



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (SECOND SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, JUNE 20, 2023 AT 2.30 PM

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

The Speaker conveyed the following Communications from the Chair: -

(i) On appearance of Cabinet Secretaries before the Senate to respond to Questions

“Honourable Senators,

As you may recall, on 28th March, 2023, I issued Guidelines for Processing of Questions filed pursuant to Standing Order 51A. These Guidelines were issued subsequent to amendments to the Standing Orders made on 23rd March, 2023, whereupon the Senate passed a Resolution, adopting the Report of the Procedure and Rules Committee whose effect was to provide a framework for the processing of Questions in the Senate.

On 25th April, 2023, I issued further guidelines on the procedure for processing Questions, detailing the key aspects relating to consideration of Questions in Plenary. These further guidelines were issued in preparation for the sitting of the Senate held on Wednesday, 26th April, 2023, being the first day upon which Questions to Cabinet Secretaries were scheduled in the Order Paper. I undertook to give any further guidelines on the procedure for processing and marshaling of Questions as the practice evolves.

Honourable Senators,

Pursuant to Standing Order 51A (5) and (6), the Senate Business Committee resolved that a maximum of 3 Cabinet Secretaries would be scheduled to appear before the Senate at any one sitting. This was necessary in order to ensure that there was adequate time for Cabinet Secretaries to respond to the Questions filed as well as any supplementary questions from the floor.

From 11th April, 2023, being the effective date on application of the procedure on Questions, there are 37 Questions filed on diverse subjects to respective Cabinet Secretaries. Of these, 23 have been scheduled in the Order Paper and 12 have been responded to by the respective Cabinet Secretaries. Three (3) Questions were withdrawn by the respective Senators. 22 Questions are therefore pending scheduling for reply in the Senate.

However, Honourable Senators, there has been a challenge in the application of the procedure on Questions, which if not addressed, may bring difficulties in the future. A number of Cabinet Secretaries have severally requested that Questions scheduled on a particular day be rescheduled for a number of reasons, the major one being unavailability of the Cabinet Secretary due to other scheduled engagements. The Senate has been gracious enough to accommodate such requests in view of the nature of the work of Government. However, this must not be used as an excuse to perpetually absent one from the sittings of the Senate to respond to Questions.

Another challenge that has been observed is Senators making requests to the Speaker for deferment of Questions scheduled in the Order Paper. While it is commendable to notify the Speaker of one's absence, Senators are encouraged to use provisions of Standing Order 51C(2).

Honourable Senators,

As the application of Standing Order 51A evolves, more Questions are being filed and the Senate may run the risk of a high number of Questions pending to be answered, by the conclusion of the Second Session in December, 2023.

For this reason, at a Special Sitting of the Senate Business Committee held on Thursday, 15th June, 2023, the Committee resolved to vary the criteria for scheduling of Questions. Effective 28th June, 2023, the Committee will prioritize and schedule all Questions addressed to a relevant Cabinet Secretary, while maintaining the principle that not more than three Cabinet Secretaries will appear before the Senate implies that in the coming weeks, a Cabinet Secretary will appear before the Senate at a sitting to respond to all Questions that have been addressed to a

particular Ministry, approved by the Speaker and scheduled by the Senate Business Committee.

The Senate Majority Leader will be required to give advance notice to Honourable Senators on the Cabinet Secretary(ies) scheduled to appear at a sitting of the Senate so that Senators may file any other Question(s) relating to the Ministry. Such Questions will need to be filed not later than Monday, preceding the week which the Cabinet Secretary is to appear before the Senate.

This measure will facilitate adequate time for a Cabinet Secretary to prepare for all Questions that have a bearing on the Ministry, to be addressed and replied to in the Senate. It will also reduce the number of times a Cabinet Secretary will be required to appear before the Senate, should there be more than one Question addressed to such Ministry.

Honourable Senators,

For this procedure to be effective, Honourable Senators whose Questions have been scheduled in the Order Paper are advised to observe the requirements of Standing Order 51C (2), in the event of an absence from the sitting of the Senate when such Question is scheduled. The Provisions of Standing Order 51C (3) shall take effect where notification contemplated under Standing Order 51C (2) is lacking, and the responsible Senator shall be required to file the Question afresh.

I thank you.”

