.

(1B) The Committee shall, at its first meeting elect a Chairperson.

(1C) The County executive committee member responsible for education shall establish a secretariat to support the Committee.

(Chairperson, Standing Committee on Education -27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura

11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 63 (as amended) -agreed to

Clauses 64 - 66

Motion made and Question proposed;

THAT, Clause 64 - 66 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang' Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 64 - 66

-agreed to

Clause 67

-amendment proposed

THAT clause 67 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (1)-

(1A) The Cabinet Secretary shall in consultation with the Teachers Service Commission and the Council of County Governors prescribe minimum standards relating to schemes of service for early childhood teachers within one year of enactment of this Act.

(Sen. (Dr.) Agnes Zani, MP -27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama

24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clause 67(as amended) -agreed to

Clauses 68 and 69

Motion made and Question proposed;

THAT, Clause 68 and 69 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura

10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 68 and 69 -agreed to

New Clause 66 A -insertion of new clause proposed

THAT the following new clause be inserted immediately after clause 66-

Qualified persons. 66A. A person employed as an early childhood teacher at the commencement of this Act and does not possess the minimum requirements as stated under section 36(1) shall continue to qualify for employment as an early childhood teacher if that person obtains the necessary qualifications within four years of the commencement of this Act.

(Chairperson, Standing Committee on Education)

Motion made and Question Proposed

THAT, the new clause 66A be now read a Second Time.

(Chairperson, Standing Committee on Education-27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

1. Sen. Wako Amos Sitswila
2. Sen. Waqo Naomi Jilo -on behalf of Marsabit County Delegation
3. Sen. Soka Abshiro Halake -on behalf of Isiolo County Delegation
4. Sen. Nyamunga Rose -on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted verbally on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama

24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio
30. Sen. Wako Amos Sitwila – voted verbally

Question - agreed to.

Motion made and Question proposed;

THAT, new clause 66A be part of the Bill

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George

9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

New Clause 66A -agreed to

The First and Second Schedules, Clause 2 and the Title

Motion made and Question proposed;

THAT, the First and Second Schedules, Clause 2 and the Title be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Cherarkey Samson recorded his vote as **“Yes”**

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Cherarkey Samson Kiprotich - voted Verbally
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Linturi Franklin Mithika
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiiro

The First and Second Schedules, Clause 2 and the Title – agreed to.

Clause 1 - amendment proposed

THAT clause 1 of the Bill be amended by deleting the word “County” appearing immediately after the words “cited as the”.

(Chairperson, Standing Committee on Education - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

Before the results of the Division were announced and, pursuant to the provisions of Standing Order 81 (5), the Acting Chairperson allowed a Senator to record his vote verbally.

Thereupon, Sen. Nyamunga Rose recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 29

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
18. Sen. Mogeni Erick Okongo
19. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
25. Sen. Ongeru Samson Kegengo
26. Sen. Orenge James
27. Sen. Poghio Samuel Losuron

- 28. Sen. Sakaja Johnson Arthur
- 29. Sen. Wambua Enoch Kiio

Clause 1 (as amended) -agreed to

Motion made:

THAT, the Bill be reported with amendments.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Education)

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

Question put and agreed to.

- 9. **HOUSE RESUMED** - The Temporary Speaker (Sen. (Prof) Margaret Kamar) in the Chair
- 10. **THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILLS NO. 26 OF 2018)**

Bill reported **with** amendments.

Motion made and Question proposed.

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

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Education)

There being no Senator wishing to contribute;

Before the question was put and pursuant to Standing Order 79 (1), the Temporary Speaker ruled that the question did not affect counties;

Question put and agreed to.

Motion made and question proposed-

THAT, the County Early Childhood Education Bill (Senate Bills No. 26 of 2018) be now Read a Third Time.

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Education)

There being no Senator wishing to contribute;

The House proceeded to a Division.

The Temporary Speaker (Sen. (Prof) Margaret Kamar) 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 Temporary Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

The Temporary 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 Temporary Speaker allowed three Senators to record their vote verbally.

