



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIRST SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, NOVEMBER 22, 2022 AT 2.30 PM

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.
3. **QUORUM IN THE HOUSE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, caused the Bell to be rung for five minutes pursuant to Standing Order 40;

And there being a Quorum after expiry of five minutes;

The Speaker invited the Clerk to call the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR ON VISITING DELEGATION FROM THE COUNTY ASSEMBLY OF NYAMIRA, PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE**

The Speaker conveyed the following communication from the Chair-

“Honorable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, Members of the Committee on Public Accounts and Investments from Nyamira County Assembly. The delegation is at the Senate for a five (5) days benchmarking visit with its counterpart Committee at the Senate, the County Public Accounts Committee (CPAC) and County Public Investments and Special Funds Committee (CPIISFC).

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

- | | | |
|----|-----------------------|------------------------|
| 1. | Hon. Thaddeus Nyabaro | Deputy Speaker |
| 2. | Hon. Duke Oyagi | Deputy Majority Leader |
| 3. | Hon. Kenneth Nyameino | Chairperson |
| 4. | Hon. Dickson Machungo | Vice-Chairperson |

- 5. Hon. Charles Keganda Member
- 6. Hon. Priscilla Nyatichi Member

They are accompanied by;

- 1. Ms. Gladys Sorobi Committee Clerk
- 2. Ms. Peninah Kerama Committee Clerk
- 3. Mr. Kevin Riro Committee Clerk
- 4. CPA Joash Mwamba Auditor
- 5. CPA Erick Koroba Auditor

Honorable Senators,

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

I thank you!”

5. **NOTICE OF MOTION – DROUGHT AND HUNGER MITIGATION IN TURKANA COUNTY**

(Sen. James Lomenen Ekomwa, MP)

THAT, AWARE THAT Turkana County continues to experience extremely dry weather conditions with the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reporting that the aggregate rainfall for the six-month period ending September 2022 represented only 21 percent of the normal rainfall;

FURTHER AWARE THAT the prevailing weather conditions have resulted in the drying up of wells, boreholes, loss of pasture, and crops, therefore rendering any form of farming impracticable;

ACKNOWLEDGING THAT the residents of the County are predominantly pastoralists who keep cattle, donkeys, camels, and goats for food and income, and that the loss of these livestock is a loss of livelihood for them;

NOTING THAT the prevailing drought has resulted in the death of more than half of the livestock in the County thereby pushing eight hundred thousand residents to the brink of starvation and resulting in the highest ever rate of acute malnutrition in the County at 33%;

FURTHER NOTING THAT residents have been forced into migration with their livestock in search of pasture and water which has exposed them to raids by bandits and resulting in children dropping out of school;

CONCERNED THAT droughts have been recorded in the County since the 1960s and that the frequency of their occurrences has progressively increased with drought in the County becoming a yearly phenomenon;

COGNIZANT THAT Article 43 of the Constitution of Kenya, 2010, stipulates the rights of every person to be free from hunger, to have adequate food of acceptable quality, and to clean and safe water in adequate quantities, and

obliges the State to provide social security to persons unable to support themselves and their dependants;

FURTHER COGNIZANT THAT Article 11 of the United Nation's International Covenant on Economic, Social and Cultural Rights (ICESCR) places further emphasis on the fundamental right to food and obliges the State to take progressive steps towards achieving full realization of the right to adequate food;

NOW, THEREFORE, the Senate urges the Ministries of Agriculture and Livestock Development; Water, Sanitation, and Irrigation; Education, and the Ministry of East African Community (EAC), the ASALs and Regional Development through the National Drought Management Authority, to come up with a policy framework to address the perennial drought in the County and to come up with policy programs addressing the current needs of the County to include:-

- i) a roll out of a Rapid Response Initiative (RRI) programme of providing foodstuffs to the affected residents of the County to address immediate critical needs;
- ii) an introduction of feeding programme in schools across the County;
- iii) the drilling of water boreholes; and
- iv) an institution of a livestock off-take programme to buy weak livestock.

6. **NOTICE OF MOTION – ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 37 TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE, NAMELY THE DECISION OF THE GOVERNMENT TO AUTHORIZE THE CULTIVATION AND IMPORTATION OF BANNED GENETICALLY MODIFIED ORGANISM (GMO) FOODS**

Rising in his place on a Point of Order, the Senate Minority Leader claimed to move that the House do adjourn under Standing Order 37 to discuss a definite matter of urgent national importance, namely, the decision of the government to authorize the cultivation and importation of banned genetically modified organism (GMO) foods.

And there being a sufficient number of Senators rising in their places in support of the claim;

And the Speaker having acceded to the claim;

Thereupon, the Speaker directed that the Motion be moved at Thirty Minutes past Five O'clock today.

7. STATEMENTS**(a) Pursuant to Standing Order 52(1)**

Nominated Senator (Sen. Crystal Asige, MP) made a Statement on a matter of general topical concern, namely observation of road safety during the festive season.

The Senator urged that during the Christmas break as people travel to be with their loved ones, road safety across the country should be a key priority for the government. She informed the Senate that the death toll in Kenya due to motor vehicle crashes up to 26th September, 2022 was 3,540 – an increase of about 250 crashes from a similar period in 2021.

The Senator termed road carnage as “*road crashes*” and not accidents to emphasize that the majority of our fatalities are caused by failures in design, construction and/or training.

