



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, JUNE 19, 2019 AT 2.30 PM

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) Visiting delegation of Legislative and Procedural Officers from Garissa County Assembly

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation of Legislative and Procedural Officers from Garissa County Assembly who are undertaking a weeks’ study visit and benchmarking in the Senate.

I request the officers to stand when call out so that you may be acknowledged in the Senate tradition. They are-

1. Mr. Abdullahi Noor -Senior Clerk Assistant; and
2. Mr. Abdullahi Osman -Senior Clerk Assistant

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

I thank you.”

b) Visiting pupils and teachers from Karungu Secondary School, Kirinyaga County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from Karungu Secondary School, Kirinyaga County.

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, I wish them a fruitful visit.

I thank you.”

c) Visiting pupils and teachers from Kirwara Secondary School, Kirinyaga County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from Kirwara Secondary School, Kirinyaga County.

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, I wish them a fruitful visit.

I thank you.”

4. PAPERS

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

- i. Report of the Standing Committee on Land, Environment and Natural Resources on the Natural Resources (Benefit Sharing) Bill (Senate Bills No. 31 of 2018).

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

- ii. Report of the Auditor-General on the Financial Statements of the County Assembly of Nyandarua for the Year ended 30th June 2018.
(The Senate Majority Leader)

5. NOTICE OF MOTION – (The Senate Majority Leader)

THAT, pursuant to Standing Orders 187 and 189, the House approves the nomination of the following Senators to serve in the

Standing Committee on National Cohesion, Equal Opportunity and Regional Integration –

- i. Sen. Millicent Omanga, MP to replace Sen. Phillip Mpaayei, MP;
- ii. Sen. (Dr.) Christopher Langat, MP to replace Sen. Gideon Moi, MP; and
- iii. Sen. (Dr.) Lelegwe Ltumbesi, MP to replace Sen. Anuar Loitiptip, MP.

6. **STATEMENTS PURSUANT TO STANDING ORDER 48 (1)**

- a) The Senator for Marsabit County (Sen. (Eng.) Hargura Godana, MP) sought a statement from the Standing Committee on Roads and Transportation concerning the state of Loiyangalani Airstrip in Marsabit County.
- b) The Senator for Makueni County (Sen. Mutula Kilonzo Junior, MP) sought a statement from the Standing Committee on Labour and Social Welfare regarding digital cab-hailing apps operating in Kenya.
- c) Nominated Senator (Sen. (CPA) Farhiya Ali, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding attacks by *Al-Shabaab* terrorists in Wajir County.
- d) The Senator for Isiolo County (Sen. Fatuma Dullo, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding rising insecurity in Isiolo County.

7. **THE STREET VENDORS (PROTECTION AND LIVELIHOODS) BILL (SENATE BILLS NO. 10 OF 2019)**

(Chairperson, Standing Committee on Tourism, Trade and Industrialization)

Order for First Reading Read;

Bill read a First Time and Committed to the Standing Committee on Tourism, Trade and Industrialization.

8. **MOTION – ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILLS NO. 34 OF 2017)**

Motion made and Question Proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the Physical Planning Bill (National Assembly Bills No. 34 of 2017) laid on the Table of the Senate on Tuesday, 18th June, 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)

There being no Senator wishing to Contribute;

The House proceeded to a Division;

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

Upon the expiry of five minutes, the 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 Standing Order 81 (5), the Speaker allowed one Senator to record his vote verbally.

Thereupon, Sen. (Prof.) Kithure Kindiki recorded his vote as **“Yes”**-

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes – voted on behalf of Kwale County Delegation
3. Sen. Samson Cherarkey
4. Sen. Cheruiyot Aaron
5. Sen. Godana Hargura
6. Sen. Imana Falhada Dekow – voted on behalf of Garissa County Delegation
7. Sen. Kabaka Boniface
8. Sen. Kajwang Moses
9. Sen. Khaniri George
10. Sen. Kibiru Charles
11. Sen. Kihika Susan
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure - voted verbally
14. Sen. Lelegwe Ltumbesi
15. Sen. Linturi Mithika
16. Sen. Madzayo Stewart
17. Sen. Mahamud Maalim
18. Sen. Masistsa Shiyonga – voted on behalf of Kakamega County Delegation

19. Sen. Mbito Michael
20. Sen. Mbogo Ochilo Ayacko
21. Sen. Mpaayei Philip
22. Sen. Mwangi Githiomi
23. Sen. Mwaruma Johnes
24. Sen. Mwinyihaji Mohamed
25. Sen. Ndwiga Njeru
26. Sen. Ongeru Samson
27. Sen. Orengo James
28. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
29. Sen. Poghio Samuel Losuron
30. Sen. Sakaja Johnson
31. Sen. Wambua Enoch

Question agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the Physical Planning Bill (National Assembly Bills No. 34 of 2017) laid on the Table of the Senate on Tuesday, 18th June, 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.

9. **THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 32 OF 2018)**

Order for Second Reading read;

Motion made and Question Proposed;

THAT, the Mental Health (Amendment) Bill (Senate Bills No. 32 of 2018) be now Read a Second Time.

(Sen. (Arch.) Sylvia Kasanga, MP – 29.05.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The House proceeded to a Division;

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

Upon the expiry of five minutes, the 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;

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes – voted on behalf of Kwale County Delegation
3. Sen. Samson Cherarkey
4. Sen. Cheruiyot Aaron
5. Sen. Godana Hargura
6. Sen. Imana Falhada Dekow – voted on behalf of Garissa County Delegation
7. Sen. Kabaka Boniface
8. Sen. Kajwang Moses
9. Sen. Khaniri George
10. Sen. Kibiru Charles
11. Sen. Kihika Susan
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Ltumbesi
15. Sen. Linturi Mithika
16. Sen. Madzayo Stewart
17. Sen. Mahamud Maalim
18. Sen. Masistsa Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael
20. Sen. Mbogo Ochilo Ayacko
21. Sen. Mpaayei Philip
22. Sen. Mwangi Githiomi
23. Sen. Mwaruma Johnes
24. Sen. Mwinyihaji Mohamed
25. Sen. Ndwiga Njeru
26. Sen. Onger Samson
27. Sen. Orengo James
28. Sen. Nyamunga Rose – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron
30. Sen. Sakaja Johnson
31. Sen. Wambua Enoch

Question agreed to.

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

11. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Planning (Roads, Pavements and Parking Bays) Bill (Senate Bills No. 18 of 2018)

Clause 3 – amendment proposed

THAT clause 3 of the Bill be amended by deleting paragraph (b) and substituting therefor the following new paragraph—

No. 6 of 1996 (b) provide a framework for planning of commercial structures along county roads in accordance with the Physical Planning Act;

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation

2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghismo Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 3 (as amended) – agreed to.

Clause 4 – amendment proposed

THAT clause 4 of the Bill be amended by deleting the words “and all commercial buildings constructed along major roads” appearing immediately after the words “county roads”.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi

15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’ a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 4 (as amended) – agreed to.

Clause 5 – amendment proposed

THAT clause 5 of the Bill be amended—

(a) in sub-clause (1) by—

- (i) deleting the words “all roads” and appearing immediately after the words “drainage systems along” in paragraph (b) and substituting therefor the words “county roads”;
- (ii) deleting the words “national and” appearing immediately after the words “constructed along” in paragraph (c);
- (iii) deleting paragraph (d) and substituting therefor the following new paragraph—
 - (d) construct, maintain and facilitate the construction and maintenance of adequate parking bays in the respective county.
- (iv) deleting paragraph (e);
- (v) deleting paragraph (f) and substituting therefor the following new paragraph—

No 6 of (f) facilitate regular inspection of all buildings, roads, streets, lanes, alleys, parking bays and walkways under the jurisdiction of the county government to ensure that they adhere to prescribed building codes and standards as set out in the Physical Planning Act, the Urban Areas and Cites Act and any other written law;

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

(3) The CEC shall, for purposes of subsection (2) consult with the National Council for Persons with Disabilities established under section 3 of the Persons with Disabilities Act.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Onger Samson Kegengo
26. Sen. Orenge James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 5 (as amended) – agreed to.

