



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, JULY 31, 2019 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair: -

**(i) Visiting Delegation from Estonia**

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation from Estonia.

Members, the visiting delegation is in the country to learn more about our country and explore opportunities for enhancing bicameral relations between our two countries.

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

- 1) Hon. Priit Sibul, MP;
- 2) H.E Kadri Human Ayal- Honorary Consul of Estonia in Kenya
- 3) Rev. Toomas Nigola; and
- 4) Mrs. Teele Nigola.

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

I thank you.”

**(ii) Visiting Students and Teachers from Friends Secondary School (Nabiswa), Bungoma County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting students and teachers from Friends Secondary School (Nabiswa), Bungoma County.

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

I thank you.”

**(iii) Visiting Pupils and Teachers from St. John’s Karima Primary School, Bungoma County.**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from St. John’s Karima Primary School, Bungoma County.

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

I thank you.”

**(iv) Visiting Pupils and Teachers from State House Primary School, Nairobi City County.**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from State House Primary School, Nairobi City County.

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

I thank you.”

**(v) Visiting Students and Teachers from Kangetuny Boys Secondary School, Uasin Gishu County.**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting pupils and teachers from Kangetuny Boys Secondary School, Uasin Gishu County.

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

I thank you.”

4. **MESSAGE FROM THE NATIONAL ASSEMBLY ON THE PASSAGE OF THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILLS NO. 59 OF 2019) BY THE NATIONAL ASSEMBLY**

**Honourable Senators,**

I wish to report to the Senate that, pursuant to Standing Order 41 (3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the passage by the Assembly of the Division of Revenue (No. 2) Bill (National Assembly Bill No. 59 of 2019)-

“**PURSUANT** to the provisions of Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly-

**WHEREAS**, the Division of Revenue (No. 2) Bill (National Assembly Bill No. 59 of 2019) was published *vide* Kenya Gazette Supplement No. 119 of 16<sup>th</sup> July, 2019 to provide for the equitable division of revenue raised nationally between the national and county governments in the 2019/2020 financial year;

**AND WHEREAS**, the National Assembly considered and passed the said Bill with amendments and in the form attached hereto on 25<sup>th</sup> July, 2019;

**NOW THEREFORE**, in accordance with the provisions of Article 110 (4) of the Constitution and Standing Order 41 of the National Assembly Standing Orders, I hereby refer the Bill to the Senate for consideration.”

**Honourable Senators,**

Standing Order No. 157 requires that a Bill which originates in the National Assembly be proceeded with by the Senate in the same manner as a Bill introduced in the Senate by way of First Reading in accordance with Standing Order No. 139. I therefore direct that the Division of Revenue (No. 2) Bill (National Assembly Bill No. 59 of 2019) be read a First time, tomorrow, Thursday, 1<sup>st</sup> August, 2019.

I thank you!

5. **PAPERS**

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

- (i) Report of the Auditor-General on the Financial Statement of Kisii County Assembly Car Loan and Mortgage Fund for the Year ended 30<sup>th</sup> June 2015;
- (ii) Report of the Auditor-General on the Financial Statement of Kisii County Assembly Car Loan and Mortgage Fund for the Year ended 30<sup>th</sup> June 2017;
- (iii) Report of the Auditor-General on the Financial Statement of Kisii County Assembly Car Loan and Mortgage Fund for the Year ended 30<sup>th</sup> June 2018; and,

- (iv) Report of the Auditor-General on the Financial Statements of Nandi County Executive Car and Mortgage Loan Scheme for the Year ended 30<sup>th</sup> June 2018.

*(The Deputy Senate Majority Leader)*

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

Nominated Senator (Sen. Falhada Dekow Iman, MP) sought a Statement from the Standing Committee on Finance and Budget on the upcoming 2019 Kenya National Population and Housing Census with regard to the drought-stricken areas.

7. **MOTION - ADOPTION OF THE REPORT OF THE SENATE SESSIONAL COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS ON THE FIDUCIARY RISK REPORT ON AUDIT ISSUES BY COUNTY GOVERNMENTS FOR THE FINANCIAL YEARS 2012/13 TO 2015/16.**

Order read;

Motion made and Question proposed: -

**THAT**, the Senate adopts the Report of the Senate Sessional Committee on Public Accounts and Investments on the Fiduciary Risk Report on audit issues by County Governments for the Financial Years 2012/13 to 2015/16 laid on the Table of the Senate on Wednesday, 10<sup>th</sup> July, 2019.

*(Chairperson, Sessional Committee on County Public Accounts and Investments –  
10.07.2019)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 2019 resumed on a Division;

The Speaker directed that electronic voting be taken pursuant to Standing Order 81 (2) and that the Division Bell be rung for five (5) 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 provisions of Standing Order 81 (5), the Speaker allowed one (1) Senator to record her vote verbally.