The Senator reiterated that it was time that something was done to address road crashes in the country, stating that Road Safety policies in Kenya shall assist with this. The Senator remarked that vulnerable groups, especially persons with disabilities, Senior citizens and children, are in dire need of safer roads in Kenya. She raised concerns that the poorly designed roads, lack of legal provisions for universal design, lack of proper training and education on road use and safety, poor regulation and enforcement and the poor public transport systems only exacerbate the situation.

The Senator informed the Senate that the World Health Rankings put Kenya at 48 deaths out of 100,000 people, saying that Western countries report death rates much lower than Kenya due to their road safety policies, safe street designs, and safe road awareness in place. Kenya’s policies on road design and safety must be completely overhauled in order to protect vulnerable road users. Kenyan road designs need to start following a safe systems approach, which puts the greatest responsibility on the road users who can do the greatest harm to ensure road safety, as they have the highest responsibility to reduce road crashes.

In conclusion, the Senator called for the following in a bid to ensure road safety -

- (i) Enacting legislation that ensures new roads incorporate walkways, crossings, cycle tracks, functioning street lights, bus shelters, trees, and street furniture, with all elements built following universal design standards;
- (ii) Introduction of mandatory units in Accessibility and Universal Design across all professional educational curricular relevant to infrastructural design, development and delivery;
- (iii) Introduction of curricular for road safety courses to be taught in all schools from a young age. Early education and training on road

safety will lead to these eager young minds becoming better road users and motor vehicle drivers;

- (iv) A complete overhaul of courses in our driving schools;
- (v) Introducing legislation that mandates all motor vehicles to have regular evaluation to guarantee their roadworthiness and regular refresher courses for all drivers;
- (vi) At a personal level, ensuring that Kenyans pay attention to, and follow all, traffic rules while driving; and
- (vii) Encouraging all Kenyans to not call traffic crashes “accidents” and, instead, educate society about why “*road crashes*” is often the more accurate term.

(b) Pursuant to Standing Order 53(1)

- i) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the state of disrepair of sections Mombasa road following the construction of the Nairobi Expressway.
- ii) Nominated Senator (Sen. Tabitha Mutinda, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism concerning the rise in the number of road-side hardware suppliers in residential areas in Nairobi City County.
- iii) Nominated Senator (Sen. Tabitha Mutinda, MP) sought a Statement from the Standing Committee on Education regarding the rise in number of private schools operating in residential areas in Nairobi City County.
- iv) Nominated Senator (Sen. Crystal Asige, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding road safety and universal design.
- v) The Senator for Migori County (Sen. Eddy Oketch, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations concerning the state of security in Migori County, particularly in Awendo Constituency and Migori Town.

(c) Pursuant to Standing Order 56(1)(a)

The Chairperson, Select Committee on County Public Investments and Special Funds issued a Statement on matters for which the Committee is responsible

The Chairperson explained that the Committee is established under standing order 194 of the Senate Standing Orders and is mandated to-

- (a) *examine the reports and accounts of county public investments; and*

- (b) *examine the reports, if any, of the Auditor General on the county public investments.*

and, is expected to interrogate Public Investments and Funds that exist in County Governments (both in the County Executives and the County Assemblies). The County Investments largely comprise water companies while County Funds include car loan and mortgage funds, emergency funds, education funds and enterprise, funds including the reports by the Office of the Auditor General tabling the audit reports of more than eighty (80) water companies and two-hundred (200) Funds tabled in the Senate from 2014/2015 to date.

The chair informed the House that the Committee has since resolved to expedite the consideration of the audited reports and is in the process of inviting Governors to respond to the numerous audit issues raised by the Auditor General on the Financial Statements of the following entities-

- (i) The Othaya Mukurwe-ini Water Services Company Limited for Financial Years 2018/19, 2019/20 and 2020/21 and the Nyeri Water and Sanitation Company Limited for Financial Years 2018/19, 2019/20 and 2020/21. The Committee has invited the Governor of Nyeri County to appear before the Committee on Tuesday, 22nd November, 2022 to file responses to the audit reports;
- (ii) The Nairobi City Water and Sewerage Company for Financial Years 2018/19, 2019/20 and 2020/21. The Committee has invited the Governor for Nairobi City County to appear before the Committee on Wednesday, 23rd November, 2022 to file responses;
- (iii) The Narok Water and Sewerage Services for Financial Years 2018/19, 2019/20 and 2020/21. The Committee has invited the Governor for Narok County to appear before the Committee on Tuesday, 6th December, 2022 to file responses to the audit reports; and
- (iv) The Kisumu County Car and Mortgage Scheme Fund for Financial Years 2018/19, 2019/20 and 2020/21 and the Kisumu Water and Sanitation Company Limited for Financial Years 2018/19, 2019/20 and 2020/21. The Committee has invited the Governor for Kisumu County to appear before the Committee on Wednesday, 7th December, 2022 to file responses to the audit reports.

The Committee has considered the matter of Regional Economic Blocs and established that they form a significant part of county investments and thus fall within its oversight role, and had written to the Council of Governors on the following matters-

- (i) The number of established Regional Economic Blocs, their membership, their legal status and the policy framework behind their establishment;
- (ii) The functions of the Regional Economic Blocs, their sources of funding and all projects undertaken by each bloc; and

- (iii) A list of all projects initiated by the Regional Economic Blocs, their status and the amount of funds allocated to each project.