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended by inserting the words “in accordance with the Physical Planning Act” immediately after the words “in the county”.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi

15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’ a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 6 (as amended) – agreed to.

Clause 7 – amendment proposed

THAT clause 7 of the Bill be amended —

- (a) by deleting sub-clause (1); and
- (b) by deleting sub-clause (2) and substituting therefor the following new sub-clause—

(1) The county executive committee member shall, in consultation with the National Lands Commission, designate public land for the construction of parking bays within the county.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi

- 22. Sen. Mwaruma Johnes Mwashushe – voted verbally
- 23. Sen. Mwinyihaji Mohamed Faki
- 24. Sen. Mbogo George Ochilo Ayacko
- 25. Sen. Ongeru Samson Kegengo
- 26. Sen. Orengo James – voted verbally
- 27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
- 28. Sen. Poghio Samuel Losuron
- 29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
- 30. Sen. Wambua Enoch Kiio

Clause 7 (as amended) – agreed to.

Clause 8 – amendment proposed

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

Construction and maintenance of walkways by the county government	8. Each county government shall construct and maintain walkways along all county roads in the respective county.
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(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

- 1. Sen. Waqo Naomi Jillo
- 2. Sen. Imana Malachy Charles Ekal

3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang' Moses Otieno
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10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 8 (as amended) – agreed to.

Clause 9 – amendment proposed

THAT the Bill be amended by deleting clause 9 and substituting therefor the following new clause—

Designation of Pedestrian Crossing	<p>9. (1) The county executive member shall designate areas for use by pedestrians for the purpose of crossing a county road in a manner that does not interfere with the flow of traffic and that complies with national and county legislation.</p> <p>(2) The county executive member shall, for the purpose of subsection (1) and where necessary, designate a pedestrian crossing and maintain a footbridge or any other convenience for use by pedestrians to cross a county road.</p>
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(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendero

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 9 (as amended) – agreed to.

Clauses 10 – amendment proposed

THAT the Bill be amended by deleting clause 10 and substituting therefor the following new clause —

<p>Access ways to commercial buildings</p> <p>No. 6 of 1996</p>	<p>10. (1) Subject to subsection (2), an owner of a commercial building which is situated along a county road—</p> <p>(a) may, with the approval of the county government, construct an access-way to the property in which the commercial building is situated in such a manner that the access-way does not obstruct a county road or extend directly from a county road.</p> <p>(b) shall allocate adequate space for access to the building in accordance with the Physical Planning Act and any other written law.</p> <p>(2) The county government shall ensure that there is an alternative means of access to commercial buildings in the area where the building is situated.</p> <p>(3) Every person who, immediately before the commencement of this Act, owns a commercial building situated along a county road shall comply with provisions of this section—</p> <p>(a) within a period of twelve months from the date of the commencement of this Act; or</p> <p>(b) within a period of twelve months from the date of completion of the construction of an alternative means of access to the building as provided under subsection (2).</p> <p>(4) A person who contravenes subsection(1)(b) commits an offence and is liable, on conviction, in accordance with section 30 of the Physical Planning Act.</p>
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(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure

- 14. Sen. Lelegwe Steve Ltumbesi
- 15. Sen. Linturi Franklin Mithika
- 16. Sen. Mahamud Mohamed Maalim
- 17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
- 18. Sen. Mbito Michael Maling’a
- 19. Sen. Mpaayei Phillip Salau
- 20. Sen. Murkomen Onesimus Kipchumba
- 21. Sen. Mwangi Paul Githiomi
- 22. Sen. Mwaruma Johnes Mwashushe – voted verbally
- 23. Sen. Mwinyihaji Mohamed Faki
- 24. Sen. Mbogo George Ochilo Ayacko
- 25. Sen. Ongeru Samson Kegengo
- 26. Sen. Orengo James – voted verbally
- 27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
- 28. Sen. Poghisiio Samuel Losuron
- 29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
- 30. Sen. Wambua Enoch Kiio

Clause 10 (as amended) – agreed to.

Clause 11 – amendment proposed

THAT the Bill be amended by deleting clause 11 and substituting therefor the following new clause—

<p>Construction and maintenance of walkways by owners of commercial buildings.</p>	<p>11. (1) The owner of a commercial building may construct and maintain a walkway next to the commercial building where the county government—</p> <ul style="list-style-type: none"> (a) has designated an area next to the building for the construction of a walkway; and (b) has not constructed or has failed to maintain the walkway. <p>(2)A person shall not construct or maintain a walkway under subsection (1)—</p>
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- (a) unless such person has applied for and obtained approval of the county executive committee member; and
- (b) otherwise in accordance with the prescribed standards.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda

8. Sen. Kajwang' Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 11 (as amended) – agreed to.

Clause 12 – amendment proposed

THAT clause 12 of the Bill be amended in sub-clause (2) by deleting the words “in accordance with the standards prescribed under this Act” and substituting therefor with the words “in accordance with the Physical Planning Act and any other written law”.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba

21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orenge James – voted verbally
27. Sen. Nyamunga Rose Ogenro – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghiso Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 12 (as amended) - agreed to.

Clause 13 - amendment proposed

THAT clause 13 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “pavement” appearing immediately after the word “A” and substituting therefor the word “walkway”;
- (b) in sub-clause (2) by deleting the word “pavement” appearing immediately after the words “commercial activity on a” and substituting therefor the word “walkway”; and
- (c) by deleting sub-clause (3).

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghisiio Samuel Losuron

- 29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
- 30. Sen. Wambua Enoch Kiio

Clause 13 (as amended) - agreed to.

Clause 14 - amendment proposed

THAT clause 14 of the Bill be amended —

(a) by deleting sub-clause (3); and

(b) in sub-clause (4) by deleting the word “seize” appearing immediately after the words “committee member may” and substituting therefor the word “walkways”.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

- 1. Sen. Waqo Naomi Jillo
- 2. Sen. Imana Malachy Charles Ekal
- 3. Sen. Mwaruma Johnes Mwashushe
- 4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
- 2. Sen. Cherarkey Samson Kiprotich

3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 14 (as amended) - agreed to.

Clause 15 - amendment proposed

THAT the Bill be amended—

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

Cap 39 of 1953 (4) A person who contravenes this section commits an offence and is liable, on conviction in accordance with section 52A of the Traffic Act.

(b) by deleting sub-clause 5.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno

9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’ a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 15 (as amended) - agreed to.

Clause 16 - amendment proposed

THAT the Bill be amended

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

(1) The county executive committee member may, in consultation with the Cabinet Secretary and all relevant stakeholders, make regulations for the better carrying out of the provisions of this Act;

(b) in sub-clause (2)

(i) by deleting paragraph (a); and

(ii) in sub-clause (2)(b) by deleting the word “pavement” appearing immediately after the words “parking bays and” in paragraph (b) and substituting therefor the word “walkways”.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson

11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 16 (as amended) - agreed to.

Clause 2 - amendment proposed

THAT clause 2 of the Bill be amended—

(a) by deleting the definition of the word “commercial building” and substituting therefor the following new definition:

“commercial building” shall have the same meaning assigned to it under the Physical Planning Act;

(b) by inserting the following new definition immediately after the definition of the word “national road”—

“walkway” means any egress, footpath, pathway or route for use by non-motorized traffic and shall not include cycle lanes;

(c) by deleting the definition of the word “heavy commercial vehicle” and substituting therefor the following new definition—

“heavy commercial vehicle” has the meaning assigned to it under section 2 of the Traffic Act;

(d) by deleting the definition of the word “county road” and substituting therefore the following new definition—

“county road” means all roads falling within the mandate of the county governments under Part 2 of the Fourth Schedule to the Constitution and specified under any other written law;

(e) by deleting the definition of the word “major road”;

(f) by deleting the definition of the word “minor road”; and

(g) by deleting the definition of the word “national road”.