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

1. Sen. Halake Abshiro Soka

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Halake Abshiro Soka – voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Iman Falhada Dekow – voted on behalf of Garissa County Delegation
6. Sen. Kajwang’ Moses Otieno
7. Sen. Kamar Margaret Jepkoech
8. Sen. Khaniri George
9. Sen. Kihika Susan Wakarura
10. Sen. Kilonzo Mutula Junior
11. Sen. Lang’at Christopher Andrew
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohammed Maalim
14. Sen. Masitsa Naomi Shiyonga – voted on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaayei Phillip Salau
19. Sen. Mwinyihaji Mohamed Faki
20. Sen. Nderitu John Kinyua
21. Sen. Olekina Ledama
22. Sen. Orengo James
23. Sen. Outa Fredeick Otieno
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enoch Kiio
27. Sen. Wetang’ula Moses Masika

Question agreed to.

**RESOLVED ACCORDINGLY:**

**THAT**, the Senate adopts the Report of the Senate Sessional Committee on Public Accounts and Investments on the Fiduciary Risk Report on audit issues by County Governments for the Financial Years 2012/13 to 2015/16 laid on the Table of the Senate on Wednesday, 10<sup>th</sup> July, 2019.

8. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

(The Acting Chairperson of Committees (Sen. Judith Pareno) – in the Chair)

**The County Government Retirement Scheme Bill (National Assembly Bills No. 10 of 2018)**

Clause 3 – amendment proposed.

**THAT** clause 3 of the Bill be amended by inserting the following new paragraph immediately after paragraph (e)—  
(f) protect the benefits of the members of the Scheme.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27	NOES – 0	ABSTENTIONS – 0
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AYES

- |                                   |  |
|-----------------------------------|--|
| 1. Sen. Halake Abshiro            | -Voted verbally on behalf of Isiolo County Delegation  |
| 2. Sen. Ali Abdullahi Ibrahim     |  |
| 3. Sen. Boy Issa Juma             |  |
| 4. Sen. Cherarkey Samson Kprotich |  |
| 5. Sen. Cheruiyot Aaron Kipkirui  |  |
| 6. Sen. Iman Falhada Dekow        | -Voted verbally on behalf of Garissa County Delegation |
| 7. Sen. Kajwang’ Moses Otieno     |  |
| 8. Sen. Kamar Margaret Jepkoech   |  |

9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of  
Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of  
Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghismo Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 3 (as amended) - agreed to.

Clause 4 - amendment proposed.

**THAT** clause 4 of the Bill be amended in subclause (3) by inserting the following new paragraph immediately after paragraph (c)—  
(ca) gratuity; and

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo

- 2. Sen. Iman Falhada Dekow County Delegation -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf Kisumu County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro County Delegation -Voted verbally on behalf of Isiolo
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow Garissa County Delegation -Voted verbally on behalf on of
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga Kakamega County Delegation -Voted verbally on behalf of
- 15. Sen. Mbito Michael Malinga
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo Kisumu County Delegation -Voted verbally on behalf of
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghismo Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kio
- 27. Sen. Wetang’ula Moses Masika

Clause 4 (as amended) – agreed to.

Clause 5

Motion made and Question proposed;



THAT, Clause 5 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

- |                                    |  |
|------------------------------------|--|
| 1. Sen. Halake Abshiro Soka        | -Voted verbally on behalf of Isiolo County Delegation  |
| 2. Sen. Ali Abdullahi Ibrahim      |  |
| 3. Sen. Boy Issa Juma              |  |
| 4. Sen. Cherarkey Samson Kiprotich |  |
| 5. Sen. Cheruiyot Aaron Kipkirui   |  |
| 6. Sen. Iman Falhada Dekow         | -Voted verbally on behalf of Garissa County Delegation |
| 7. Sen. Kajwang’ Moses Otieno      |  |
| 8. Sen. Kamar Margaret Jepkoech    |  |
| 9. Sen. Khaniri George             |  |
| 10. Sen. Kihika Susan Wakarura     |  |
| 11. Sen. Kilonzo Mutula Junior     |  |
| 12. Sen. Linturi Franklin Mithika  |  |
| 13. Sen. Mahamud Mohamed Maalim    |  |

- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of  
Kakamega County Delegation
- 15. Sen. Mbito Michael Maling'a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong'o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of  
Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghisio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kii
- 27. Sen. Wetang'ula Moses Masika

Clause 5 - agreed to.

Clause 6 - amendment proposed.

**THAT** the Bill be amended by deleting clause 6 and substituting therefor the following new clause—

- Board of Trustees of the Scheme. **6** (1) The management of the Scheme shall vest in a Board of Trustees of the Scheme.
- (2) The Board shall consist of—
- (a) the chairperson elected by the Trustees from among the members under paragraph (c), (d), (e) and (f);
  - (b) the Principal Secretary responsible for matters relating to finance or a representative;
  - (c) a person nominated by Council of County Governors;
  - (d) a person nominated by County Public Service Boards;
  - (e) a person nominated by County Assembly Service Boards;
  - (f) five persons nominated by most representative trade unions representing employees of county governments of whom at least two shall not be of the same gender as follows—
    - (i) four persons from trade unions representing the employees within the county executive; and
    - (ii) a person from trade unions representing the employees within the county assemblies' service; and
  - (g) the chief executive officer who shall be an ex officio member and the secretary to the Board with no voting rights.