The Council of Governors clarified in its response to the Committee that-

- (i) There were seven (7) established Regional Economic Blocs with fully fledged secretariats.
- (ii) There were insufficient legal and policy frameworks to promote regional economic integration between county governments;
- (iii) A draft national policy on establishment of Regional Economic Blocs by county governments was awaiting Cabinet approval; and
- (iv) Some counties such as Tana River, Lamu, Trans Nzoia and Turkana were members of more than bloc while Nairobi City County was not a member of any bloc.

The Chair observed that the Regional Economic Blocs were receiving funds from member counties and donor partners but were not being audited by the Office of the Auditor-General resulting in the Regional Economic Blocs operating without checks and balances. A matter which the committee resolved to investigate further as part of the scheduled fact finding visits to various Counties, where priority will be given to investments that are facing huge fiduciary risks.

8. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS (NO. 2) BILL (SENATE BILLS NO. 4 OF 2022)**

Order for Second Reading read;

Motion made and Question proposed-

THAT, The County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 4 of 2022) be now read a Second Time.

(Chairperson, Standing Committee on Finance and Budget – 17.11.2022)

Debate interrupted on Thursday, 17th November, 2022 (afternoon Sitting) resumed on a Division;

The House proceeded to a Division;

The Speaker, directed that roll call division be taken pursuant to Standing Order 88(1), and that the Division bell be rung for ten minutes;

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

The names of the Tellers were announced as follows;

1. Sen. Raphael Chimera, MP – AYES
2. Sen. Hezena Lemaletian, MP – NOES

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

The results of the Division were as follows:-

AYES – 27

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Keroche, Tabitha Karanja
10. Sen. Khalwale, Boni
11. Sen. Kipkiror, William Cheptumo
12. Sen. Lelegwe, Steve Ltumbesi
13. Sen. Madzayo, Stewart Mwachiru
14. Sen. Mandago, Jackson Kiplagat
15. Sen. Methu, John Muhia
16. Sen. Mwenda, Gataya Mo Fire
17. Sen. Mwinyihaji, Mohamed Faki
18. Sen. Ngugi, Joe Joseph Nyutu
19. Sen. Oketch, Eddy Gicheru
20. Sen. Olekina, Ledama
21. Sen. Osotsi, Godfrey Atieno
22. Sen. Recha, Julius Murgor
23. Sen. Roba, Ali Ibrahim
24. Sen. Seki, Lenku Ole Kanar
25. Sen. Sifuna, Edwine Watanya
26. Sen. Thangwa, Paul Karungo
27. Sen. Wakili, Hillary Kiprotich Sigei

Question, agreed to.

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

9. **COMMITTEE OF THE WHOLE**

Order for Committee Read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Veronica Nduati, MP) – in the Chair)

The County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 4 of 2022)

Clauses 3 and 4

Motion made and Question proposed;

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

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang, Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim

21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watinya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Clauses 3 and 4 - agreed to

Clause 5 - Amendment proposed

Motion made and Question proposed;

- THAT** clause 5 of the Bill be amended in subsection (2) by-
- (a) deleting paragraph (b) and substituting therefor the following new paragraph (b)-
 - (b) conditional allocation financed by a World Bank credit to finance the National Agricultural Value Chain Development Project (NAVCDP) as set out in Column C of the Second Schedule;
 - (b) deleting paragraph (c) and substituting therefor the following new paragraph-
 - (c) conditional allocation financed by a World Bank credit to finance the Kenya Climate Smart Agriculture Project (KCSAP) as set out in Column D of the Second Schedule;
 - (d) deleting paragraph (k) and substituting therefor the following new paragraph-
 - (k) conditional allocation financed by a credit from IDA (World Bank) to finance the Kenyan Urban Support Programme (KUSP) as set out in Column L of the Second Schedule.

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Clause 5 (as amended) - agreed to

Clause 6 - deletion proposed

Motion made and Question proposed;

THAT that the Bill be amended by deleting Clause 6.

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Divison bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Clause 6 - deleted

Clauses 7, 8 and 9

Motion made and Question proposed;

THAT, Clauses 7, 8 and 9 be part of the Bill.

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang’, Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Clauses 7,8 and 9 – Agreed to

First Schedule – amendment proposed

Motion made and Question proposed;

THAT the Bill be amended by deleting the First Schedule and substituting therefor the following new Schedule-