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

1. Sen. Abshiro Halake -on behalf of Isiolo County Delegation
2. Sen. Mwangi Githiomi
3. Sen. Musuruve Getrude -on behalf of Kakamega County Delegation

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Githiomi Mwangi – voted verbally
8. Sen. Kajwang’ Moses Otieno
9. Sen. Kamar Margaret Jepkoech
10. Sen. Khaniri George
11. Sen. Kihika Susan Wakarura
12. Sen. Langat Christopher Andrew
13. Sen. Lelegwe Steve Ltumbesi
14. Sen. Linturi Franklin Mithika
15. Sen. Loitiptip Anuar
16. Sen. Madzayo Stewart Mwachiru
17. Sen. Mahamud Mohamed Maalim
18. Sen. Musuruve Getrude – voted verbally on behalf of the Kakamega County Delegation
19. Sen. Mogeni Erick Okongo
20. Sen. Mpaayei Philip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Olekina Ledama

25. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
26. Sen. Onger Samson Kegengo
27. Sen. Orenge James
28. Sen. Poghio Samuel Losuron
29. Sen. Sakaja Johnson Arthur
30. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Third Time and passed.

11. **COMMITTEE OF THE WHOLE**

IN THE COMMITTEE

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

The Public Participation Bill (Senate Bills No. 4 of 2018)

Clause 3 - amendment proposed

THAT clause 3 of the Bill be amended-

- (a) in the introductory clause by inserting the words “and developmental programmes” immediately after the words “in governance processes”;
- (b) by inserting the following new paragraph immediately after paragraph (f)-
 - (g) promote participation by non-state actors in decision-making processes.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loitiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Clause 3 (as amended) - agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph-

- (a) that the public, communities and organizations to be affected by a decision shall have a right to be notified, heard and involved in the decision-making process;

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights - 27.03.19)

Further amendment proposed

THAT clause 4 of the Bill be amended—

- (a) by numbering the existing clause as sub-clause (1);
- (b) in the new sub-clause (1) by deleting the words “taken into consideration in” appearing immediately after the words “views shall be” in paragraph (d) and substituting therefor the words “the basis of”;
- (c) by inserting the following new sub-clauses immediately after sub-clause (1)—
 - (2) In conducting public participation, the responsible authority shall—
 - (a) allocate sufficient time before the public participation event to create public awareness on the subject matter;
 - (b) avail the relevant information to the members of the public with respect to the issue under consideration;
 - (c) engage the relevant stakeholders in such manner as the responsible authority shall consider appropriate;
 - (d) where the issue under consideration is of a technical nature, avail an independent technical expert to take members of the public through the matter under consideration in detail; and
 - (e) put in place a feedback mechanism to enable stakeholders submit their views and to receive feedback on the decisions made by the responsible authority.
 - (3) Where the issue for public participation relates to a matter that affects the nation generally, the responsible authority shall conduct public participation forums with respect to that matter in at least twenty-four counties.
 - (4) The responsible authority shall, in determining the counties in which public participation is to be conducted under sub-section (3), ensure that the forums are held in the counties alternately and that the residents in the counties in which the forums are not conducted are carried out through an alternative appropriate method.

(Sen. Mutula Kilonzo Junior on behalf of Sen. Petronilla Were - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Poghismo Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orenge James
25. Sen. Poghismo Samuel Losuron – voted verbally

26. Sen. Sakaja Johnson Arthur

27. Sen. Wambua Enoch Kiio

Clause 4 (as amended) -agreed to.

Clause 5 -amendment proposed

THAT clause 5 of the Bill be amended in sub-clause (2)-

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

(c) independent commissions or offices, boards, authorities or any other public body, the respective chief executive officer or secretary to the public body;

(b) in paragraph (f) by deleting the words “County Secretaries” appearing immediately after the words “County Executive” and substituting therefor the words “respective county executive committee member”.