- (3) The vice-chairperson of the Board shall be elected by the Trustees from among their number.
- (4) The chairperson and vice- chairperson shall be of the opposite gender.
- (5) The Cabinet Secretary shall ensure that not more than two thirds of the members of the Board are of the same gender.
- (6) The Cabinet Secretary shall appoint the persons nominated under subsection (2) by notice in the *gazette*.
- (7) The procedure for nomination and appointment of Trustees under subsection (2) shall be as prescribed in the regulations.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 6 (as amended) – agreed to.

Clauses 7 - 9

Motion made and Question proposed;

THAT, Clause 7 - 9 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES –

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbiti Michael Maling’a
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kii
27. Sen. Wetang’ula Moses Masika



6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kio
27. Sen. Wetang'ula Moses Masika

Clause 10 (as amended) – agreed to.

Clauses 11-15

Motion made and Question proposed;

THAT, Clause 11 - 15 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Maling'a
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 11-15 – agreed to.

Clause 16 – amendment proposed.



**THAT** the Bill be amended by deleting clause 16 and substituting therefor the following new clause—

- 16. The Trustees shall be paid such remuneration as the Authority may determine in accordance with the Retirement Benefits Act.

**THAT** clause 10 of the Bill be amended in subclause (1) by deleting the word “three” appearing immediately after the words “absence from” appearing in paragraph (e) and substituting therefor the word “two”.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27	NOES – 0	ABSTENTIONS – 0
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AYES

- |                                   |   |
|-----------------------------------|---|
| 1. Sen. Halake Abshiro Soka       | -Voted verbally on behalf of Isiolo County Delegation |
| 2. Sen. Ali Abdullahi Ibrahim     |   |
| 3. Sen. Boy Issa Juma             |   |
| 4. Sen. Cherarkey Samson Kprotich |   |

5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 16 (as amended) - agreed to.

Clause 17

Motion made and Question proposed;

THAT, Clause 17 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Kisumu County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Maling’a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghisio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kiio
- 27. Sen. Wetang’ula Moses Masika

Clause 17 – agreed to.

Clause 18 – amendment proposed.

**THAT** clause 18 of the Bill be amended by inserting the following new subclause immediately after subclause (4)—

(4a) The chief executive officer shall hold office for a term of three years and may be eligible for re-appointment for a further final term of three years.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation

7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 18 (as amended) – agreed to.

Clauses 19 - 20

Motion made and Question proposed;

THAT, Clause 19-20 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County

- Delegation
- 2. Sen. Iman Falhada Dekow - Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega Delegation
- 15. Sen. Mbito Michael Maling’a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kio
- 27. Sen. Wetang’ula Moses Masika

Clause 19-20 – agreed to.

Clause 21 – amendment proposed.

**THAT** clause 21 of the Bill be amended in paragraph (d) by deleting the words “provide regular information” appearing immediately before the words “on investment strategy” and substituting the words “submit reports on a quarterly basis”.

*(Sen. Farhiya Ali Haji)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George

10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 21 (as amended) - agreed to.

Clause 22 - amendment proposed.

**THAT** clause 22 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately paragraph (f)-

(fa) submit to the Board a report on a quarterly basis, of the reconciliations with respect to the funds held by the Custodian;

*(Sen. Farhiya Ali Haji)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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



1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 22 (as amended) – agreed to.

Clause 23 – amendment proposed.

**THAT** clause 23 of the Bill be amended in subclause (2) by-

- (a) inserting the words “at least on a quarterly basis” immediately after the words “including access” in paragraph (d);
- (b) inserting the following new paragraph immediately after paragraph (d)-

(da) keep and maintain proper books of accounts of the scheme;

*(Sen. Farhiya Ali Haji, MP)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation

7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 23 (as amended) – agreed to.

Clause 24 – amendment proposed.

**THAT** clause 24 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause-

- (1) A member shall, so long as the member remains in the employment of a sponsor, contribute not less than twelve percent of that member's pensionable emoluments to the Scheme.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghismo Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio

27. Sen. Wetang'ula Moses Masika

Question - agreed to.

**Further amendment**

**THAT** clause 24 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause-

- (1) A member shall, so long as the member remains in the employment of a sponsor, contribute not less than twelve percent of that member's pensionable emoluments to the Scheme.

*(Sen. Farhiya Ali Haji, MP)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma

4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghismo Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 24 (as amended) - agreed to.

Clauses 25 - 43

Motion made and Question proposed;

THAT, Clause 25-43 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Maling’a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghisio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kiio
- 27. Sen. Wetang’ula Moses Masika

Clause 44 – amendment proposed.

**THAT** clause 44 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause-

(1) The scheme shall be reviewed by an actuary appointed by the Board as provided for in the Retirement Benefits Act.

*(Sen. Farhiya Ali Haji, MP)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa



7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

Clause 44 (as amended) - agreed to.

Clause 45

Motion made and Question proposed;

THAT, Clause 45 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo

- |                                |   |
|--------------------------------|---|
|                                | County Delegation                                       |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orenge James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang’ula Moses Masika

Clause 45 – agreed to.

Clause 46 – amendment proposed.

**THAT** clause 46 of the Bill be amended in the introductory phrase in subclause (2) by inserting the word “actuary” immediately after the words “fund Manager”.