FIRST SCHEDULE					
Conditional allocation to County Governments from National Government Revenue in Financial Year 2022/23 (Kenya Shillings)					
S/NO.	County	FY 2021/22	FY 2022/23		
		Total Conditional Grants from the National Government Revenue	Supplement for Construction of County Headquarters	Conditional Grant-Leasing of Medical Equipment	Total Conditional Grants from the National Government Revenue
		Column A	Column B	Column C	Column D
1	Baringo	153,297,872	-	110,638,298	110,638,298
2	Bomet	153,297,872	-	110,638,298	110,638,298
3	Bungoma	153,297,872	-	110,638,298	110,638,298
4	Busia	153,297,872	-	110,638,298	110,638,298
5	Elgeyo/Marakwet	153,297,872	-	110,638,298	110,638,298
6	Embu	153,297,872	-	110,638,298	110,638,298
7	Garissa	153,297,872	-	110,638,298	110,638,298
8	Homa Bay	153,297,872	-	110,638,298	110,638,298
9	Isiolo	221,297,872	40,000,000	110,638,298	150,638,298
10	Kajiado	153,297,872	-	110,638,298	110,638,298
11	Kakamega	153,297,872	-	110,638,298	110,638,298
12	Kericho	153,297,872	-	110,638,298	110,638,298
13	Kiambu	153,297,872	-	110,638,298	110,638,298
14	Kilifi	153,297,872	-	110,638,298	110,638,298
15	Kirinyaga	153,297,872	-	110,638,298	110,638,298
16	Kisii	153,297,872	-	110,638,298	110,638,298
17	Kisumu	153,297,872	-	110,638,298	110,638,298
18	Kitui	153,297,872	-	110,638,298	110,638,298
19	Kwale	153,297,872	-	110,638,298	110,638,298
20	Laikipia	153,297,872	-	110,638,298	110,638,298
21	Lamu	191,297,872	22,000,000	110,638,298	132,638,298
22	Machakos	153,297,872	-	110,638,298	110,638,298
23	Makueni	153,297,872	-	110,638,298	110,638,298
24	Mandera	153,297,872	-	110,638,298	110,638,298
25	Marsabit	153,297,872	-	110,638,298	110,638,298
26	Meru	153,297,872	-	110,638,298	110,638,298
27	Migori	153,297,872	-	110,638,298	110,638,298
28	Mombasa	153,297,872	-	110,638,298	110,638,298
29	Murang'a	153,297,872	-	110,638,298	110,638,298
30	Nairobi	153,297,872	-	110,638,298	110,638,298
31	Nakuru	153,297,872	-	110,638,298	110,638,298
32	Nandi	153,297,872	-	110,638,298	110,638,298
33	Narok	153,297,872	-	110,638,298	110,638,298
34	Nyamira	153,297,872	-	110,638,298	110,638,298
35	Nyandarua	228,297,872	59,000,000	110,638,298	169,638,298

FIRST SCHEDULE					
Conditional allocation to County Governments from National Government Revenue in Financial Year 2022/23 (Kenya Shillings)					
S/NO.	County	FY 2021/22	FY 2022/23		
		Total Conditional Grants from the National Government Revenue	Supplement for Construction of County Headquarters	Conditional Grant-Leasing of Medical Equipment	Total Conditional Grants from the National Government Revenue
		Column A	Column B	Column C	Column D
36	Nyeri	153,297,872	-	110,638,298	110,638,298
37	Samburu	153,297,872	-	110,638,298	110,638,298
38	Siaya	153,297,872	-	110,638,298	110,638,298
39	Taita Taveta	153,297,872	-	110,638,298	110,638,298
40	Tana River	228,297,872	42,000,000	110,638,298	152,638,298
41	Tharaka Nithi	229,297,872	-	110,638,298	110,638,298
42	Trans Nzoia	153,297,872	-	110,638,298	110,638,298
43	Turkana	153,297,872	-	110,638,298	110,638,298
44	Uasin Gishu	153,297,872	-	110,638,298	110,638,298
45	Vihiga	153,297,872	-	110,638,298	110,638,298
46	Wajir	153,297,872	-	110,638,298	110,638,298
47	West Pokot	153,297,872	-	110,638,298	110,638,298
	Grand Total	7,536,999,984	163,000,000	5,200,000,006	5,363,000,006

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson

4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

First Schedule (as amended)

-

agreed to

Second Schedule – amendment proposed

Motion made and Question proposed;

THAT the Bill be amended by deleting the Second Schedule and substituting therefor the following new Schedule-

SECOND SCHEDULE														
Additional Allocation from proceeds of loans or grants from Development Partners in Financial Year 2022/23 (Figures in Kenya Shillings)														
S/NO.	COUNTY	Total Loans and Grants for FY 2021/22	IDA (World Bank) credit (National Agricultural and Rural Inclusive Growth Project (NARIGP))	IDA (World Bank) credit National Agricultural Value Chain Development Project (NAVCDP)	IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	IDA (World Bank) credit: Water & Sanitation Development Project (WSDP)	DANIDA Grant - Primary Health Care in Devolved Context	IDA (World Bank) Credit (Financing Locally- Led Climate Action (FLoCA) Program, County Climate Institutional Support (CCIS) Grant	Sweden- Agricultural Sector Development Support Programme (ASDSP) II	German Development Bank (KfW)- Drought Resilience Programme in Northern Kenya (DRPNK)	World Bank - Emergency Locust Response Project (ELRP)	World bank - Kenya Informal Settlement Improvement Project (KISIP II)	IDA (World Bank) Kenya Urban Support Programme (KUSP)	Total Loans and Grants
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M
1	Baringo	528,317,166	-	-	95,457,110	-	16,391,813	22,000,000	15,602,822	-	69,207,700	-	2,339,914.88	220,999,360
2	Bomet	653,181,658	-	70,000,000	83,323,430	-	17,715,375	22,000,000	15,449,895	-	-	-	2,339,914.88	210,828,615
3	Bungoma	542,772,196	167,273,890	-	-	-	28,609,313	22,000,000	5,344,642	-	-	30,000,000	3,534,474.20	256,762,319
4	Busia	447,133,112	-	70,000,000	125,328,154	-	19,344,375	22,000,000	22,058,143	-	-	-	2,339,914.88	261,070,587
5	Elgeyo Marakwet	702,054,383	-	-	85,593,752	-	12,421,125	22,000,000	9,380,361	-	75,879,000	8,024,004	2,339,914.88	215,638,157
6	Embu	453,821,524	176,406,685	70,000,000	-	-	13,846,500	22,000,000	8,651,752	-	67,688,700	-	2,339,914.88	360,933,552
7	Garissa	1,087,727,785	-	-	75,269,050	400,000,000	22,602,375	22,000,000	27,426,035	-	80,912,850	-	2,339,914.88	630,550,225
8	Homa Bay	454,463,421	161,590,307	70,000,000	-	-	21,686,063	22,000,000	23,936,219	-	-	30,000,000	2,339,914.88	331,552,504