(ii) Visiting officers from the County Assembly of Nakuru

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, visiting officers from the County Assembly of Nakuru. The officers are in the Senate for a benchmarking visit.

Honourable 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 engagement.

I thank you.”

4. PETITIONS

- (i) Pursuant to Standing Order 236 (2) (b), the Speaker presented a Petition by Mr. Charles Kunukha Kofia and others concerning delayed

degazettement of approximately 1,577.86 hectares of land in Lugari, Turbo Forest.

Pursuant to Standing Order 238 (1), the Speaker, subsequently, committed the Petition to the Standing Committee on Land, Environment and Natural Resources for consideration.

- (iii) Pursuant to Standing Order 236 (2) (a), the Senator for Mombasa County (Sen. Mwinyihaji Mohamed Faki, MP), presented a Petition by the County Football Association concerning the mismanagement of football in the country by the Kenya Football Federation.

Pursuant to Standing Order 238 (1), the Speaker, subsequently, committed the Petition to the Standing Committee on Labour and Social welfare for consideration.

5. **PAPERS**

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

- (i) The Crops (Miraa) Regulations, Legal Notice No. 41 of 2023.

(The Senate Majority Leader)

- (ii) Report of the Standing Committee on Education on the Kenyan Sign Language Bill (Senate Bills No. 9 of 2023).

(The Vice - Chairperson, Standing Committee on Education)

- (iii) Report of the Standing Committee on Information, Communication and Technology on the Konza Technopolis Bill, 2023 (Senate Bills No. 2 of 2023)

(The Vice – Chairperson, Standing Committee on Information, Communication and Technology)

6. **STATEMENTS PURSUANT TO STANDING ORDER 53 (1)**

- (i) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the conduct of police officers during a crackdown on illegal brews in Bungoma County.
- (ii) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a statement from the Standing Committee on Roads, Transportation and Housing regarding the status of construction of an abattoir in Segel area in Marsabit County.

- (iii) The Senator for Elgeyo Marakwet County (Sen. William Kisang, MP) sought a statement from the Standing Committee on Land, Environment and Natural Resources regarding the contributions in lieu of rates paid by the National Treasury to counties.
- (iv) Statement by the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to the Standing Committee on Land, Environment and Natural Resources regarding the ownership and registration of land on the irrigation schemes in Kisumu County was **dropped** in the absence of the Senator.
- (v) Statement by the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to the Standing Committee on National Security, Defence and Foreign Relations regarding the state of insecurity in Katito township in Kisumu County was **dropped** in the absence of the Senator.
- (vi) Statement by the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) to the Standing Committee on National Security, Defence and Foreign Relations regarding the rampant incidences of police brutality in Kisumu County was **dropped** in the absence of the Senator.

7. **THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Learners with Disabilities Bill (Senate Bills No. 4 of 2023) be now read a Second time.

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP – 13.06.2023)

Debate interrupted on Tuesday, 13th June, 2023 resumed on a Division;

The Speaker 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 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 86 (5), the Speaker allowed two (2) Senators to record their vote verbally.

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

1. Sen. Okoiti Andrew Omtatah, MP
2. Sen. Ogolla Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cherarkey Samson Kiprotich, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chesang Allan Kiprotich, MP
6. Sen. Ogolla Beatrice, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau Joseph Githuku, MP
8. Sen. Khalwale Boni, MP
9. Sen. Kisang William Kipkemoi, MP
10. Sen. Lelegwe Steve Ltumbesi, MP
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Mandago Jackson Kiplagat, MP
14. Sen. Methu John Muhia, MP
15. Sen. Mogeni Erick Okong’o, MP
16. Sen. Mundigi Alexander Munyi, MP
17. Sen. Murango James Kamau, MP
18. Sen. Muthama Agnes Kavindu, MP
19. Sen. Mwaruma Johnes Mwashushe, MP
20. Sen. Mwenda Gataya Mo Fire, MP
21. Sen. Mwinyihaji Mohamed Faki, MP
22. Sen. Nderitu John Kinyua, MP
23. Sen. Oginga Oburu, MP
24. Sen. Okoiti Andrew Omtatah, MP - voted verbally
25. Sen. Olekina Ledama, MP
26. Sen. Osotsi Godfrey Atieno, MP
27. Sen. Recha Julius Murgor, MP
28. Sen. Sifuna Edwine Watenya, MP
29. Sen. Thangwa Paul Karungo, MP
30. Sen. Wafula David Wakoli, MP
31. Sen. Wakili Hillary Kiprotich Sigei, MP
32. Sen. Wambua Enoch Kiio, MP