*(Sen. Farhiya Ali Haji, MP)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |  |
|--------------------------------|--|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation  |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf Kakamega County Delegation   |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation  |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura

11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kio
27. Sen. Wetang’ula Moses Masika

Clause 46 (as amended) – agreed to.

Clause 47

Motion made and Question proposed;

THAT, Clause 47 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega

County Delegation

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

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Maling’a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghisio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kiio
- 27. Sen. Wetang’ula Moses Masika

Clause 47 – agreed to.

Clause 48 – amendment proposed.

**THAT** clause 48 of the Bill be amended in subclause (1) by deleting the words “two years” appearing immediately after the words “imprisonment for a term not exceeding” at the end of subclause and substituting therefor the words “five years.”

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim

14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Assembly
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kii
27. Sen. Wetang'ula Moses Masika

### **Further Amendment**

THAT Clause 48 of the Bill be amended by inserting the following new subclause immediately after subclause (2)-

(3) A person who is convicted of an offence under subsection (1) (c) shall, in addition to any fine that may be imposed, refund to the scheme three times the value of any loss that may be incurred by the scheme by reason of the commission of the offence.

*(Sen. Farhiya Ali Haji, MP)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation

3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kio
27. Sen. Wetang'ula Moses Masika

Clause 48 (as amended) – agreed to.

Clauses 49 - 54

Motion made and Question proposed;

THAT, Clause 49-54 be part of the Bill



Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Maling’a

16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kio
27. Sen. Wetang'ula Moses Masika

Clause 49-54 – agreed to.

Clause 55 – amendment proposed.

**THAT** clause 55 of the Bill be amended by inserting the following new subclauses immediately after subclause (6)—

(7) The Auditor General shall cause an actuarial audit and valuation to be carried out with respect to the closed schemes within six months upon the commencement of this Act to ascertain the following for the purpose of transitional management—

- (a) assets acquired by the schemes;
- (b) liabilities accrued by the schemes; and
- (c) employees of the schemes.

(8) The Auditor General shall submit a report on the findings of the audit and valuation to the Board, the Senate and the National Assembly within three months of carrying out of the audit under subsection (7).

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

The Acting Chairperson put the Question and directed Senators to cast their votes by pressing either the **“Yes”**, **“No”** or **“Abstain”** button; Before the results of the Division were announced and pursuant to provisions of Standing Order 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Isiolo County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Malinga
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghisio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kio
- 27. Sen. Wetang’ula Moses Masika



8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiiro
27. Sen. Wetang’ula Moses Masika

Clause 56 (as amended) - agreed to.

Clauses 57 and 58

Motion made and Question proposed;

THAT, Clause 57 and 58 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation

- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga-Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Maling’a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong’o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghismo Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kiio
- 27. Sen. Wetang’ula Moses Masika

Clause 57 and 58

- agreed to.

New Clause 59

-Insertion of New Clause Proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 58—

Amendment of 59. The County Governments Act is amended by deleting section 132 of Act section 132.  
No. 17 of 2012

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Motion made and Question proposed;

That, the New Clause 59 be now read a Second Time.

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

Before the results of the Division were announced and pursuant to 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. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 26                      NOES – 0                      ABSTENTIONS – 0

AYES

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

3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Isiolo Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Frankline Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga'
16. Sen. Mbogo George Ochilo
17. Sen. Mpaayei Phillip Salau
18. Sen. Mwinyi Haji Mohamed
19. Sen. Nderitu John Kinyua
20. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
21. Sen. Olekina Ledama
22. Sen. Orengo James
23. Sen. Poghismo Samuel Losuron
24. Sen. Sakaja Johnson Arthur
25. Sen. Wambua Enock Kiio
26. Sen. Wetang'ula Moses Masika

Question - agreed to.

Motion made and Question proposed;

That, the New Clause 59 be part of the Bill;

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

Before the results of the Division were announced and pursuant to 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. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES – 26

NOES – 0

ABSTENTIONS – 0

AYES

- 1. Sen. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron
- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Isiolo Garissa County Delegation
- 7. Sen. Kajwang’ Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Frankline Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Malinga’
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mpaayei Phillip Salau
- 18. Sen. Mwinyi Haji Mohamed
- 19. Sen. Nderitu John Kinyua
- 20. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 21. Sen. Olekina Ledama
- 22. Sen. Orengo James
- 23. Sen. Poghisio Samuel Losuron
- 24. Sen. Sakaja Johnson Arthur
- 25. Sen. Wambua Enock Kiio
- 26. Sen. Wetang’ula Moses Masika

New Clause 59 – agreed to.

The Schedule – amendment proposed.

The schedule is amended in paragraph 2 by deleting subparagraphs (1) and (2) and substituting therefor the following new subparagraphs—

(1) The quorum of a meeting of the Board shall be five Trustees present and voting and shall include at least two Trustees appointed under section 6 (2) (b), (c), (d) or (e) and at least three Trustees appointed under section 6 (2) (f).

(2) For special meetings, the quorum shall be six Trustees present and voting and shall include at least three Trustees appointed under section 6 (2) (b), (c), (d) or (e) and at least four Trustees appointed under section 6 (2) (f).