SECOND SCHEDULE														
Additional Allocation from proceeds of loans or grants from Development Partners in Financial Year 2022/23 (Figures in Kenya Shillings)														
S/NO.	COUNTY	Total Loans and Grants for FY 2021/22	IDA (World Bank) credit (National Agricultural and Rural Inclusive Growth Project (NARIGP))	IDA (World Bank) credit (National Agricultural Value Chain Development Project (NAVCDP))	IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	IDA (World Bank) credit: Water & Sanitation Development Project (WSDP)	DANIDA Grant - Primary Health Care in Devolved Context	IDA (World Bank) Credit (Financing Locally- Led Climate Action (FLLoCA) Program, County Climate Institutional Support (CCIS)/Grant	Sweden- Agricultural Sector Development Support Programme (ASDSP) II	German Development Bank (KfW)-Drought Resilience Programme in Northern Kenya (DRPNK)	World Bank - Emergency Locust Response Project (ELRP)	World bank - Kenya Informal Settlement Improvement Project (KISIP II)	IDA (World Bank) Kenya Urban Support Programme (KUSP)	Total Loans and Grants
9	Isiolo	592,196,554	-	-	259,805,034	-	13,642,875	22,000,000	19,697,797	-	84,469,550	-	2,339,914.88	401,955,171
10	Kajiado	576,204,540	-	-	75,231,220	-	20,667,938	22,000,000	9,772,303	-	-	-	3,534,474.20	131,205,935
11	Kakamega	691,090,920	-	70,000,000	99,110,439	-	33,496,313	22,000,000	11,287,905	-	-	50,000,000	3,534,474.20	289,429,131
12	Kericho	569,054,323	-	70,000,000	72,680,579	-	17,308,125	22,000,000	9,250,013	-	-	-	2,339,914.88	193,578,632
13	Kiambu	589,239,254	222,775,969	70,000,000	-	-	30,340,125	22,000,000	23,255,565	-	-	40,456,908	8,312,711.48	417,141,278
14	Kilifi	2,154,008,617	192,539,152	70,000,000	-	900,000,000	33,598,125	22,000,000	11,235,089	-	-	200,000,000	3,534,474.20	1,432,906,840
15	Kirinyaga	573,638,600	178,744,304	70,000,000	-	-	13,642,875	22,000,000	8,108,733	-	-	-	2,339,914.88	294,835,827
16	Kisii	575,643,577	171,890,010	70,000,000	-	-	25,045,875	22,000,000	10,517,407	-	-	-	2,339,914.88	301,793,207
17	Kisumu	769,632,733	-	-	70,007,432	-	21,991,500	22,000,000	4,830,936	-	-	200,000,000	2,339,914.88	321,169,783
18	Kitui	505,225,111	169,475,223	70,000,000	-	-	28,405,688	22,000,000	11,636,683	-	70,223,000	-	2,339,914.88	374,080,509
19	Kwale	1,084,696,427	151,305,671	70,000,000	-	550,000,000	25,045,875	22,000,000	5,505,017	-	-	-	2,339,914.88	826,196,478
20	Laikipia	594,808,504	-	-	66,193,250	-	13,439,250	22,000,000	17,399,539	-	-	-	2,339,914.88	121,371,954
21	Lamu	387,821,812	-	-	5,236,636	-	8,348,625	22,000,000	14,604,297	-	-	50,000,000	2,339,914.88	102,529,473
22	Machakos	563,831,924	-	70,000,000	68,040,614	-	24,944,063	22,000,000	15,857,697	-	67,674,400	-	4,729,033.52	273,245,808