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights
- 27.03.19)*

Further amendment proposed

THAT clause 5 of the Bill be amended by inserting the following new subclause immediately after subclause (2)-

(2A) The responsible authority shall, in developing the guidelines specified under subsection (1), consult with the departments in the respective entity.

(Sen. (Dr.) Agnes Zani, MP - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loitiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Clause 5 (as amended) -agreed to.

Clause 6 -amendment proposed

THAT clause 6 of the Bill be amended in sub-clause (2) by deleting the word “specific” appearing immediately after the word “include” in paragraph (a) and substituting therefor the words “any further”;

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

Further amendment proposed

THAT clause 6 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3)—

(4) The responsible authority shall publicize and publish, by notice in the *Gazette*, the guidelines.

(Sen. Mutula Kilonzo Junior, MP on behalf of Sen. Petronilla Were, MP - 27.03.19)

Further amendment proposed

THAT clause 6 of the Bill be amended in subclause (1) by inserting the words “in accordance with this Act” immediately after the words “shall develop guidelines”.

(Sen. (Dr.) Agnes Zani, MP - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as “**Yes**”.

1. Sen. Cherarkey Samson.
2. Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech

8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Clause 6 (as amended)

-agreed to.

Clause 7

-amendment proposed

THAT clause 7 of the Bill be amended by inserting the words “publicize and” immediately after the words “authority shall”.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as “**Yes**”.

1. Sen. Cherarkey Samson.
2. Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Clause 7 (as amended)

-agreed to.

Clause 8

-amendment proposed.

THAT clause 8 of the Bill be amended in sub-clause (4) by inserting the words “including information on the purpose, dates and participants” immediately after the words “of public participation” in paragraph (a).

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights -
27.03.19)*

Further amendment proposed

That clause 8 of the Bill be amended in sub-clause (5) by deleting the words “in such other manner” appearing immediately after the words “and publicized in” and substituting therefor the words “through such other appropriate platform”.

(Sen. Mutula Kilonzo Junior, MP on behalf of Sen. Petronilla Were, MP - 27.03.19)

Further amendment proposed

THAT clause 8 of the Bill be amended in subclause (4) by inserting the following new paragraph immediately after paragraph (b)-
(ba) particulars of persons or organizations that have taken part in any public participation exercise conducted by the relevant entity.

(Sen. Agnes Zani, MP - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Poghio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui

6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loitiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Clause 8 (as amended) -agreed to.

Clause 9 - amendment proposed

THAT clause 9 of the Bill be amended by inserting the words “within six months of the coming into operation of this Act” immediately after the words “the Cabinet Secretary may”.

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights -
27.03.19)*

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loitiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

Clause 9 (as amended)

-agreed to.

New Clause 7A

-insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 7—

Provision of resources for public participation.

7A. The responsible authority shall provide the necessary resources for the conduct of public participation under this Act.

(Sen. Mutula Kilonzo Junior, MP on behalf of Sen. Petronilla Were, MP - 27.03.19)

Motion made and Question proposed;

THAT, the new clause 7A be now read a Second Time;

(Sen. Mutula Kilonzo Junior, MP on behalf of Sen. Petronilla Were, MP - 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Halake Abshiro - on behalf of Isiolo County Delegation

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses
8. Sen. Kamar Margaret Jepkoech

9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Question

-agreed to

Motion made and Question proposed

THAT, the new clause 7A be part of the Bill

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim

3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang' Moses
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghio Samuel Losuron – voted verbally
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

New Clause 7A -agreed to

New Clause 8A -insertion of New Clause proposed

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

General penalty.	8A. A person contravenes a provision of this Act commits an offence and is liable, on conviction, to a fine not exceeding one hundred thousand shillings.
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(Sen. (Dr.) Agnes Zani, MP)

Motion made and question proposed;

THAT, the new clause 8A be now read a Second Time;

(Sen. (Dr.) Agnes Zani, MP -27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Halake Abshiro - on behalf of Isiolo County Delegation