*(Chairperson, Standing Committee on Labour and Social Welfare)*

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 five minutes;

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

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

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

The results of the Division were as follows:-

AYES – 27                                      NOES – 0                                      ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation

2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang' Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Malinga
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally o behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghisio Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

The Schedule (as amended) – agreed to

Clause 2

Motion made and Question proposed;

THAT, Clause 2 be part of the Bill

Debate interrupted on Thursday, 25<sup>th</sup> July, 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;

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

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

- |                                |   |
|--------------------------------|---|
| 1. Sen. Halake Abshiro Soka    | -Voted verbally on behalf of Isiolo County Delegation   |
| 2. Sen. Iman Falhada Dekow     | -Voted verbally on behalf of Garissa County Delegation  |
| 3. Sen. Masitsa Naomi Shiyonga | -Voted verbally on behalf of Kakamega County Delegation |
| 4. Sen. Nyamunga Rose Ogendo   | -Voted verbally on behalf of Kisumu County Delegation   |

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 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech
9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbito Michael Maling’a
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong’o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghismo Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang’ula Moses Masika

Clause 2 – agreed to.

The Title and Clause 1

Motion made and Question proposed;

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

Debate interrupted on Thursday, 25<sup>th</sup> July, 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 85 (5), the Acting Chairperson allowed four Senators to record their vote verbally.

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

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows:-

AYES 27

NOES – 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
2. Sen. Ali Abdullahi Ibrahim
3. Sen. Boy Issa Juma
4. Sen. Cherarkey Samson Kiprotich
5. Sen. Cheruiyot Aaron Kipkirui
6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
7. Sen. Kajwang’ Moses Otieno
8. Sen. Kamar Margaret Jepkoech

9. Sen. Khaniri George
10. Sen. Kihika Susan Wakarura
11. Sen. Kilonzo Mutula Junior
12. Sen. Linturi Franklin Mithika
13. Sen. Mahamud Mohamed Maalim
14. Sen. Masitsa Naomi Shiyonga-Voted verbally on behalf of Kakamega County Delegation
15. Sen. Mbiti Michael Maling'a
16. Sen. Mbogo George Ochilo
17. Sen. Mogeni Erick Okong'o
18. Sen. Mpaaye Phillip Salau
19. Sen. Mwinyi Haji Faki
20. Sen. Nderitu John Kinyua
21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
22. Sen. Olekina Ledama
23. Sen. Orengo James
24. Sen. Poghismo Samuel Losuron
25. Sen. Sakaja Johnson Arthur
26. Sen. Wambua Enock Kiio
27. Sen. Wetang'ula Moses Masika

The Title and Clause 1 – agreed to.

Motion made:

THAT, the Bill be reported with amendments.

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

Question put and Agreed to.

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

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

Bill reported with amendments;

Motion made and Question proposed-

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

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and question proposed-

THAT, the County Government Retirement Scheme Bill (National Assembly Bills No. 10 of 2018) be now read a third time.

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

The House proceeded to a Division;

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

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

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

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

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 3. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 4. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation

The results of the Division were as follows;

AYES = 27            NOES = 0            ABSTENTIONS = 0

AYES

- 1. Sen. Halake Abshiro Soka -Voted verbally on behalf of Isiolo County Delegation
- 2. Sen. Ali Abdullahi Ibrahim
- 3. Sen. Boy Issa Juma
- 4. Sen. Cherarkey Samson Kiprotich
- 5. Sen. Cheruiyot Aaron Kipkirui

- 6. Sen. Iman Falhada Dekow -Voted verbally on behalf of Garissa County Delegation
- 7. Sen. Kajwang' Moses Otieno
- 8. Sen. Kamar Margaret Jepkoech
- 9. Sen. Khaniri George
- 10. Sen. Kihika Susan Wakarura
- 11. Sen. Kilonzo Mutula Junior
- 12. Sen. Linturi Franklin Mithika
- 13. Sen. Mahamud Mohamed Maalim
- 14. Sen. Masitsa Naomi Shiyonga -Voted verbally on behalf of Kakamega County Delegation
- 15. Sen. Mbito Michael Maling'a
- 16. Sen. Mbogo George Ochilo
- 17. Sen. Mogeni Erick Okong'o
- 18. Sen. Mpaaye Phillip Salau
- 19. Sen. Mwinyi Haji Faki
- 20. Sen. Nderitu John Kinyua
- 21. Sen. Nyamunga Rose Ogendo -Voted verbally on behalf of Kisumu County Delegation
- 22. Sen. Olekina Ledama
- 23. Sen. Orengo James
- 24. Sen. Poghisio Samuel Losuron
- 25. Sen. Sakaja Johnson Arthur
- 26. Sen. Wambua Enock Kio
- 27. Sen. Wetang'ula Moses Masika

Question agreed to

Bill Read a Third Time and passed.

11. **COMMITTEE OF THE WHOLE**

Order for Committee read;

**IN THE COMMITTEE**

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

**The Natural Resource (Benefit Sharing) Bill (Senate Bills No. 31 of 2018)**

Clauses 3-5

Motion made and Question proposed;

THAT Clauses 3-5 be part of the Bill.