(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation

5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghismo Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 2 (as amended) - agreed to.

The Title

Motion made and Question proposed;

THAT, the Title be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Kiburu Charles Reubenson
2. Sen. Linturi Franklin Mithika
3. Sen. Mwaruma Johnes Mwashushe

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kiburu Charles Reubenson – voted verbally
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika – voted verbally
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally

23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
28. Sen. Poghio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

The Title – agreed to.

Clause 1

THAT the Bill be amended by deleting clause (1) and substituting therefor the following new clause—

Short Title	1. This Act may be cited as the County Roads, Walkways and Parking Bays Act, 2018.
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(Sen. (Dr.) Lelegwe Ltumbesi on behalf of Chairperson, Standing Committee on Roads and Transportation – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Waqo Naomi Jillo
2. Sen. Imana Malachy Charles Ekal
3. Sen. Mwaruma Johnes Mwashushe
4. Sen. Nyamunga Rose Ogendo

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted verbally on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal – voted verbally
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masista Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe – voted verbally
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James – voted verbally
27. Sen. Nyamunga Rose Ogendo – voted verbally on behalf of Kisumu County Delegation
28. Sen. Poghismo Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
30. Sen. Wambua Enoch Kiio

Clause 1 (as amended) - agreed to.

Motion made:

THAT, the Bill be reported with amendments.

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

Question put and Agreed to.

12. HOUSE RESUMED – (The Deputy Speaker – in the Chair)

13. THE COUNTY PLANNING (ROADS, PAVEMENTS AND PARKING BAYS) BILL (SENATE BILLS NO. 18 OF 2018)

Bill reported with amendments;

Motion made and Question proposed-

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

(Sen. Ledama Olekina)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the County Planning (Roads, Pavements and Parking Bays) Bill (Senate Bills No. 18 of 2018) be now read a third time.

(Sen. Ledama Olekina)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

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

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

1. Sen. Milgo Alice Chepkorir
2. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows;

AYES = 35 NOES = 0 ABSTENTIONS = 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Kamar Margaret Jepkoech
11. Sen. Khaniri George
12. Sen. Kibiru Charles Reubenson
13. Sen. Kihika Susan Wakarura
14. Sen. Kilonzo Mutula Junior
15. Sen. Kindiki Kithure
16. Sen. Milgo Alice Chepkorir – voted verbally on behalf of Bomet County Delegation
17. Sen. Lelegwe Steve Ltumbesi
18. Sen. Mahamud Mohamed Maalim
19. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mogeni Erick Okong’o
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe
26. Sen. Mwinyihaji Mohamed Faki

27. Sen. Ndwiga Peter Njeru
28. Sen. Olekina Ledama
29. Sen. Ongeru Samson Kegengo
30. Sen. Orengo James – voted verbally
31. Sen. Olekina Ledama
32. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
33. Sen. Poghiso Samuel Losuron
34. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
35. 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. Rose Nyamunga, MP) – in the Chair)

The County Outdoor Advertising Control Bill (Senate Bills No. 19 of 2018)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Onger Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron – voted verbally
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 3 - agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended –

(a) in subclause (2)(b) by deleting subparagraph (ii) and substituting therefor the following new paragraph –

(ii) the Kenya National Highway Authority or any other entity responsible for the management of road reserves, where the advertisement is to be displayed on a road reserve;

(b) by inserting the following new subclause immediately after subclause (2) –

(2A) The county executive committee member shall keep and maintain a register in which shall be recorded all applications made and licenses issued under this Act.

(Sen. Samuel Poghiso, MP on behalf of the Chairperson, Standing Committee on Information and Technology – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson

11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’ a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kioo

Clause 4 (as amended) - agreed to

Clauses 5 - 14

Motion made and Question proposed;

THAT, Clauses 5 - 14 be part of the Bill

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron – voted verbally
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clauses 5 - 14 - agreed to

Clause 15 - amendment proposed

THAT clause 15 of the Bill be amended –

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

Publication of application for a licence.

(b) in subclause (2) by inserting the words “within seven days from the date of the notice” immediately after the words “on the application”.

(Sen. Samuel Poghio, MP on behalf of the Chairperson, Standing Committee on Information and Technology – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation

18. Sen. Mbiti Michael Maling'a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

Clause 15 (as amended) - agreed to

Clauses 16 - 21

Motion made and Question proposed;

THAT, Clauses 16 - 21 be part of the Bill

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

Sen. Poghisio Samuel Losuron

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Onger Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron – voted verbally
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clauses 16 - 21 - agreed to

New Clause 14A - insertion of new clause proposed

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

No other government entity to levy fees. **14A.** Subject to this Act or any other written law, no other government entity shall levy fees on outdoor advertising.

(Sen. Samuel Poghio, MP on behalf of the Chairperson, Standing Committee on Information and Technology)

Motion made and Question proposed;

THAT, the New Clause 14A be now read a Second Time.

(Sen. Samuel Poghio, MP on behalf of the Chairperson, Standing Committee on Information and Technology – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Mwinyihaji Mohamed Faki

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson

11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’ a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki – voted verbally
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Ongeru Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kioo

Question - agreed to

Motion made and Question proposed;

THAT, the new clause 14A be part of the Bill;

The Committee proceeded to a Division.

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

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

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

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

Thereupon, Sen. Poghisio Samuel Losuron recorded his vote as **“Yes”**-

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghismo Samuel Losuron – voted verbally
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

New Clause 14A - agreed to

New Clause 18A - insertion of new clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 18 –

18A. (1) The National government, a county government or any other person who is a party to a dispute arising under this Act shall take reasonable measures to resolve the dispute by alternative dispute resolution before resorting to judicial proceedings.

(2) A party is considered to have taken reasonable measures to resolve a dispute by alternative dispute resolution if such a party–

- (a) notifies the other party of the issues that are in dispute and offering to settle them;
- (b) responds appropriately to a notification under paragraph (a);
- (c) provides relevant information and documents to the other party to enable that party understand the issues and determine the best approach to take in responding to the issues; or
- (d) where an alternative dispute resolution mechanism is agreed to –
 - (i) collaborating with the other party in determining the person to facilitate resolution of the dispute; and
 - (ii) attending the alternative dispute resolution process.

(Sen. Samuel Poghiso, MP on behalf of the Chairperson, Standing Committee on Information and Technology)

Motion made and Question proposed;

THAT the new clause 18A be now read a Second Time

(Sen. Samuel Poghiso, MP on behalf of the Chairperson, Standing Committee on Information and Technology – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

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

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Mwinyihaji Mohamed Faki

The results of the Division were as follows:-

AYES – 30

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich – voted verbally
4. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
5. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
6. Sen. Imana Malachy Charles Ekal
7. Sen. Kabaka Boniface Mutinda
8. Sen. Kajwang’ Moses Otieno
9. Sen. Khaniri George
10. Sen. Kibiru Charles Reubenson
11. Sen. Kihika Susan Wakarura
12. Sen. Kilonzo Mutula Junior
13. Sen. Kindiki Kithure
14. Sen. Lelegwe Steve Ltumbesi
15. Sen. Linturi Franklin Mithika
16. Sen. Mahamud Mohamed Maalim
17. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
18. Sen. Mbito Michael Maling’a
19. Sen. Mpaayei Phillip Salau
20. Sen. Murkomen Onesimus Kipchumba
21. Sen. Mwangi Paul Githiomi
22. Sen. Mwaruma Johnes Mwashushe
23. Sen. Mwinyihaji Mohamed Faki – voted verbally
24. Sen. Mbogo George Ochilo Ayacko
25. Sen. Onger Samson Kegengo
26. Sen. Orengo James
27. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
28. Sen. Poghisio Samuel Losuron
29. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
30. Sen. Wambua Enoch Kiio

Question - agreed to

Motion made and Question proposed;

THAT, the new clause 18A be part of the Bill;

The Committee proceeded to a Division.