SECOND SCHEDULE														
Additional Allocation from proceeds of loans or grants from Development Partners in Financial Year 2022/23 (Figures in Kenya Shillings)														
S/NO.	COUNTY	Total Loans and Grants for FY 2021/22	IDA (World Bank) credit (National Agricultural and Rural Inclusive Growth Project (NARIGP))	IDA (World Bank) credit (National Agricultural Value Chain Development Project (NAVCDP))	IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	IDA (World Bank) credit: Water & Sanitation Development Project (WSDP)	DANIDA Grant - Primary Health Care in Devolved Context	IDA (World Bank) Credit (Financing Locally- Led Climate Action (FLLoCA) Program, County Climate Institutional Support (CCIS)/Grant	Sweden- Agricultural Sector Development Support Programme (ASDSP) II	German Development Bank (KfW)-Drought Resilience Programme in Northern Kenya (DRPNK)	World Bank - Emergency Locust Response Project (ELRP)	World bank - Kenya Informal Settlement Improvement Project (KISIP II)	IDA (World Bank) Kenya Urban Support Programme (KUSP)	Total Loans and Grants
23	Makueni	600,213,719	190,427,548	70,000,000	-	-	23,824,125	22,000,000	5,415,761	-	-	-	2,339,914.88	314,007,349
24	Mandera	607,418,422	-	-	81,191,951	-	32,885,438	22,000,000	20,314,865	-	91,274,250	-	2,339,914.88	250,006,419
25	Marsabit	753,314,489	-	-	55,194,559	-	21,787,875	22,000,000	12,880,713	190,000,000	93,873,850	-	2,339,914.88	398,076,912
26	Meru	778,344,871	195,158,825	70,000,000	-	-	25,860,375	22,000,000	9,945,897	-	75,983,000	20,000,000	2,339,914.88	421,288,012
27	Migori	391,091,244	187,184,982	70,000,000	-	-	21,787,875	22,000,000	10,084,066	-	-	-	4,729,033.52	315,785,957
28	Mombasa	1,313,902,680	-	-	-	575,000,000	22,704,188	22,000,000	4,612,847	-	-	100,000,000	-	724,317,035
29	Murang'a	454,929,372	197,147,434	70,000,000	-	-	20,260,688	22,000,000	17,092,147	-	-	-	2,339,914.88	328,840,184
30	Nairobi City	866,791,349	-	-	-	-	51,211,688	22,000,000	31,569,932	-	-	100,000,000	-	204,781,620
31	Nakuru	819,285,259	187,911,173	70,000,000	-	-	33,699,938	22,000,000	5,252,658	-	-	200,000,000	3,534,474.20	522,398,243
32	Nandi	524,798,208	248,247,739	70,000,000	-	-	17,206,313	22,000,000	4,652,516	-	-	16,519,088	2,339,914.88	380,965,571
33	Narok	645,965,988	243,107,598	70,000,000	-	-	25,860,375	22,000,000	10,076,723	-	-	-	2,339,914.88	373,384,611
34	Nyamira	563,367,518	181,161,414	-	-	-	15,475,500	22,000,000	4,781,637	-	-	-	2,339,914.88	225,758,466
35	Nyandarua	683,889,689	-	70,000,000	75,718,650	-	15,679,125	22,000,000	4,496,557	-	-	25,000,000	2,339,914.88	215,234,247
36	Nyeri	680,265,672	-	70,000,000	124,713,230	-	17,409,938	22,000,000	15,674,770	-	-	30,000,000	2,339,914.88	282,137,853

SECOND SCHEDULE														
Additional Allocation from proceeds of loans or grants from Development Partners in Financial Year 2022/23 (Figures in Kenya Shillings)														
S/NO.	COUNTY	Total Loans and Grants for FY 2021/22	IDA (World Bank) credit (National Agricultural and Rural Inclusive Growth Project (NARIGP))	IDA (World Bank) credit (National Agricultural Value Chain Development Project (NAVCDP))	IDA (World Bank) - Kenya Climate Smart Agriculture Project (KCSAP)	IDA (World Bank) credit: Water & Sanitation Development Project (WSDP)	DANIDA Grant - Primary Health Care in Devolved Context	IDA (World Bank) Credit (Financing Locally- Led Climate Action (FLLoCA) Program, County Climate Institutional Support (CCIS)/Grant	Sweden- Agricultural Sector Development Support Programme (ASDSP) II	German Development Bank (KfW)-Drought Resilience Programme in Northern Kenya (DRPNK)	World Bank - Emergency Locust Response Project (ELRP)	World bank - Kenya Informal Settlement Improvement Project (KISIP II)	IDA (World Bank) Kenya Urban Support Programme (KUSP)	Total Loans and Grants
37	Samburu	470,939,351	174,103,490	-	-	-	14,864,625	22,000,000	25,141,706	-	91,588,750	-	2,339,914.88	330,038,486
38	Siaya	540,152,675	-	-	75,368,050	-	18,631,688	22,000,000	9,337,829	-	-	-	2,339,914.88	127,677,482
39	Taita Taveta	1,379,682,318	-	70,000,000	124,522,005	575,000,000	13,642,875	22,000,000	17,921,715	-	-	30,000,000	2,339,914.88	855,426,510
40	Tana River	468,563,507	-	70,000,000	82,386,194	-	18,835,313	22,000,000	11,668,855	-	-	-	2,339,914.88	207,230,277
41	Tharaka Nithi	600,288,742	-	-	122,240,640	-	12,624,750	22,000,000	16,071,032	-	68,827,500	20,000,000	2,339,914.88	264,103,837
42	Trans Nzoia	571,686,484	192,666,099	70,000,000	-	-	18,529,875	22,000,000	9,462,022	-	-	50,000,000	2,339,914.88	364,997,911
43	Turkana	786,247,615	155,480,180	-	-	-	33,903,563	22,000,000	34,606,056	220,000,000	102,108,500	-	2,339,914.88	570,438,214
44	Uasin Gishu	608,853,967	-	70,000,000	84,379,280	-	20,362,500	22,000,000	9,199,487	-	-	50,000,000	2,339,914.88	258,281,182
45	Vihiga	417,314,928	155,402,308	-	-	-	14,966,438	22,000,000	4,417,622	-	-	-	2,339,914.88	199,126,283
46	Wajir	1,160,065,181	-	-	78,101,121	500,000,000	27,489,375	22,000,000	35,110,369	-	89,529,250	50,000,000	2,339,914.88	804,570,030
47	West Pokot	559,953,126	-	-	114,909,620	-	16,086,375	22,000,000	24,578,642	-	70,759,700	-	2,339,914.88	250,674,252
	Total	32,343,890,515	3,900,000,001	1,820,000,000	2,200,002,000	3,500,000,000	1,018,125,009	1,034,000,000	655,175,274	410,000,000	1,200,000,000	1,300,000,000	122,020,000.08	17,159,322,284.08

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Divison bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang’, Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Second Schedule (as amended) – agreed to.