Clauses 3-5 – vote deferred.

Clause 6 – amendment proposed.

THAT clause 6 of the Bill be amended—



- (a) in subclause (1) by inserting the words “in consultation with the Council of County Governors and relevant national government entities” immediately after the words “The Commission shall”; and
- (b) in subclause (2) by deleting the word “overall” appearing immediately after the word “the” in paragraph (a) and substituting therefor the word “total”.

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 6 - vote deferred.

Clauses 7 and 8

Motion made and Question proposed;

THAT Clauses 7 and 8 be part of the Bill.

Clauses 7 and 8 - vote deferred.

Clause 9 - amendment proposed.

THAT clause 9 of the Bill be amended in subclause (1) by inserting the words “with the relevant county government” immediately after the words “benefit sharing agreement”.

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 9 - vote deferred.

Clause 10 - amendment proposed.

THAT clause 10 of the Bill be amended —

- (a) in subclause (2) by —
  - (i) by inserting the following new paragraph immediately after paragraph (b) —
    - (ba) two technical officers of the relevant county departments, appointed by the county executive committee member in consultation with the county executive committee member responsible for the respective natural resources; and
  - (ii) deleting paragraph (c) and substituting therefor the following new paragraph —
    - (c) five persons, two of whom shall be of the opposite gender, elected by the local communities where the natural resource is found and representing the areas with the main natural resources within the county”;
- (b) in subclause (5) by inserting the words “in consultation with Council of County Governors” immediately after the words “Cabinet Secretary shall”.

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 10 – vote deferred.

Clauses 11 and 12

Motion made and Question proposed;

THAT Clauses 11 and 12 be part of the Bill.

Clauses 11 and 12 – vote deferred.

Clause 13 – amendment proposed.

THAT clause 13 of the Bill be amended by inserting the following new subclause immediately after subclause (4) —

(4A) A local community benefit sharing forum shall not hold more than eight meetings in one year.

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 13 – vote deferred.

Clause 14 – amendment proposed.

THAT clause 14 of the Bill be amended by deleting subclause (4).

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 14 – vote deferred.

Clause 15

Motion made and Question proposed;

THAT, Clause 15 be part of the Bill.

Clauses 15 – vote deferred.

Clause 16 – amendment proposed.

THAT clause 16 of the Bill be amended in subclause (3) by deleting the word “principal” appearing immediately after the words “this Act every”.

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 16 – vote deferred.

Clause 17 – amendment proposed.

THAT clause 17 of the Bill be amended—

(a) in subclause (1) by deleting the word “one” appearing immediately after the words “Commission shall within” and substituting therefor the word “two”;

(b) by inserting the following new subclauses immediately after subclause (3)

—  
(4) An affected entity that, immediately before the commencement of this Act, was lawfully authorised to exploit a natural resource under this Act shall be considered to be authorised to conduct such exploitation under this Act.

(5) Despite subsection (4), an affected entity shall comply with the provisions this Act within two years of its commencement.

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 17 – vote deferred.

Clauses 18 and 19

Motion made and Question proposed;

THAT Clauses 18 and 19 be part of the Bill.

Clauses 18 and 19 – vote deferred.

Clause 2 – amendment proposed.

THAT clause 2 of the Bill be amended—

(a) in the definition of the term “Cabinet Secretary” by deleting the word “mining” appearing immediately after the words “matters related to” and substituting therefor the words “finance”;

(b) by deleting the definition of the term “local community” and substituting therefor the following new definition—

“local community” means

(a) people living in a ward within which a natural resource is situated; and

(b) people displaced to make way for the exploitation of a natural resource;

(c) by deleting the definition of the term “natural fund” and substituting therefor the following new definition—

“natural resources” means the natural resources provided under section 3 of this Act;

(d) by inserting the following new definitions in their proper alphabetical sequence—

“county executive committee member” means the county executive committee member responsible for matters relating to finance in the respective county;

No. 17 of 2015 “officer” has the meaning assigned to it under section 3 of the Companies Act;

*(Sen. Abshiro Halake, MP on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Clause 2 – vote deferred.

The Title – amendment proposed.

THAT the Long Title to the Bill be amended by inserting the word “natural” immediately after the words “benefit sharing in”.

*(Sen. Abshiro Halake on behalf of the Chairperson, Standing Committee on Land, Environment and Natural Resources)*

Title – vote deferred.

Clause 1

Motion made and Question proposed;

THAT, Clause 1 be part of the Bill.

Clause 1 – vote deferred.

### **Progress report**

Motion made:

That, the Committee of the Whole do report progress on its consideration of the Natural Resources (Benefits Sharing) Bill (Senate Bills No. 31 of 2018) and seek leave to sit again tomorrow.

*(Sen. (Dr.) Agnes Zani, MP)*

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

Question put and agreed to.

12. **HOUSE RESUMED** – Temporary Speaker (Sen. (Prof.) Margaret Kamar) in the Chair
13. **THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 31 OF 2018)**

Progress reported;

Motion made and Question Proposed;

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

*(Sen. (Dr.) Agnes Zani, MP)*

There being no Senator wishing to contribute;

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

Question put and agreed to.