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

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

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

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

Thereupon, Sen. Poghiso Samuel Losuron recorded his vote as **“Yes”**-

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe

24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron – voted verbally
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

New Clause 18A – 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 Tuesday, 18th June, 2019 resumed on a Division;

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

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

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

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

Thereupon, Sen. Poghisio Samuel Losuron recorded his vote as **“Yes”**-

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

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

7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang' Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling'a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron – voted verbally
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 2, the Title and Clause 1 - agreed to

Motion made:

THAT, the Bill be reported with amendments.

(Sen. Samuel Poghisio, MP)

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

Question put and agreed to.

15. HOUSE RESUMED – (The Deputy Speaker - in the Chair)

16. THE COUNTY OUTDOOR ADVERTISING CONTROL BILL (SENATE BILLS NO. 19 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.
(Sen. Samuel Poghio, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the County Outdoor Advertising Control Bill (Senate Bills No. 19 of 2018) be now read a third time.

(Sen. Samuel Poghio, MP)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

The results of the Division were as follows:-

AYES – 35

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno

10. Sen. Kamar Margaret Jepkoech
11. Sen. Khaniri George
12. Sen. Kibiru Charles Reubenson
13. Sen. Kihika Susan Wakarura
14. Sen. Kilonzo Mutula Junior
15. Sen. Kindiki Kithure
16. Sen. Milgo Alice Chepkorir – voted on behalf of Bomet County Delegation
17. Sen. Lelegwe Steve Ltumbesi
18. Sen. Mahamud Mohamed Maalim
19. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling’ a
21. Sen. Mogeni Erick Okong’ o
22. Sen. Mpaayei Phillip Salau
23. Sen. Murkomen Onesimus Kipchumba
24. Sen. Mwangi Paul Githiomi
25. Sen. Mwaruma Johnes Mwashushe
26. Sen. Mwinyihaji Mohamed Faki
27. Sen. Ndwiga Peter Njeru
28. Sen. Mbogo George Ochilo Ayacko
29. Sen. Olekina Ledama
30. Sen. Ongeru Samson Kegengo
31. Sen. Orengo James
32. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
33. Sen. Poghisio Samuel Losuron
34. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
35. 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. Rose Nyamunga, MP) – in the Chair)

The County Law Compliance and Enforcement Bill (Senate Bills No. 25 of 2018)

Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi

24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Nyamunga Rose – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 3 - agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended in sub-clause (2) by –

- (a) inserting the words “deployment, secondment” immediately after the words “the ranks” in paragraph (a); and
- (b) inserting the following new paragraph immediately after paragraph (c);
 - (d) ensure that recruitment and appointment of officers to the unit reflect the ethnic and geographical diversity of the people within the county.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally;

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

1. Sen. Orengo James

2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 4 (as amended) - agreed to

Clause 5

Motion made and Question proposed;

THAT, Clause 5 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi

24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Nyamunga Rose – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 5 - agreed to

Clause 6 - amendment proposed

THAT clause 6 of the Bill be amended in sub-clause (2) by deleting the words “on matters such as weights and measures and noise level” appearing immediately after the words “with county laws” in paragraph (b).

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Orengo James
2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeri Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 6 (as amended) - agreed to

Clause 7 - amendment proposed

THAT clause 7 of the Bill be amended in sub-clause (1) by –

- (a) deleting the words “any other law” appearing immediately after the words “this Act or” in the introductory clause and substituting therefor the words “the respective county legislation”; and

- (b) deleting the words “contrary to the provisions of this Act or any other county law” appearing immediately after the words “to cause harm” in paragraph (d)(i).

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Orengo James
2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George

11. Sen. Kiburu Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 7 (as amended) - agreed to

Clause 8 - amendment proposed

THAT clause 8 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause –

(1) An enforcement officer may make an *ex parte* application to the relevant court for an order to seize property and for any other relevant order where the enforcement officer has reasonable grounds to suspect that any property –

- (a) has been or is being used for the purpose of carrying out a regulated activity contrary to the respective county legislation; or
- (b) is maintained, kept or controlled in any other manner contrary to the respective county legislation.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Orengo James
2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbiti Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally

21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 8 (as amended) - agreed to

Clause 9 - amendment proposed

THAT clause 9 of the Bill be amended –

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

(4) In the case of perishable or rapidly depreciating property, the court may make an order for the disposal or return, by the unit, of the property to the owner.

- (b) in sub-clause (5) by deleting the word “destruction” appearing immediately after the words “an order for” in the introductory clause and substituting therefor the word “disposal”; and

- (c) by inserting the following new sub-clause immediately after sub-clause (6) –

(7) Where, upon the conclusion of proceedings, the court finds the owner of the property not to have committed an offence, the court may make an order for compensation for any loss suffered by the owner of the property.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Orengo James
2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqa Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe

25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 9 (as amended) - agreed to

Clause 10 - deletion of clause proposed

THAT the Bill be amended by deleting clause 10.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 her vote verbally.

Thereupon, Sen. Haji Farhiya Ali recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 31 NOES – 0 ABSTENTIONS – 0

AYES

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

5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted verbally on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 10 - deleted

Clause 11 - deletion of clause proposed

THAT the Bill be amended by deleting clause 11.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 her vote verbally.

Thereupon, Sen. Haji Farhiya Ali recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James

- 29. Sen. Poghiso Samuel Losuron
- 30. Sen. Haji Farhiya Ali – voted verbally on behalf of Nairobi City County Delegation
- 31. Sen. Wambua Enoch Kiio

Clause 11 - deleted

Clause 12 - deletion of clause proposed

THAT the Bill be amended by deleting clause 12.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 her vote verbally.

Thereupon, Sen. Haji Farhiya Ali recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 31 NOES – 0 ABSTENTIONS – 0

AYES

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

8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang' Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orenge James
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted verbally on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 12 - deleted

Clause 13 - amendment proposed

THAT clause 13 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause –

(1) A notice required to be given shall be deemed to have been served if -

- (a) it is served upon the owner or occupant of the property;
- (b) it is served upon an employee, who occupies a position of management, of the owner or occupant of the property; or
- (c) sent to the last known address of the owner or occupant of the property.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Orengo James
2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation

19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 13 (as amended) - agreed to

Clause 14

Motion made and Question proposed;

THAT, Clause 14 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 – 31

NOES – 0

ABSTENTIONS – 0

AYES

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

6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang' Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Nyamunga Rose – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 14 - agreed to

Clause 15 - amendment proposed

THAT clause 15 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3) –

(4) A county government shall not establish, maintain or operate a facility for the purpose of detaining a person arrested pursuant to this Act.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.09)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 provisions of Standing Order 81 (5), the Acting Chairperson allowed three Senators to record their vote verbally.

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

1. Sen. Orengo James
2. Sen. Kilonzo Mutula Junior
3. Sen. Mbogo George Ochilo Ayacko

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior – voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko – voted verbally
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi

24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo
28. Sen. Orengo James – voted verbally
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 15 (as amended) - agreed to

Clauses 16 - 24

Motion made and Question proposed;

THAT, Clauses 16 - 24 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 – 31 NOES – 0 ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George

- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Steve Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
- 19.Sen. Mbito Michael Malinga
- 20.Sen. Mbogo George Ochilo Ayacko
- 21.Sen. Mpaayei Phillip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
- 27.Sen. Onger Samson Kegengo
- 28.Sen. Orengo James
- 29.Sen. Poghisio Samuel Losuron
- 30.Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clauses 16 - 24 - agreed to

New Clause 25 - insertion of new clause proposed

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

25. This Act shall not be construed as providing for the establishment of a police service or an entity performing a mandate similar to that of the National Police Service established under Article 243 of the Constitution.

Motion made and Question proposed;

THAT, the new clause 25 be now read a Second Time.

(Vice Chairperson, Standing Committee on National Security, Defence and Foreign Relations – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 her vote verbally.