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama

23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Ongeru Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghiso Samuel Losuron – voted verbally
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Question-agreed to

Motion made and Question proposed

THAT, the new clause 8A be part of the Bill

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation

17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghisio Samuel Losuron – voted verbally
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

New Clause 8A -agreed to

The Schedule - amendment proposed

THAT the schedule to the Bill be amended-

- (a) in paragraph 2 by deleting the word “continuing” appearing immediately after the words “shall facilitate” and substituting therefor the word “continuous”;
- (b) in paragraph 5 by inserting the words “youth, minorities and marginalized communities” immediately after the words “persons with disabilities” in sub-paragraph (2);
- (c) by deleting paragraph 8 and substituting therefor the following new paragraph-
 8. Every public participation forum shall be undertaken within a reasonable timeframe from the earliest possible time for consultation, allowing a reasonable period for each stage of the process.
- (d) in paragraph 11 by deleting sub-paragraph (b) and substituting therefor the following new sub-paragraphs-
 - (b) the final decision, including the reasons for the decision, is made widely available in a timely manner to the public;
 - (ba) the final decision is publicized in the same manner required for giving notice for public participation under these guidelines;
- (e) in paragraph 13 by inserting the words “and may be subject to penal consequences under any relevant law” immediately after the words “from a meeting” in sub-paragraph (2).

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 27.03.19)

Further amendment proposed

THAT the schedule be amended-

(a) in paragraph 4(2) by deleting subparagraph (f) and substituting therefor the following new paragraph-

(f) radio stations and print media.

(b) in paragraph 5 by inserting the words “including ensuring non-discrimination and reasonable access to information by such persons” immediately after the words “public participation processes” appearing in subparagraph (2);

(c) in paragraph 10(3) by deleting subparagraph (c) and substituting therefor the following new sub-subparagraph –

(d) shall be subject to the limitations on the right to access to information as set out in section 6 of the Access to Information Act.

(Sen. (Dr.) Agnes Zani, MP – 27.03.19)

Further amendment proposed

THAT paragraph 10 of the schedule be amended by inserting the following new subparagraph immediately after sub-paragraph (4) to read—

(4A) The confidentiality requirement imposed by the responsible authority shall be reasonable and not unduly fetter the rights of the applicant.

(Sen. Mutula Kilonzo Junior, MP on behalf of Sen. Petronilla Were, MP – 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as “**Yes**”.

1. Sen. Cherarkey Samson.
2. Sen. Poghiso Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

The Schedule (as amended) -agreed to.

Clause 2 -amendment proposed

THAT clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the word “general guidelines”- “public participation” means the process through which the public are broadly engaged in understanding and contributing to decision-making processes of the policy making, law making and implementation level.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;
The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as **“Yes”**.

1. Sen. Cherarkey Samson.
2. Sen. Poghio Samuel Losuron

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loiptip Anuar
13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

The Title - amendment proposed

THAT the Bill be amended in the long title by inserting the words “at the national and county level of government” immediately after the words “effective public participation”;

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 27.03.19)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

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

There upon, the following Senators recorded their vote as “**Yes**”.

1. Sen. Cherarkey Samson.
2. Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 27 NOES – 0 ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Langat Christopher Andrew
11. Sen. Lelegwe Steve Ltumbesi
12. Sen. Loiptip Anuar

13. Sen. Madzayo Stewart Mwachiru
14. Sen. Mahamud Mohamed Maalim
15. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
16. Sen. Mogeni Erick Okongo
17. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
18. Sen. Murkomen Onesimus Kipchumba
19. Sen. Mwaruma Johnes Mwashushe
20. Sen. Mwinyihaji Mohamed Faki
21. Sen. Olekina Ledama
22. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Poghisio Samuel Losuron – voted verbally
26. Sen. Sakaja Johnson Arthur
27. Sen. Wambua Enoch Kiio

The Title (as amended) -agreed to

Clause 1

Motion made and Question proposed-

THAT, Clause 1 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

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

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich - voted verbally

5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of the Marsabit County Delegation
7. Sen. Kajwang' Moses
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Seneta Mary Yiane - voted on behalf of the Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Rose Nyamunga – voted verbally on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orengo James
26. Sen. Poghio Samuel Losuron – voted verbally
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clause 1 -agreed to

Motion made:

THAT, the Bill be reported **with** amendments.