14. **COMMITTEE OF THE WHOLE**  
**THE ELECTION LAWS (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2018)**  
(Sen. Ledama Olekina, MP)

Order deferred.

15. **WITHDRAWAL OF A BILL PURSUANT TO STANDING ORDER 154**

Pursuant to Standing Order 154, the sponsor of the Election Laws (Amendment) (No.2) Bill (Senate Bills No. 37 of 2018) (Sen. (Dr.) Agnes Zani, MP) claimed to withdraw the Bill.

And the Speaker acceding to the request, allowed the Senator to withdraw the Bill.

Bill withdrawn.

16. **COMMITTEE OF THE WHOLE**  
**THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2018)**  
(Sen. Mary Seneta, MP)

Order deferred.

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 Public Finance Management (Amendment) Bill (Senate Bills No. 3 of 2019)**

Clause 2 - amendment proposed

**THAT** clause 2 of the Bill be amended-

(a) in the proposed new section 160A by deleting subsection (1) and substituting therefor the following new subsections-

(1) The Cabinet Secretary shall, in consultation with the Council of County Governors, the Commission on Revenue Allocation, the Kenya Revenue Authority, develop a uniform county revenue collection system.

(1A) Every County Treasury shall adopt and implement the county revenue collection system developed under subsection (1) having regard to the particular needs of the respective county.

(b) in the proposed new section 160B by inserting the words “the Controller of Budget, the Auditor-General” immediately after the words “National Treasury” appearing in subsection (2).

(c) in the proposed new section 160C by-

(i) deleting the words “two years” appearing after the words “within a period of” and substituting therefor the words “one year” appearing in subsection (1); and

(ii) inserting the words “on the recommendation of the Senate and” immediately after the words “National Treasury may” appearing in the introductory phrase of subsection (2).

*(Chairperson, Standing Committee on Finance and Budget)*

Clause 2 - vote deferred

The Title and Clause 1

Motion made and Question proposed;

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

The Title and Clause 1 - vote deferred

**Progress report**

Motion made:

THAT, pursuant to Standing Order 148, the Committee of the Whole do report to the House its consideration of the Public Finance Management

(Amendment) Bill (Senate Bills No. 3 of 2019) and seek leave to sit again tomorrow.

*(Sen. (Dr.) Agnes Zani, 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** – Temporary Speaker (Sen. (Prof). Margaret Kamar, MP) – in the Chair

19. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 3 OF 2019)**

Progress reported;

Motion made and Question proposed;

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

*(Sen. (Dr.) Agnes Zani, 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.

20. **COMMITTEE OF THE WHOLE**  
**THE NATIONAL MUSEUM AND HERITAGE (AMENDMENT) BILL (SENATE BILLS NO. 7 OF 2019)**

(Sen. (Dr.) Alice Milgo, MP)

Order deferred.

21. **THE CANCER PREVENTION AND CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 9 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Cancer Prevention and Control (Amendment) Bill (Senate Bills No. 9 of 2019) be now read a Second Time.

*(Sen. (Dr.) Abdullahi Ali, MP – 30.07.19)*

Debate interrupted on Tuesday, 30<sup>th</sup> July, 2019 resumed;

There being no other Senator wishing to contribute;

Mover replied;

Raising a point of Order, the Senator for Wajir County (Sen. (Dr.) Abdullahi Ali, MP) requested that the putting of the Question be deferred to a later date, pursuant to Standing Order 61 (3).

And the Deputy Speaker, acceding to the request, deferred the putting of the Question to a later date.

22. **THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2019)**

(The Senate Majority Leader)

Order for Second reading read;

Order deferred.

23. **THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 39 OF 2019)**

(The Senate Majority Leader)

Order for Second reading read;

Order deferred.

24. **MOTION - RENAMING OF MURANG'A UNIVERSITY OF TECHNOLOGY TO KENNETH MATIBA UNIVERSITY OF TECHNOLOGY.**

Order read;

Motion made and Question proposed-

THAT, AWARE THAT, Murang'a University of Technology (MUT) is a Chartered University established under Section 13 of the Universities Act, 2012, and is positioning itself to develop a distinctive profile as a progressive and international Technical University, growing its enrolment strategically;

FURTHER AWARE that the University is located in Murang'a County, the home County of the late politician Kenneth Njindo Matiba, who died a patriotic and political hero, with numerous achievements spanning four decades;

NOTING THAT, the late Matiba was a prolific industrialist in the hospitality and education sector, and an accomplished public servant having served as the first indigenous African Permanent Secretary for Education in 1963; Permanent Secretary for Commerce; Chairperson of the Kenya Football Federation from 1974-78; a member of parliament for Kiharu constituency; Cabinet Minister for Health; Culture & Social Services; and Transport & Communications;



FURTHER NOTING THAT, the late Matiba was part of the opposition alliance that led the liberation struggle for the restoration of multi-party democracy through the Forum for the Restoration of Democracy (FORD), later founding FORD –Asili under which he ran for presidency in 1992 general election;

COGNIZANT that under the Heroes Act, 2014, the state is obliged to confer recognition to the late statesman for his cardinal contributions to the political and economic growth of this country;

FURTHER COGNIZANT that other patriotic Kenyans like Jomo Kenyatta, Daniel arap Moi, Masinde Muliro, Dedan Kimathi and Jaramogi Oginga Odinga have been accorded such recognition;

NOW THEREFORE, the Senate urges the National Government in remembrance of Matiba’s contribution to our Nation, to rename Murang’a University of Technology to Kenneth Matiba University of Technology.