Thereupon, Sen. Haji Farhiya Ali recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Ongeru Samson Kegengo

28. Sen. Orengo James
29. Sen. Poghiso Samuel Losuron
30. Sen. Haji Farhiya Ali – voted verbally on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Question - agreed to

Motion made and Question Proposed;

THAT, the New Clause 25 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo - voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi

- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
- 19.Sen. Mbito Michael Malinga
- 20.Sen. Mbogo George Ochilo Ayacko
- 21.Sen. Mpaayei Phillip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
- 27.Sen. Onger Samson Kegengo
- 28.Sen. Orengo James
- 29.Sen. Poghio Samuel Losuron
- 30.Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

The Schedule, Clause 2, the Title and Clause 1

Motion made and Question proposed;

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

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

After the expiry of two minutes, 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 – 31

NOES – 0

ABSTENTIONS – 0

AYES

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

4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Steve Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga - voted on behalf of the Kakamega County Delegation
19. Sen. Mbito Michael Malinga
20. Sen. Mbogo George Ochilo Ayacko
21. Sen. Mpaayei Phillip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
27. Sen. Onger Samson Kegengo
28. Sen. Orengo James
29. Sen. Poghisi Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

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

Motion made;

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

(Sen. George Khaniri, MP)

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

Question put and agreed to.

18. HOUSE RESUMED - (The Deputy Speaker – in the Chair)

19. THE COUNTY LAW COMPLIANCE AND ENFORCEMENT BILL (SENATE BILLS NO. 25 OF 2018)

Bill reported with amendments;

Motion made and Question proposed-

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

(Sen. George Khaniri, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the County Law Compliance and Enforcement Bill (Senate Bills No. 25 of 2018) be now read a Third Time.

(Sen. George Khaniri, MP)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

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

Thereupon, Sen. Masitsa Naomi Shiyonga recorded her vote as **“Yes”**

The results of the Division were as follows:-

AYES – 35

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa Delegation
6. Sen. Waqo Naomi Jilo – on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Kamar Margaret Jepkoech
11. Sen. Khaniri George
12. Sen. Kibiru Charles Reubenson
13. Sen. Kihika Susan Wakarura
14. Sen. Kilonzo Mutula Junior
15. Sen. Kindiki Kithure
16. Sen. Milgo Alice Chepkorir – voted on behalf of Bomet County Delegation
17. Sen. Lelegwe Steve Ltumbesi
18. Sen. Mahamud Mohamed Maalim
19. Sen. Masitsa Naomi Shiyonga - voted verbally on behalf of the Kakamega County Delegation
20. Sen. Mbito Michael Malinga
21. Sen. Mbogo George Ochilo Ayacko
22. Sen. Mogeni Erick Okong’o
23. Sen. Mpaayei Phillip Salau
24. Sen. Murkomen Onesimus Kipchumba
25. Sen. Mwangi Paul Githiomi
26. Sen. Mwaruma Johnes Mwashushe
27. Sen. Mwinyihaji Mohamed Faki
28. Sen. Ndwiga Peter Njeru
29. Sen. Olekina Ledama
30. Sen. Rose Nyamunga – voted on behalf of the Kisumu County Delegation.
31. Sen. Ongeru Samson Kegengo
32. Sen. Orenge James
33. Sen. Poghio Samuel Losuron
34. Sen. Haji Farhiya Ali – voted on behalf of Nairobi County Delegation
35. Sen. Wambua Enoch Kiio

Question - agreed to.

Bill read a Third Time and passed.

20. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Wards (Equitable Development) Bill (Senate Bills No. 34 of 2018)

Clause 3

Motion made and Question proposed;

THAT Clause 3 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim

- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Onger Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisi Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clause 3 – agreed to.

Clause 4 – amendment proposed.

THAT clause 4 of the Bill be amended-

- (a) in paragraph (a) by inserting the word “equitable” immediately after the words “the promotion of the”;
- (b) by deleting paragraph (c);
- (c) by inserting the following new paragraph immediately after paragraph (d)-
- (e) the use of public funds in a prudent and responsible manner in accordance with Article 201 of the Constitution.

(Chairperson, Standing Committee on Finance and Budget – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

Thereupon, Sen. Kilonzo Mutula Junior recorded his vote as “Yes”-

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior- Voted verbally
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghio Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clause 4 (as amended) – agreed to.

Clause 5 – amendment proposed.

THAT clause 5 of the Bill be amended in subclause (3) by deleting the word “expenditure” appearing immediately after the words “allocation for development” in paragraph (a) and substituting therefor the word “budget”.

(Chairperson, Standing Committee on Finance and Budget – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally. Thereupon, Sen. Kilonzo Mutula Junior recorded his vote as **“Yes”**-

The results of the Division were as follows: -

AYES - 31 NOES - 0 ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior- Voted verbally
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau

- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisiio Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clause 5 (as amended) – agreed to.

Clause 6 – amendment proposed.

THAT clause 6 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause-

(2) The county assembly shall consider and either approve or reject the criteria within twenty-one days of receipt of the criteria.

(Chairperson, Standing Committee on Finance and Budget – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

Thereupon, Sen. Kilonzo Mutula Junior recorded his vote as **“Yes”**-

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior- Voted verbally
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisi Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clause 6 (as amended) – agreed to.

Clause 7 – amendment proposed.

THAT clause 7 of the Bill be amended-

- (a) in subclause (1) by deleting the word “county” appearing immediately after the words “resident of each” and substituting therefor the word “ward”;
- (b) in subclause (4) by deleting the words “the village councils” appearing immediately after the words “offer technical assistance” and substituting therefor the words “to the respective ward administrator”.

(Chairperson, Standing Committee on Finance and Budget – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

Thereupon, Sen. Kilonzo Mutula Junior the following Senator recorded his vote as **“Yes”**-

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior- Voted verbally
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a

- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisio Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clause 7 (as amended) – agreed to.

Clause 8 – amendment proposed.

THAT clause 8 of the Bill be amended-

(a) in subclause (1) by deleting the words “section 7(4)” appearing immediately after the words “the proposals received under” and substituting therefor the words “section 7”;

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

(2) The projects identified under subsection (1) shall be submitted to the respective county assembly for approval.

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

(3) The county executive committee member shall publicize the projects approved by the county assembly for implementation in each ward by notice in the county Gazette and through such other means as the county executive committee member shall consider appropriate.

((Chairperson, Standing Committee on Finance and Budget – 18.06.2019))

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

Thereupon, Sen. Kilonzo Mutula Junior recorded his vote as **“Yes”**-

The results of the Division were as follows: -

AYES - 31 NOES - 0 ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior- Voted verbally
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghismo Samuel Lesuron

30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
31.Sen. Wambua Enoch Kiio

Clause 8 (as amended) – agreed to.

Clauses 9 - 11

Motion made and Question proposed;

THAT Clauses 9 - 11 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi

- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisi Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clauses 9 – 11 – agreed to

Clause 12 – amendment proposed.

THAT clause 12 of the Bill be amended in subclause (5) by deleting the words “subsection (2) or” appearing immediately after the words “of funds under” in the introductory clause and substituting therefor the word “subsection”.

(Chairperson, Standing Committee on Finance and Budget – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

Thereupon, Sen. Kilonzo Mutula Junior recorded his vote as **“Yes”**-

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior- Voted verbally
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisiio Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clause 12 (as amended) – agreed to.

Clauses 13 – 19

Motion made and Question proposed;

THAT, Clauses 13 - 19 be part of the Bill.

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki

- 26.Sen. Ongeru Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisi Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

Clauses 13 – 19 – agreed to

Clause 2 – amendment proposed.

THAT clause 2 of the Bill be amended in the definition of the term “community” by deleting the words “location, sub-location or village and having common interests” appearing immediately after the words “as a ward”.

(Chairperson, Standing Committee on Finance and Budget – 18.06.2019)

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

Before the results of the Division were announced and, pursuant to standing order 81 (5), the Acting Chairperson allowed one (1) Senator to record his vote verbally.