(The Senate Majority Leader on behalf of Sen. Amos Wako)

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

Question put and agreed to.

12. **HOUSE RESUMED** - (Sen. (Prof.) Margret Kamar)
13. **THE PUBLIC PARTICIPATION BILL (SENATE BILLS NO. 4 OF 2018)**

Bill reported **with** amendments;

Motion made and Question proposed-

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

(The Senate Majority Leader on behalf of Sen. Amos Wako)

There being no Senator wishing to contribute;

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

Question put and **agreed to**.

Motion made and question proposed-

THAT, the Public Participation Bill (Senate Bills No. 4 of 2018) be now Read a Third Time.

(The Senate Majority Leader on behalf of Sen. Amos Wako)

There being no Senator wishing to contribute;

The House proceeded to a Division.

The Temporary Speaker (Sen. (Prof) Margaret Kamar) 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 Temporary Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

The Temporary 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 Acting Chairperson allowed two Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson
2. Sen. Naomi Waqo -on behalf of Isiolo County Delegation

The results of the Division were as follows:-

AYES – 28

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich -voted verbally

5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo – voted verbally on behalf of the Marsabit County Delegation
7. Sen. Kajwang’ Moses
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Langat Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Mithika Linturi
14. Sen. Loiptip Anuar
15. Sen. Mahamud Mohamed Maalim
16. Sen. Musuruve Getrude - voted on behalf of the Kakamega County Delegation
17. Sen. Mogeni Erick Okongo
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
24. Sen. Onger Samson Kegengo
25. Sen. Orenge James
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Third Time and passed.

14. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

The Petition to County Assemblies (Procedure) Bill (Senate Bills No. 22 of 2018)

Clauses 3 and 4

Motion made and Question proposed;

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

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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, the bars drawn and Senators asked to log-in for electronic voting;

The Acting Chairperson put the Question and directed Senators 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 two Senators to record their votes verbally.

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

1. Sen. Halake Abshiro Soka – on behalf of Isiolo County Delegation
2. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong’o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James

25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghiso Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 3 and 4 – Agreed to.

Clause 5 – amendment proposed.

Motion made and question proposed;

THAT, clause 5 of the Bill be amended by-

- (a) deleting subclause (1);
- (b) deleting the introductory phrase to paragraph (4) and substituting therefor the following new introductory phrase-
 - (4) The relevant county assembly committee shall, in considering the petition-

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 27.03.2019)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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;

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George

10. Sen. Kihika Susan Wakarura
11. Sen. Lang'at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong'o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clause 5 (as amended) – Agreed to.

Clauses 6 and 7

Motion made and Question proposed;

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

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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 two Senators to record their votes verbally.

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

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang'at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong'o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghisiio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clauses 6 and 7 – Agreed to.

The Schedule

Motion made and Question proposed;

THAT, the Schedule be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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 two Senators to record their votes verbally.

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

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong’o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghisi Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

The Schedule – Agreed to.

Clause 2, the Title and Clause 1

Motion made and Question proposed;

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

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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 two Senators to record their votes verbally.

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

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Cherarkey Samson Kiprotich

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Loitiptip Anuar
14. Sen. Madzayo Stewart Mwachiru
15. Sen. Mahamud Mohamed Maalim

16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong'o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Clause 2, the Title and Clause 1 – Agreed to.

Motion made:

THAT, the Bill be reported with amendments.

(The Senate Majority Leader on behalf of Sen. Judith Pareno)

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

Question put and agreed to.