Question, agreed to;

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

8. **COMMITTEE OF THE WHOLE**

Order for Committee read;

IN THE COMMITTEE

(The Acting Chairperson of Committees (Sen. Wakili Hillary Sigei, MP) – in the Chair)

The Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bills No. 7 of 2022)

Clause 3 - amendment proposed

THAT clause 3 of the Bill be amended by –

- (a) deleting paragraph (e); and
- (b) deleting paragraph (f).

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP

4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 3 (as amended) - agreed to;

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended in paragraph (e) by inserting the words “effective” immediately after the word “coordinated”.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP

16. Sen. Murango, James Kamau, Mp
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 4 (as amended) - agreed to

Clause 5 - amendment proposed

THAT clause 5 of the Bill be amended in subclause (1) by —

- (a) deleting the expression “53(1)(c)” appearing immediately after the words “out under Articles 43(1)” in the introductory phrase and substituting therefor the words “53(1)(c) and 57(d);
- (b) deleting paragraph (c) and substituting therefor the following new paragraph (c) –
 - (c) ensure the availability, affordability, accessibility, adaptability, acceptability of quality goods and services that would facilitate the realization of economic and social rights.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP - voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP

30. Sen. Wafula, David Wakoli, MP

31. Sen. Wambua, Enoch Kiio, MP

Clause 5 (as amended) - agreed to

Clause 6

Motion made and Question proposed;

THAT, Clause 6 be part of the Bill.

(Sen. Danson Mungatana, MP – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP
6. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP

4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – Voted on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP -voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP -voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clause 6 - agreed to;

Clause 7 - amendment proposed

THAT clause 7 of the Bill be amended in subclause (1) by deleting paragraph (g) and substituting therefor the following new paragraph –

(g) advise and make recommendations to the authority responsible for implementation of social assistance programs regarding the delivery of social assistance programmes.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally

18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 7 (as amended) - agreed to

Clause 8

Motion made and Question proposed;

THAT, Clause 8 be part of the Bill.

(Sen. Danson Mungatana, MP – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation

5. Sen. Onyonka, Richard Momoima, MP
6. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – Voted on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP -voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP -voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clause 8 - agreed to

Clause 9 - amendment proposed

THAT clause 9 of the Bill be amended –

- (a) in the marginal note by deleting the words “for the realization of economic and social rights” appearing immediately after the words “County strategic plans”;
- (b) in subclause (2) by deleting paragraph (d) and substituting therefor the following new paragraph –
 - (d) objectives that would facilitate the availability, affordability, accessibility, adaptability and acceptability of quality goods and services relevant to the realization of economic and social rights; and
- (c) in subclause (3) by deleting paragraph (c) and substituting therefor the following new paragraph –
 - (c) adopt strategies and plans that enhance the availability, affordability, accessibility, adaptability and acceptability of quality goods and services aimed at facilitating the realization of economic and social rights.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 9 (as amended) - agreed to

Clauses 10 and 11

Motion made and Question proposed;

THAT, Clauses 10 and 11 be part of the Bill.

(Sen. Danson Mungatana, MP – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP
6. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – Voted on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP -voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, Mp

17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP -voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clauses 10 and 11 - agreed to

Clause 12 - amendment proposed

THAT clause 12 of the Bill be amended –

- (a) in subclause (1) by deleting the words “for the implementation of a county strategic plan” appearing immediately after the words “receipt of grant or donation” in the marginal note; and
- (b) in subclause (2) by inserting the words “and the annual County Governments Additional Allocations Act applicable in the respective financial year” immediately after the words “Public Finance Management Act”

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP

30. Sen. Wafula, David Wakoli, MP

31. Sen. Wambua, Enoch Kiio, MP

Clause 12 (as amended) - agreed to

Clause 13 - amendment proposed

THAT clause 13 of Bill be amended in subclause (2) by inserting the words “Gazette and in the” immediately after the words “publish the plan in the”

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP

3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 13 (as amended) - agreed to

Clause 14 - amendment proposed

THAT clause 14 of the Bill be amended in subclause (2) by inserting the following new paragraph immediately after paragraph (b) –

(ba) the Attorney General.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP

22. Sen. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 14 (as amended) - agreed to

Clauses 15, 16, 17 and 18

Motion made and Question proposed;

THAT, Clauses 15, 16, 17 and 18 be part of the Bill.