Thereupon, Sen. Kilonzo Mutula Junior recorded his vote as “**Yes**”-

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Adan Fatuma Dullo
- 2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
- 3. Sen. Cherarkey Samson Kiprotich
- 4. Sen. Cheruiyot Aaron Kipkirui
- 5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
- 6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation

7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang' Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior- Voted verbally
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling'a
20. Sen. Mbogo George Ochillo Ayako
21. Sen. Mpaayei Philip Salau
22. Sen. Murkomen Onesimus Kipchumba
23. Sen. Mwangi Paul Githiomi
24. Sen. Mwaruma Johnes Mwashushe
25. Sen. Mwinyihaji Mohamed Faki
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
29. Sen. Poghisi Samuel Lesuron
30. Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Clause 2 (as amended) – agreed to.

The Title and Clause 1

Motion made and Question proposed;

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

Debate interrupted on Tuesday, 18th June, 2019 resumed on a Division;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Rose Nyamunga) directed that electronic voting be taken pursuant to Standing Order 81 and that the division bell be rung for two minutes;

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

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

The results of the Division were as follows: -

AYES - 31

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
- 10.Sen. Khaniri George
- 11.Sen. Kibiru Charles Reubenson
- 12.Sen. Kihika Susan Wakarura
- 13.Sen. Kilonzo Mutula Junior
- 14.Sen. Kindiki Kithure
- 15.Sen. Lelegwe Ltumbesi
- 16.Sen. Linturi Franklin Mithika
- 17.Sen. Mahamud Mohamed Maalim
- 18.Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
- 19.Sen. Mbito Michael Maling’a
- 20.Sen. Mbogo George Ochillo Ayako
- 21.Sen. Mpaayei Philip Salau
- 22.Sen. Murkomen Onesimus Kipchumba
- 23.Sen. Mwangi Paul Githiomi
- 24.Sen. Mwaruma Johnes Mwashushe
- 25.Sen. Mwinyihaji Mohamed Faki
- 26.Sen. Onger Samson Kegengo
- 27.Sen. Orengo James
- 28.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 29.Sen. Poghisio Samuel Lesuron
- 30.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 31.Sen. Wambua Enoch Kiio

The Title and Clause 1 – agreed to.

Motion made;

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

(Chairperson, Standing Committee on Finance and Budget)

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

Question put and agreed to.

21. HOUSE RESUMED – (The Deputy Speaker - in the Chair)

22. THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL (SENATE BILLS NO. 34 OF 2018)

Bill reported with amendments;

Motion made and Question proposed-

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

(Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

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

Question put and agreed to.

THAT, the County Ward (Equitable Development) Bill (Senate Bills No. 34 of 2018) be now Read a Third Time.

(Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

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

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

1. Sen. Iman Falhada Dekow- voted on behalf of Garissa County Delegation
2. Sen. Waqo Naomi Jilo – Voted on behalf of Marsabit County Delegation

The results of the Division were as follows:

AYES – 35

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Adan Fatuma Dullo
2. Sen. Zani Agnes Philomena – Voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow- Voted verbally on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – Voted verbally on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Kamar Margaret Jepkoech
11. Sen. Khaniri George
12. Sen. Kibiru Charles Reubenson
13. Sen. Kihika Susan Wakarura
14. Sen. Kilonzo Mutula Junior
15. Sen. Kindiki Kithure
16. Sen. Milgo Alice Chepkorir – Voted on behalf of Bomet County Delegation
17. Sen. Lelegwe Ltumbesi
18. Sen. Mahamud Mohamed Maalim
19. Sen. Masitsa Naomi Shiyonga – Voted on behalf of Kakamega County Delegation
20. Sen. Mbito Michael Maling’a
21. Sen. Mbogo George Ochillo Ayako
22. Sen. Mogeni Erick Okong’o
23. Sen. Mpaayei Philip Salau
24. Sen. Murkomen Onesimus Kipchumba
25. Sen. Mwangi Paul Githiomi
26. Sen. Mwaruma Johnes Mwashushe
27. Sen. Mwinyihaji Mohamed Faki

- 28.Sen. Ndwiga Peter Njeru
- 29.Sen. Olekina Ledama
- 30.Sen. Ongeru Samson Kegengo
- 31.Sen. Orengo James
- 32.Sen. Nyamunga Rose Ogendo – Voted on behalf of Kisumu County Delegation
- 33.Sen. Poghiso Samuel Lesuron
- 34.Sen. Haji Farhiya Ali – Voted on behalf of Nairobi City County Delegation
- 35.Sen. Wambua Enoch Kiio

Question agreed to.

Bill read a Third Time and passed.

23. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The Statutory Instruments (Amendment) Bill (Senate Bills No. 24 of 2018)

Clause 3 - amendment proposed

THAT clause 3 of the Bill be amended –

THAT the Bill be amended by deleting clause 3 and substituting therefor the following new clause-

Amendment **3.** The principal Act is amended in section 15 by-
of section

15 of No. 23
of 2013.

(a) deleting subsection (1) and substituting therefor the following new section-

(1) The Committee shall make a report to the relevant House containing a resolution either that the statutory instrument that stands referred to the Committee be approved or that the statutory instrument be annulled.

(b) deleting subsection (3) and substituting therefor the following new subsection-

(3) Notwithstanding subsection (2) the House may, by resolution, extend

the time within which the Committee shall consider a statutory instrument under subsection (2) for a period not exceeding twenty-eight days.

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights
– 06.06.2019)*

Debate interrupted on Thursday, 6th June, 2019 resumed on a Division;

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

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

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

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba

- 22. Sen. Mwangi Paul Githiomi
- 23. Sen. Mwaruma Johnes Mwashushe
- 24. Sen. Mwinyihaji Mohamed Faki
- 25. Sen. Mbogo George Ochilo Ayacko
- 26. Sen. Ongeru Samson Kegengo
- 27. Sen. Orengo James
- 28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
- 29. Sen. Poghio Samuel Losuron
- 30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
- 31. Sen. Wambua Enoch Kiio

Clause 3 (as amended) - agreed to

New Clause 4 - insertion of new clause proposed

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

Insertion of **4.** The principal Act is amended by inserting the new section following new section immediately after section 15-15A in No.

23 of 2013. Concurrence **15A.** (1) The Clerk of the House to on a which a statutory instrument is referred shall, upon- statutory referred shall, upon- instrument. (a) the resolution of the relevant House under section 15(1) for the approval or annulment of a statutory instrument; or

(b) expiry of the period specified under section 15(2),

cause the resolution of the House to be transmitted to the Clerk of the other House within two days of the resolution.

(2) A resolution under subsection (1) shall stand referred to the relevant Committee of that House which shall consider the resolution together with the statutory instrument and report to the House within fourteen days of the referral.

(3) The House to which resolution is referred to under subsection (1) may extend the time within which the Committee shall consider the resolution for a period not exceeding seven days.

(3) If both Houses resolve to-

(a) approve the statutory instrument; or

(b) annul the statutory instrument;

the Clerk of the House to which the statutory instrument was transmitted under section 11(1) shall, within seven days of the decision, notify the regulation-making authority.

(4) Where the House resolves to revoke a statutory instrument and the other House does not, the statutory instrument shall be referred to a joint committee for mediation in accordance with Article 113 of the Constitution which shall be applied with the necessary modification.

Motion made and Question proposed;

THAT, the New Clause 4 be now read a Second Time.

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights
- 06.06.2019)*

Debate interrupted on Thursday, 6th June, 2019 resumed on a Division;

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

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

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

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqa Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendero – voted on behalf of Kisumu County Delegation
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Question - agreed to

Motion made and Question proposed;

THAT, the new clause 4 be part of the Bill;

The Committee proceeded to a Division.

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

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

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

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation

31. Sen. Wambua Enoch Kiio

New Clause 4- agreed to

New Clause 5 - insertion of new clause proposed

Amendment **5.** The principal Act is amended by deleting of section section 18 and substituting therefor the following 18 of No. 23 new section- of 2013.