15. **HOUSE RESUMED** – The Temporary Speaker (Sen. (Prof) Margaret Kamar) in the Chair
16. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILLS NO. 22 OF 2018)**

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 on behalf of Sen. Judith Pareno)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the Petition to County Assemblies (Procedure) Bill (Senate Bills No. 22 of 2018) be now read a Third time.

(The Senate Majority Leader on behalf of Sen. Judith Pareno)

There being no Senator wishing to contribute;

The House proceeded to a Division.

The Temporary Speaker (Sen. (Prof) Margaret Kamar) 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 Temporary Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

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

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaayei Phillip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghisiio Samuel Losuron

27. Sen. Sakaja Johnson Arthur

28. Sen. Wambua Enoch Kiio

Question - agreed to

Bill read a Third Time and passed.

17. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

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

The Treaty Making and Ratification (Amendment) Bill (Senate Bills No. 23 of 2018)

Clause 2 - amendment proposed.

THAT clause 2 of the Bill be amended in the proposed new section 8 by inserting the following new subsection immediately after subsection (1)-

(1A) The memorandum submitted under subsection (1) shall include the same information specified under section 7.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights – 27.03.2019)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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;

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang'at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiiro

Clause 2 (as amended) – Agreed to.

Clauses 3, 4 and 5

Motion made and Question proposed;

THAT, Clauses 3, 4 and 5 be part of the Bill.

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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;

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang'at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghisiio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

Clauses 3, 4 and 5 – Agreed to.

New Clause 1A – insertion of New Clause proposed

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

Amendment of **1A.** Section 3 of the principal Act is amended in section 3 of No. subsection (2) by inserting the following new 45 of 2012. subparagraph immediately after subparagraph (v)- (vi)any matter that may have an impact on national revenue and public finance management.

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

Motion made and question proposed;

THAT, the new clause 1A be now read a Second Time.

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights –
27.03.2019)*

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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 two Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Orenge James

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Mahamud Mohamed Maalim

16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong'o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Onger Samson Kegengo
24. Sen. Orenge James – voted verbally
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Question – Agreed to.

Motion made and question proposed;

THAT, the new clause 1A be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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;

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang'at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi

13. Sen. Linturi Franklin Mithika
14. Sen. Loiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

New Clause 1A – agreed to.

New Clause 4A – insertion of New Clause proposed

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

Amendment of 4A. Section 10 of the principal Act is amended by inserting section 10 of No. the following new subsection immediately after subsection 45 of 2012. (2)-

(2A) Where the Cabinet Secretary intends to withdraw a reservation to a treaty ratified under this Act, the Cabinet Secretary shall submit the proposed reservation to Parliament for approval in accordance with the procedure set out under this Part.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights - 27.03.19)

Motion made and question proposed;

THAT, the new clause 4A be now read a Second Time.

(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights - 27.03.2019)

Debate interrupted on Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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 two Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Orengo James

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich – voted verbally
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Mahamud Mohamed Maalim
16. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong’o
18. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwaruma Johnes Mwashushe
21. Sen. Mwinyihaji Mohamed Faki
22. Sen. Olekina Ledama
23. Sen. Onger Samson Kegengo
24. Sen. Orengo James – voted verbally
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kii

Question

- Agreed to.

Motion made and question proposed;

THAT, the new clause 4A be part of the Bill.

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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;

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
18. Sen. Mogeni Erick Okong’o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghisiio Samuel Losuron

28. Sen. Sakaja Johnson Arthur

29. Sen. Wambua Enoch Kiio

New Clause 4A – 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 Wednesday, 27th March, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. (Dr.) Lelegwe Ltumbesi, MP) 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;

The results of the Division were as follows: -

AYES - 29

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang'at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Madzayo Stewart Mwachiru
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga - voted on behalf of Kakamega County Delegation
18. Sen. Mogeni Erick Okong'o
19. Sen. Seneta Mary Yiane – voted on behalf of Kajiado County Delegation

20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwaruma Johnes Mwashushe
22. Sen. Mwinyihaji Mohamed Faki
23. Sen. Olekina Ledama
24. Sen. Ongeru Samson Kegengo
25. Sen. Orengo James
26. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
27. Sen. Poghisio Samuel Losuron
28. Sen. Sakaja Johnson Arthur
29. Sen. Wambua Enoch Kiio

The Title and Clause 1 – Agreed to.