Third Schedule – deletion proposed

Motion made and Question proposed;

THAT the Bill be amended by deleting the Third Schedule.

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Third Schedule

-

Deleted

Clause 2 and the Title

Motion made and Question proposed;

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

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 – 24

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama
18. Sen. Osotsi, Godfrey Atieno
19. Sen. Recha, Julius Murgor
20. Sen. Roba, Ali Ibrahim
21. Sen. Seki, Lenku Ole Kanar
22. Sen. Sifuna, Edwine Watanya
23. Sen. Thangwa, Paul Karungo
24. Sen. Wakili, Hillary Kiprotich Sigei

Clause 2 and the Title - agreed to

Clause 1 - amendment proposed

Motion made and Question proposed;

THAT the Bill be amended by deleting Clause 1 and substituting therefor the following new clause-

Short title and commencement. **1.** This Act may be cited as the County Governments Additional Allocations (No.2) Act and shall be deemed to have come into force on 1st July, 2022.

(Chairperson, Standing Committee on Finance and Budget)

The House proceeded to a Division;

The Acting Chairperson (Sen. Veronica Nduati, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Acting Chairperson (Sen. Veronica Nduati, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Acting Chairperson (Sen. Veronica Nduati, MP) 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 - 24

NOES - 0

ABSTENTION - 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Khalwale, Boni
10. Sen. Kipkiror, William Cheptumo
11. Sen. Lelegwe, Steve Ltumbesi
12. Sen. Mandago, Jackson Kiplagat
13. Sen. Methu, John Muhia
14. Sen. Mwinyihaji, Mohamed Faki
15. Sen. Ngugi, Joe Joseph Nyutu
16. Sen. Oketch, Eddy Gicheru
17. Sen. Olekina, Ledama

- 18. Sen. Osotsi, Godfrey Atieno
- 19. Sen. Recha, Julius Murgor
- 20. Sen. Roba, Ali Ibrahim
- 21. Sen. Seki, Lenku Ole Kanar
- 22. Sen. Sifuna, Edwine Watanya
- 23. Sen. Thangwa, Paul Karungo
- 24. Sen. Wakili, Hillary Kiprotich Sigei

Clause 1 (as amended) - agreed to

Motion made: -

THAT, the Bill be reported with amendments;

(Chairperson, Standing Committee on Finance and Budget)

Before the Question was put and pursuant to Standing Order 84, the Acting Chairperson (Sen. Veronica Nduati, MP) ruled that the Question did not affect counties;

Question put and agreed to.

10. **HOUSE RESUMED** -

Temporary Speaker, Sen. Hillary Sigei Wakili, MP - in the Chair

11. **THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS (NO. 2) BILL (SENATE BILLS NO. 4 OF 2022)**

Bill reported **with** amendments;

Motion made and Question proposed-

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

(Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84, the

Temporary Speaker (Sen. Hillary Sigei Wakili, MP) ruled that the question did not affect counties;

Question put and agreed to.

Motion made and Question proposed-

THAT, the County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 4 of 2022) be now Read a Third Time.

(Chairperson, Standing Committee on Finance and Budget)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Hillary Sigei Wakili, MP) directed that electronic voting be taken pursuant to Standing Order 86(2), and that the Divison bell be rung for five minutes;

Upon the expiry of five minutes, the Temporary Speaker (Sen. Hillary Seigei Wakili, MP) directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

The Temporary Speaker (Sen. Hillary Sigei Wakili, MP) 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

ABSTENTION – 0

AYES

1. Sen. Abass, Sheikh Mohamed
2. Sen. Adan, Dullo Fatuma
3. Sen. Cherarkey, Samson
4. Sen. Cheruiyot, Aaron Kipkirui
5. Sen. Chesang, Allan Kiprotich
6. Sen. Chute, Mohamed Said
7. Sen. Kajwang', Moses Otieno
8. Sen. Kamau, Joseph Githuku
9. Sen. Keroche Tabitha Karanja – Voted Manually
10. Sen. Khalwale, Boni
11. Sen. Kipkiror, William Cheptumo
12. Sen. Lelegwe, Steve Ltumbesi
13. Sen. Mandago, Jackson Kiplagat
14. Sen. Methu, John Muhia
15. Sen. Mwenda, Gataya Mo Fire
16. Sen. Mwinyihaji, Mohamed Faki
17. Sen. Oketch, Eddy Gicheru
18. Sen. Olekina, Ledama
19. Sen. Osotsi, Godfrey Atieno
20. Sen. Recha, Julius Murgor
21. Sen. Roba, Ali Ibrahim
22. Sen. Seki, Lenku Ole Kanar
23. Sifuna, Edwine Watanya
24. Stewart Madzayo – Voted Manually

25. Sen. Thangwa, Paul Karungo
26. Sen. Wakili Hillary Sigei – Voted Manually
27. Sen. Wamatinga, Wahome

Question, agreed to.