Annulment. **18.** (1) When Parliament passes a resolution to annul a statutory instrument the statutory instrument shall be deemed to be annulled.

(2) The regulation making authority shall publish the annulment of the statutory instrument within fourteen days of the annulment.

Motion made and Question proposed;

THAT, the New Clause 5 be now read a Second Time.

*(Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights
– 06.06.2019)*

Debate interrupted on Thursday, 6th June, 2019 resumed on a Division;

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

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

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

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Adan Dullo Fatuma
2. Sen. Zani Agnes Philomena – voted on behalf of Kwale County Delegation
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Waqo Naomi Jilo – voted on behalf of Marsabit County Delegation
7. Sen. Imana Malachy Charles Ekal
8. Sen. Kabaka Boniface Mutinda
9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
11. Sen. Kibiru Charles Reubenson
12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
15. Sen. Lelegwe Ltumbesi
16. Sen. Linturi Franklin Mithika
17. Sen. Mahamud Mohamed Maalim
18. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
19. Sen. Mbito Michael Maling’a
20. Sen. Mpaayei Phillip Salau
21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Onger Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

Question - agreed to

Motion made and Question proposed;

THAT, the new clause 5 be part of the Bill;

The Committee proceeded to a Division.

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

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

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

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25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghisio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kiio

New Clause 5 - 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 Thursday, 6th June, 2019 resumed on a Division;

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

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

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

The results of the Division were as follows:-

AYES – 31

NOES – 0

ABSTENTIONS – 0

AYES

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9. Sen. Kajwang’ Moses Otieno
10. Sen. Khaniri George
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12. Sen. Kihika Susan Wakarura
13. Sen. Kilonzo Mutula Junior
14. Sen. Kindiki Kithure
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21. Sen. Murkomen Onesimus Kipchumba
22. Sen. Mwangi Paul Githiomi

23. Sen. Mwaruma Johnes Mwashushe
24. Sen. Mwinyihaji Mohamed Faki
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Ongeru Samson Kegengo
27. Sen. Orengo James
28. Sen. Nyamunga Rose Ogendo – voted on behalf of Kisumu County Delegation
29. Sen. Poghio Samuel Losuron
30. Sen. Haji Farhiya Ali – voted on behalf of Nairobi City County Delegation
31. Sen. Wambua Enoch Kii

Clause 2, the Title and Clause 1 - agreed to

Motion made:

THAT, the Bill be reported with amendments.

(Chairperson, Sessional Committee on Delegated Legislation)

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

Question put and agreed to.

24. HOUSE RESUMED – The Deputy Speaker in the Chair

25. THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 24 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.

(Chairperson, Sessional Committee on Delegated Legislation)

Debate arising;

Amendment proposed;

THAT, the Motion be amended by deleting the full stop at the end and insert the following words “subject to the recommittal of the Bill in respect to New Clause 4 to Committee of the Whole”.

(Sen. (CPA) Farhiya Ali, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

26. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Statutory Instruments Bill (Senate Bills No. 21 of 2018)

Clauses 3 - 24

Motion made and Question proposed;

That, Clauses 3 - 24 be part of the Bill

Clauses 3 - 24 - vote deferred

The Schedule

Motion made and Question proposed;

That, the Schedule be part of the Bill.

The Schedule - vote deferred

Clause 2, The Title and Clause 1

Motion made and Question proposed;

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

Clause 2, The Title and Clause 1 - vote deferred

Progress report

Motion made:

THAT, pursuant to Standing Order 148, the Committee of the Whole do report to the House its consideration of the County Statutory Instruments Bill (Senate Bills No. 21 of 2018) and seek leave to sit again tomorrow.

(Sen. Susan Kihika, MP on behalf of the Chairperson, Standing Committee on Delegated Legislation)

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

Question put and agreed to.

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

28. THE COUNTY STATUTORY INSTRUMENTS BILL (SENATE BILLS NO. 21 OF 2018)

Progress reported;

Motion made and Question proposed-

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

(Vice Chairperson, Standing Committee on Delegated Legislation)

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, MP) ruled that the Question did not affect counties;

Question put and agreed to.

29. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The National Cohesion and Peace Building Bill (Senate Bills No. 35 of 2018)

Clauses 3-8

Motion made and Question proposed;

THAT, clauses 3-8 be part of the Bill.

Clauses 3-8 - vote deferred.

Clause 9 - amendment proposed

THAT, clause 9 of the Bill be amended by deleting the word “three” appearing immediately after the words “chairperson and” and substituting therefor the word “four”.

(Sen. (Canon) Naomi Waqo)

Clause 9 - vote deferred.

Clause 10

Motion made and Question proposed;

THAT, Clause 10 be part of the Bill.

Clause 10 - vote deferred.

Clause 11 - amendment proposed

THAT, clause 11 of the Bill be amended in sub-clause (4) by deleting the words “cabinet secretary” appearing immediately after the word “the” and substituting therefor the word “President”.

(Sen. (Canon) Naomi Waqo)

Clause 11 - vote deferred.

Clauses 12 – 14

Motion made and Question proposed;

THAT, clauses 12 – 14 be part of the Bill.

Clauses 12 – 14 - vote deferred.

Clause 15 - amendment proposed

THAT, clause 15 of the Bill be amended in sub-clause (1) by deleting paragraph (h).

(Sen. (Canon) Naomi Waqo)

Clause 15 – vote deferred.

Clauses 16-33

Motion made and Question proposed;

THAT, clauses 16-33 be part of the Bill.

Clauses 16 – 33 – vote deferred.

Clause 34 – amendment proposed

THAT, clause 34 of the Bill be amended in sub-clause (3) by inserting the following words “put measures in place to ensure that the principle of non-discrimination is adhered to” at the end of the sub-clause.

(Sen. (Canon) Naomi Waqo)

Clause 34 – vote deferred.

Clauses 35-37

Motion made and Question proposed;

THAT, Clauses 35-37 be part of the Bill.

Clauses 35-37 – vote deferred.

Clause 38 – amendment proposed

THAT, clause 38 of the Bill be amended in sub-clause (2) by deleting the words “and without justification” appearing immediately after the words “public resources”.

(Sen. (Canon) Naomi Waqo)

Clause 38 – vote deferred.

Clauses 39-43

Motion made and Question proposed;

THAT, Clauses 39-43 be part of the Bill.

Clauses 39-43 – vote deferred.

Clause 44 – amendment proposed

THAT, clause 44 of the Bill be amended in sub-clause (1) by deleting paragraph (c).

(Sen. (Canon) Naomi Waqo)

Clause 44 - vote deferred.

Clause 45 - amendment proposed

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

- 45.** A complaint to the Commission may be made by –
 - (a) a person acting in their own interest;
 - (b) a person acting on behalf of another person who cannot act in their own name;
 - (c) a person acting as a member of a group or class of persons;
 - (d) a person acting in the public interest; or
 - (e) an association acting in the interest of one or more of its members.

(Sen. (Canon) Naomi Waqo)

Clause 45 - vote deferred.

Clauses 46-51

Motion made and Question proposed;

THAT, Clauses 46-51 be part of the Bill.

Clauses 46-51 - vote deferred.

Clause 52 - amendment proposed

THAT, clause 52 of the Bill be amended in paragraph (a) by inserting the words “Office of the” immediately after the words “matter to the”;

(Sen. (Canon) Naomi Waqo)

Clause 52 - vote deferred.

Clauses 53-78

Motion made and Question proposed;

THAT, Clauses 53-78 be part of the Bill.

Clauses 53-78 - vote deferred.

The First Schedule, the Second Schedule, the Third Schedule, Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, the First Schedule, the Second Schedule, the Third Schedule, Clause 2, the Title and Clause 1 be part of the Bill.

The First Schedule, the Second Schedule, the Third Schedule Clause 2, the Title and Clause 1 – vote deferred.