Motion made:

THAT, the Bill be reported with amendments.

(The Senate Majority Leader on behalf of Sen. Fatuma Dullo)

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

Question put and agreed to.

18. **HOUSE RESUMED** – The Temporary Speaker (Sen. (Prof) Margaret Kamar) in the Chair
19. **THE TREATY MAKING AND RATIFICATION (AMENDMENT) BILL (SENATE BILLS NO. 23 OF 2018)**

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 on behalf of Sen. Fatuma Dullo)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the Treaty Making and Ratification (Amendment) Bill (Senate Bills No. 23 of 2018) be now read a Third time.

(The Senate Majority Leader on behalf of Sen. Fatuma Dullo)

There being no Senator wishing to contribute;

The House proceeded to a Division.

The Temporary Speaker (Sen. (Prof) Margaret Kamar) 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 Temporary Speaker directed that the doors be locked and Senators asked to log-in for electronic voting;

The Temporary 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 Acting Chairperson allowed two Senators to record their votes verbally.

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

1. Sen. Mwangi Paul Githiomi
2. Sen. Mwinyihaji Mohamed Faki

The results of the Division were as follows: -

AYES - 28

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka – voted on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Lang’at Christopher Andrew
12. Sen. Lelegwe Steve Ltumbesi
13. Sen. Linturi Franklin Mithika
14. Sen. Loitiptip Anuar
15. Sen. Mahamud Mohamed Maalim
16. Sen. Inimah Getrude Musuruve - voted on behalf of Kakamega County Delegation
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaayei Phillip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Mwangi Paul Githiomi – voted verbally
21. Sen. Mwaruma Johnes Mwashushe

22. Sen. Mwinyihaji Mohamed Faki – voted verbally
23. Sen. Ongeru Samson Kegengo
24. Sen. Orengo James
25. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
26. Sen. Poghiso Samuel Losuron
27. Sen. Sakaja Johnson Arthur
28. Sen. Wambua Enoch Kiio

Question -agreed to

Bill read a Third Time and passed.

20. **THE DETERMINATION OF THE NATURE OF BILLS (PROCEDURE) BILL (SENATE BILLS NO. 30 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Determination of the Nature of Bills (Procedure) Bill (Senate Bills No. 30 of 2018) be now read a Second time.

(Sen. Sakaja Johnson, MP and Sen. Mutula Kilonzo Jnr. – 21.05.19)

Debate interrupted on Tuesday, 21st May, 2019 resumed;

There being no other Senator wishing to contribute;

The Mover replied;

Raising a point of Order, the Senator for Makueni County (Sen. Mutula Kilonzo Jnr, MP) requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 61 (3).

And the Temporary Speaker (Sen. Rose Nyamunga, MP), acceding to the request, deferred the putting of the Question to Thursday, 23rd May, 2019.

21. **THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 32 OF 2018)**
(Sen. (Arch.) Sylvia Kasanga, MP)

Order for Second Reading read;

Order deferred.

22. **THE NATIONAL COHESION AND PEACE BUILDING BILL (SENATE BILLS NO. 35 OF 2018)**

Order for Second Reading read;

Motion made;

THAT, the National Cohesion and Peace Building Bill (Senate Bills No. 35 of 2018) be now read a Second Time.

(Sen. Judith Pareno, MP – 22.05.19)

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Rose Nyamunga, MP) interrupted the proceedings and adjourned the Senate without question put, pursuant to the Standing Orders;

23. **SENATE ROSE** – at Thirty Minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Thursday, May 23, 2019 at 2.30 p.m.*

--X--