Bill Read a Third Time and **passed**.

12. **MOTION – INTEGRATING CLIMATE EDUCATION INTO NATIONAL EDUCATION CURRICULUM**

(Sen. Moses Kajwang', MP)

AWARE THAT climate change is a complex social and scientific issue which is characterized by uncertain and context specific knowledge, demanding that educators engage in inquiry and co-learning with students, while noting the lack of time and curriculum opportunities to address climate change in the classroom;

COGNIZANT OF THE FACT that the Constitution of Kenya in Article 42 provides for the right to a clean and healthy environment for every Kenyan, which includes the right to have the environment protected for the benefit of the present and future generations;

NOTING THAT Climate change is a global nightmare with consequences that are already quite visible and should be a priority for the national education curriculum, in accordance to Article 12 of the Paris Agreement which espouses the enhancement of climate change education, training, public awareness, public participation and public access to information;

FURTHER NOTING THAT climate change education explores mitigation and adaptation at both local and global level, critical and creative thinking and capacity building that will enable youth to engage with the information, inquire, understand, ask critical questions and take what they determine are appropriate actions to respond to climate change;

ACKNOWLEDGING THAT the Climate Change Act 2016 addresses the integration of climate change into various disciplines and subjects of the national education curriculum at all levels, as well as requiring that the National Climate Council advises public agencies responsible for regulating universities and tertiary institutions curricula on integration of climate change into their curricula;

NOW THEREFORE the Senate calls upon the Ministry of Education in liaison with the Kenya Institute for Curriculum Development to:

1. Mainstream climate change education throughout formal education systems through integrating climate education in the school curriculum to creatively prepare children and young people for a rapidly changing, uncertain, risky and possibly dangerous future; and

2. Train and equip teachers and school administrators with the necessary information and skills to teach climate education and explore new approaches to learning that can contribute to the transformation of unsustainable climate systems, values and routines.

Order deferred.

13. **MOTION – STATE OF FOOD SECURITY IN KENYA**

Order read;

Motion made and Question proposed;

THAT, AWARE THAT Article 43 of the Constitution of Kenya, 2010, stipulates the rights of every person to be free from hunger, to have adequate food of acceptable quality, and to clean and safe water in adequate quantities;

FURTHER AWARE THAT there is a prevailing food shortage in Kenya which is as a result of among other factors, lack of and inadequate rainfall over the last two years, the consistent decline in the number of farmers and lands committed to farming, and the Russia-Ukraine war that has led to an increased cost of fertilizer and fuel products which are critical farm inputs, subjecting 4.1 million Kenyans in the Arid and Semi-Arid Lands (ASALs) to an acute food insecure situation and about 942,500 children under five years and 134,270 pregnant and lactating mothers to acute malnutrition according to the Kenya Food Security Steering Group (KFSSG) report;

NOTING THAT about 1.5 million deaths of livestock have so far been reported in the Arid and Semi-Arid Lands (ASALs) and that the situation is expected to be dire in light of expert projections that we may miss the normal cycle of rain expected in October, November, and December, 2022 and that this could be the worst drought we have experienced in 40 years;

CONCERNED THAT the country is recording incidences of conflict between crop farmers and pastoralists over the scarce resource of water and pasture which results in the destruction of crops and deaths of livestock further exacerbating the food crisis and that the challenge of food shortage is now spreading to areas previously presumed to be rain-rich such as Mt. Kenya whose residents are now relying on government emergency food supplies;

NOW THEREFORE the Senate urges the Ministry of Agriculture and Livestock Development to develop targeted policy programs aimed at addressing the food insecurity in the country including the following:-

1. Coordinate with county governments to establish strategic grain reserves across the country, with drought-stricken areas receiving priority;

2. Develop livestock feeding programs in ASAL regions, providing water and feeds to the livestock farmers;
3. Coordinate with the National Drought Management Authority to do quarterly reports to the Senate on the drought situation in the country;
4. Subsidize agricultural production;
5. Establish abattoirs in ASAL Counties; and further recommends that the National Treasury and Economic Planning increases funding to the National drought disaster fund.

(Sen. Mwenda Gataya MoFire, MP)

Debate arising;

The Temporary Speaker (Sen. Hillary Sigei Wakili, MP) interrupted debate at Thirty Minutes past Five O'clock to allow for the Motion for the Adjournment of the Senate on a definite matter of urgent national importance pursuant to Standing Order No. 37.

14. **MOTION – ADJOURNMENT OF THE SENATE PURSUANT TO STANDING ORDER 37 TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE, NAMELY THE DECISION OF THE GOVERNMENT TO AUTHORIZE THE CULTIVATION AND IMPORTATION OF BANNED GENETICALLY MODIFIED ORGANISM (GMO) FOODS**

Motion made and Question proposed;

THAT, the House do adjourn under Standing Order 37 to discuss a definite matter of urgent national importance, namely, the decision of the government to authorize the cultivation and importation of banned genetically modified organism (GMO) foods.

(The Senate Minority Leader)

Debate arising;

Pursuant to Standing Order 34 (2) and for the convenience of the Senate, the Temporary Speaker (Sen. Hillary Sigei Wakili, MP) adjourned the business of the Senate at forty-one minutes past Six O'clock without Question put.

15. **SENATE ROSE** - Forty-one minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, November 23, 2022 at 2.30 p.m.*