*(Sen. Isaac Mwaura, MP – 23.07.2019)*

Debate interrupted on Tuesday, 23<sup>rd</sup> July, 2019 resumed;

And there being no other Senator wishing to contribute;

And in the absence of the Mover;

Before the Question was put and pursuant to Standing Order No. 79 (1), the Deputy Speaker informed the House that the Motion did not affect counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

**THAT**, AWARE THAT, Murang’a University of Technology (MUT) is a Chartered University established under Section 13 of the Universities Act, 2012, and is positioning itself to develop a distinctive profile as a progressive and international Technical University, growing its enrolment strategically;

FURTHER AWARE that the University is located in Murang’a County, the home County of the late politician Kenneth Njindo Matiba, who died a patriotic and political hero, with numerous achievements spanning four decades;

NOTING THAT, the late Matiba was a prolific industrialist in the hospitality and education sector, and an accomplished public servant having served as the first indigenous African Permanent Secretary for Education in 1963; Permanent Secretary for Commerce; Chairperson of the Kenya Football Federation from 1974-78; a member of parliament for Kiharu constituency; Cabinet Minister for Health; Culture & Social Services; and Transport & Communications;

FURTHER NOTING THAT, the late Matiba was part of the opposition alliance that led the liberation struggle for the restoration of multi-party democracy through the

Forum for the Restoration of Democracy (FORD), later founding FORD –Asili under which he ran for presidency in 1992 general election;

COGNIZANT that under the Heroes Act, 2014, the state is obliged to confer recognition to the late statesman for his cardinal contributions to the political and economic growth of this country;

FURTHER COGNIZANT that other patriotic Kenyans like Jomo Kenyatta, Daniel arap Moi, Masinde Muliro, Dedan Kimathi and Jaramogi Oginga Odinga have been accorded such recognition;

NOW THEREFORE, the Senate urges the National Government in remembrance of Matiba’s contribution to our Nation, to rename Murang’a University of Technology to Kenneth Matiba University of Technology.

25. **MOTION - STAFF RATIONALIZATION IN COUNTIES.**

Order read;

Motion made and Question proposed-

THAT, AWARE THAT the Senate represents the counties, and serves to protect the interests of the Counties and their governments;

FURTHER AWARE THAT, the launch of the Capacity Assessment and Rationalization of the Public Service (CARPS) Programme was launched by the Inter-Governmental Steering Committee (IGSC) on 14<sup>th</sup> July 2014 with the objective of transforming the Public Service for efficient and effective service delivery at both levels of Government;

NOTING THAT, the implementation timelines for the CARPS programme of two years specifically with regard to the capacity assessment, workload analysis and staff redeployment and transfers, are of paramount importance in the Counties as the terms of all second term County Governors come to a close in 2022;

CONCERNED THAT, County governments are still engaged in uncontrolled hiring of staff in total violation of applicable laws, exposing a glaring imbalance between money spent on recurrent expenditure, versus budgets for development projects which are the essence of devolution;

CONCERNED FURTHER THAT, contrary to Section 15(2)(b) of the Public Finance Management (PFM) Act, in counties such as Nairobi, Machakos, Garissa, Kisumu, Wajir, Baringo, Narok, Nakuru and Nyamira, staff salaries consumed in excess of 75% of total expenditure, over and above the set limit of 35% as provided in Regulation 25 (1) of the Public Finance Management (County Governments) Regulations, 2015 during the FY 2018/2019;

DEEPLY CONCERNED THAT, although Section 65 of the County Governments Act requires that more than 30% of the vacancies at entry level be given to members of ethnic groups that are not dominant in their precincts, the 2016 Ethnic and Diversity audit launched by the National Cohesion and Integration Commission revealed that 68% of Counties have hired more than 70% of their staff from one ethnic group;

NOW THEREFORE in exercise of its oversight function, the Senate resolves that the Public Service Commission (PSC), Intergovernmental Relations Technical Committee (IGTRC) and the Council of Governors provide a comprehensive report on:

- 1) the progress and implementation status of the Capacity Assessment and Rationalization of the Public Service (CARPS) Programme indicating the County Governments that are compliant; and
- 2) the number of employees in each County Government showing the amount spent as wage bill vis a vis recurrent expenditure budgeted for FY 2018/2019. and submit these reports to the Senate within 60 days of this resolution.

*(Sen. (Dr.) Agnes Zani, MP – 4.07.2019)*

Debate interrupted on Thursday, 4<sup>th</sup> July, 2019 resumed;

And the time being thirty minutes past Six O'clock, the Deputy Speaker adjourned the Senate without question put, pursuant to the Standing Orders.

26. **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, August 01, 2019 at 2.30 p.m.*

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