Progress report

Motion made;

THAT, pursuant to Standing Order 148, the Committee of the Whole do report to the House its consideration of the National Cohesion and Peace Building Bill (Senate Bills No. 35 of 2018) and seek leave to sit again tomorrow.

(Sen. Judith Pareno, MP)

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

Question put and agreed to.

30. HOUSE RESUMED – Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) – in the Chair

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

Progress reported;

Motion made and Question proposed;

THAT, the House do agree with the Committee of the Whole in the said report.
(Sen. Judith Pareno, MP)

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, MP) ruled that the Question did not affect counties;

Question put and agreed to.

32. COMMITTEE OF THE WHOLE

*****THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILLS NO. 10 OF 2018)**

(The Senate Majority Leader)

Order deferred.

33. COMMITTEE OF THE WHOLE

****THE DATA PROTECTION BILL (SENATE BILLS NO. 16 OF 2018)**

(Chairperson, Standing Committee on Information and Technology)

Order deferred.

34. COMMITTEE OF THE WHOLE

***THE LOCAL CONTENT BILL (SENATE BILLS NO. 10 OF 2018)**

(Sen. Gideon Moi, MP)

Order deferred.

35. COMMITTEE OF THE WHOLE

Order of Committee read;

IN THE COMMITTEE

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

The Determination of the Nature of Bills (Procedure) Bill (Senate Bills No. 30 of 2018)

Clauses 3 - 15

Motion made and Question proposed;

THAT, Clauses 3 – 15 be part of the Bill;

Clauses 3 – 15 - vote deferred

Clause 16 - deletion of clause proposed

THAT, Clause 16 of the Bill be deleted

(Sen. Mutula Kilonzo Junior)

Clause 16 - vote deferred

New Clause 13A - insertion of new clause proposed

THAT, the Bill be amended by inserting the following new clause immediately after clause 13-

Lapsing of Bills. **13A.** (1) A Bill originating from one House shall not lapse in the other House at the end of a Session.

(2) Sub-clause (1) shall not apply to a Bill that is pending before either House of Parliament, at the end of the term of that Parliament.

Motion made and Question Proposed;

THAT, the New Clause 13A be now read a Second Time

(Sen. Mutula Kilonzo Junior)

New Clause 13A - vote deferred

The Schedule, Clause 2, the Title and Clause 1

Motion made and Question proposed;

THAT, the Schedule, Clause 2, the Title and Clause 1

The Schedule, Clause 2, the Title and Clause 1 - vote deferred

Progress Report

Motion made;

THAT, pursuant to Standing Order 148, the Committee of the Whole do report to the House its consideration of the the Determination of the Nature of Bills (Procedure) Bill (Senate Bills No. 30 of 2018) and seek leave to sit again tomorrow.

(Sen. Mutula Kilonzo Junior)

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

Question put and agreed to.

36. HOUSE RESUMED - (Temporary Speaker (Sen. (Prof.) Margaret Kamar MP) – in the Chair)

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

Progress reported;

Motion made and Question proposed-

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

(Sen. Mutula Kilonzo Junior)

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, MP) ruled that the Question did not affect counties;

Question put and agreed to.

38. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Oversight Accountability Bill (Senate Bills No. 28 of 2018)

Clauses 3-20

Motion made and Question proposed;

THAT, Clauses 3-20 be part of the Bill.

Clauses 3-20 - vote deferred

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.

Clauses 2, the Title and Clause 1 be part of the Bill - vote deferred

Progress Report

Motion made;

THAT, pursuant to Standing Order 148, the Committee of the Whole do report to the House its consideration of the County Oversight and Accountability Bill (Senate Bills No. 28 of 2018) and seek leave to sit again tomorrow.

(Sen. Ledama Ole Kina, MP)

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

Question put and agreed to.

39. HOUSE RESUMED - Temporary Speaker (Sen. (Prof.) Margaret Kamar, MP) - in the Chair

40. THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 28 OF 2018)

Progress reported;

Motion made and Question proposed-

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

(Sen. Ledama Ole Kina, MP)

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, MP) ruled that the Question did not affect counties;

Question put and agreed to.

41. THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)

(Sen. Mary Seneta)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 18th June, 2019)

Order deferred.

42. MOTION – APPROVAL OF SENATORS TO SERVE IN THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION

Motion made and Question proposed;

THAT, pursuant to Standing Orders 187 and 189, the House approves the nomination of the following Senators to serve in the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration -

- a) Sen. Millicent Omanga, MP to replace Sen. Phillip Mpaayei, MP;
- b) Sen. (Dr.) Christopher Langat, MP to replace Sen. Gideon Moi, MP; and
- c) Sen. (Dr.) Lelegwe Ltumbesi, MP to replace Sen. Anuar Loitiptip, MP.

(Senate Majority Leader)

And there being no other Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 79, the Deputy Speaker informed the House that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Orders 187 and 189, the House approves the nomination of the following Senators to serve in the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration -

- a) Sen. Millicent Omanga, MP to replace Sen. Phillip Mpaayei, MP;
- b) Sen. (Dr.) Christopher Langat, MP to replace Sen. Gideon Moi, MP; and
- c) Sen. (Dr.) Lelegwe Ltumbesi, MP to replace Sen. Anuar Loitiptip, MP.

43. MOTION - COMPLETION OF ALL STALLED PROJECTS UNDER COUNTY GOVERNMENTS THROUGH BUDGETARY MANAGEMENT

Motion made and Question proposed;

THAT, AWARE THAT Kenya has had a development blueprint of Vision 2030 since 2008 which has guided planning and development for the last decade, with a focus to making Kenya an industrialized middle income economy with a higher per capita income for its citizens;

FURTHER AWARE THAT, the development planning of the country is funded from the Consolidated Fund through the annual budget whereby revenues generated by Kenyans through taxes, levies, and fees that are supplemented with support of

development partners in the form of outright loans, conditional loans, grants and/or unconditional grants to support growth and development across the country;

COGNIZANT THAT, any diversion from the Vision 2030 blueprint as well as the President's "Big Four" Agenda, would negatively impact the development trajectory that seeks to ensure a long term microeconomic stability resulting in a revision of targets on the goals for socio-economic, cultural, environmental, technological and political transformation;

NOTING THAT, whereas the National Government's Budget is based on Vision 2030 and "Big Four" Agenda, the County Governments' Budgets are based on their respective County Integrated Development Plans, (CIDPs) which are expected to dovetail with the overall national development blueprint;

CONCERNED THAT, there are glaring discrepancies in progress made in development among counties, particularly among the 14 devolved functions caused by lack of accountability, integrity, professionalism and remaining a blemish on the successes of devolution;

ACKNOWLEDGING, the tribulations, ridicule, pecuniary embarrassment and negative socio-economic impact that pending bills have had on the local business community who supplied or undertook a service for the county governments, and the attendant slowdown in actual project completion, the rise in stalled projects dotting counties, with County Governors prioritizing new projects instead of the completion of those which have stalled;

FURTHER ACKNOWLEDGING THAT, the National Treasury in its circular No. 9/2018 detailed the five hundred and forty five (545) projects which have stalled in the 47 Counties, and their status of completion, collectively amounting to an estimated project cost of three hundred and sixty six (366) Billion Kenya shillings;

NOW THEREFORE, the Senate recommends that the National Treasury in partnership with the Controller of Budget, Commission on Revenue Allocation, the Council of Governors and the County Assemblies Forum to-

1. Ensure that all the County Integrated Development Plans (CIDP's) and Annual Development Plans (ADP's) are aligned to Vision 2030 with an implementation, monitoring, and evaluation framework in place;
2. Address Pending Bills by prioritizing their payment, creating clear timeframes for payment and publishing a schedule of payment of the same; and
3. Prioritize the completion of stalled development projects prior to undertaking or funding new projects.

(Sen. Charles Reubenson Kiburu, MP – 18.06.19)

Debate interrupted on Tuesday, 18th June, 2019 resumed;

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

44. 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, June 20, 2019 at 2.30 p.m.*

--X--