(Sen. Danson Mungatana, MP – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP
6. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32**NOES – 0****ABSTENTION – 0****AYES**

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – Voted on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP -voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwin Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP -voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clauses 15, 16, 17 and 18 - agreed to

Clause 19 - amendment proposed

THAT the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause –

- (1) The Cabinet Secretary shall, within twelve months from the commencement of this Act and in consultation with the Commission,

make regulations generally for the better carrying out of the provisions of this Act.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP

11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 19 (as amended) - agreed to

Clause 20 - Deletion proposed

THAT the Bill be amended by deleting Clause 20

*(The Chairperson, Standing Committee on Justice, Legal Affairs and
Human Rights Committee – 14.06.2023 – Afternoon Sitting)*

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed two (2) Senators to record their vote verbally.

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

1. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
2. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Kamau, Joseph Githuku, MP
7. Sen. Khalwale, Boni, MP
8. Sen. Kisang, William Kipkemai, MP
9. Sen. Lelegwe, Steve Ltumbesi, MP
10. Sen. Maanzo, Daniel Kitonga, MP
11. Sen. Madzayo, Stewart Mwachiru, MP
12. Sen. Mandago, Jackson Kiplagat, MP
13. Sen. Methu, John Muhia, MP
14. Sen. Mundigi, Alexander Munyi, MP
15. Sen. Murango, James Kamau, MP
16. Sen. Muthama, Agnes Kavindu, MP
17. Sen. Mwaruma, Johnes Mwashushe, MP
18. Sen. Mwenda, Gataya Mo Fire, MP
19. Sen. Mwinyihaji, Mohamed Faki, MP
20. Sen. Nderitu, John Kinyua, MP
21. Sen. Sen. Nyutu Joe, MP
22. Sen. Oginga Oburu, MP
23. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP –voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clause 20

-

deleted

Clause 21

Motion made and Question proposed;

THAT, Clause 21 be part of the Bill.

(Sen. Danson Mungatana, MP – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP
6. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – Voted on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP

10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP -voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP -voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clause 21 - agreed to

Clause 22 - amendment proposed

THAT clause 22 of the Bill be amended in subclause (1) by deleting the words “six months” appearing immediately before the words “after commencement of” and substituting therefor the word “twelve months”.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Sen. Nyutu Joe, MP-voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP

30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 22 (as amended) - agreed to

Clauses 23 and 24

Motion made and Question proposed;

THAT, Clauses 23 and 24 be part of the Bill.

(Sen. Danson Mungatana, MP – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP
6. Sen. Wakili, Hillary Kiprotich Sigei, MP

The results of the Division were as follows: -

AYES – 32

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP

4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – Voted on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemoi, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP -voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wakili, Hillary Kiprotich Sigei, MP -voted verbally
32. Sen. Wambua, Enoch Kiio, MP

Clauses 23 and 24 - agreed to

The Schedule - amendment proposed

THAT the Schedule to the Bill be amended by deleting the words “social and economic rights” appearing in the heading and substituting therefore the words “economic and social rights”.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP

22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

The Schedule (as amended) - agreed to

Clause 2 -amendment proposed

THAT clause 2 of the Bill be amended –

- (a) by deleting the definition of the word “Equalisation Fund”;
- (b) by deleting the definition of the word “subsidy programme”;
- (c) by deleting the definition of the word “person in need”;
- (d) by deleting the definition of the word “vulnerable persons” and substituting therefor the following new definition –

“vulnerable persons” means persons who are unable to meet their economic and social needs and include children, pregnant and nursing mothers, older members of society, internally displaced persons, persons with disabilities, the sick, persons with chronic illnesses, victims of conflict, persons living in marginalised areas, and members of marginalised communities or groups and such other groups as the Cabinet Secretary may, by notice in the *Gazette*, or the respective county governor may, by notice in the *Gazette* and county *Gazette* , designate ;
- (e) by inserting the following new definition immediately after the definition of the word county executive committee member –

“county integrated development plan” means the five-year plan developed by a county government in accordance with section 108 of the County Governments Act.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP

22. Sen Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watenya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 2 (as amended) - agreed to;

The Title - amendment proposed

THAT the Bill be amended by deleting the Long Title and substituting therefor the following new Long Title –

AN ACT of Parliament to provide a framework for the promotion, monitoring and enforcement of economic and social rights; to establish mechanisms to monitor and promote adherence by the National and county governments to Article 43 of the Constitution; and for connected purposes.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP

2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP
10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

The Title (as amended) - agreed to

Clause 1 - amendment proposed

THAT clause 1 of the Bill be amended by deleting the words “Preservation of Human Dignity and Enforcement of” appearing immediately after the words “be cited as the”.

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights Committee – 14.06.2023 – Afternoon Sitting)

Debate interrupted on Wednesday, 14th June, 2023 resumed on a Division;

The Acting Chairperson (Sen. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, 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. Wakili Hillary Sigei, MP) put the Question and directed Senators 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 86 (5), the Acting Chairperson allowed five (5) Senators to record their vote verbally.

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

1. Sen. Madzayo, Stewart Mwachiru, MP
2. Sen. Muthama, Agnes Kavindu, MP
3. Sen. Nyutu Joe, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – on behalf of Homa Bay County Delegation
5. Sen. Onyonka, Richard Momoima, MP

The results of the Division were as follows: -

AYES – 31

NOES - 0

ABSTENTION – 0

AYES

1. Sen. Abas, Sheikh Mohamed, MP
2. Sen. Adan, Dullo Fatuma, MP
3. Sen. Cherarkey, Samson Kiprotich, MP
4. Sen. Cheruiyot, Aaron Kipkirui, MP
5. Sen. Chesang, Allan Kiprotich, MP
6. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
7. Sen. Kamau, Joseph Githuku, MP
8. Sen. Khalwale, Boni, MP
9. Sen. Kisang, William Kipkemai, MP

10. Sen. Lelegwe, Steve Ltumbesi, MP
11. Sen. Maanzo, Daniel Kitonga, MP
12. Sen. Madzayo, Stewart Mwachiru, MP - voted verbally
13. Sen. Mandago, Jackson Kiplagat, MP
14. Sen. Methu, John Muhia, MP
15. Sen. Mundigi, Alexander Munyi, MP
16. Sen. Murango, James Kamau, MP
17. Sen. Muthama, Agnes Kavindu, MP -voted verbally
18. Sen. Mwaruma, Johnes Mwashushe, MP
19. Sen. Mwenda, Gataya Mo Fire, MP
20. Sen. Mwinyihaji, Mohamed Faki, MP
21. Sen. Nderitu, John Kinyua, MP
22. Sen. Nyutu Joe, MP -voted verbally
23. Sen. Oginga Oburu, MP
24. Sen. Olekina Ledama, MP
25. Sen. Onyonka, Richard Momoima, MP -voted verbally
26. Sen. Osotsi, Godfrey Atieno, MP
27. Sen. Seki, Lenku Ole Kanar, MP
28. Sen. Sifuna, Edwine Watanya, MP
29. Sen. Thangwa, Paul Karungo, MP
30. Sen. Wafula, David Wakoli, MP
31. Sen. Wambua, Enoch Kiio, MP

Clause 1 (as amended) - agreed to

Motion made:-

THAT, the Committee of the Whole do report to the Senate its Consideration of the Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bills No. 7 of 2022) and its approval thereof with amendments.

(Sen. Esther Okenyuri, MP on behalf of Sen. Sen. Danson Mungatana, MP)

Before the Question was put and pursuant to Standing Order 84 (1), the Acting Chairperson (Sen. Wakili Hillary Sigei, MP) ruled that the Question does not affect Counties;

Question put and agreed to.

9. **HOUSE RESUMED** – The Temporary Speaker (Sen. Veronica Maina, MP) in the Chair.
10. **THE PRESERVATION OF HUMAN DIGNITY AND ENFORCEMENT OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 7 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.

(Sen. Esther Okenyuri, MP on behalf of Sen. Sen. Danson Mungatana, MP)

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (1), the Temporary Speaker (Sen. Veronica Maina, MP) ruled that the question does not affect counties;

Question put and agreed to.

Motion made and Question proposed: -

THAT, the Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bills No. 7 of 2022) be now read a Third Time.

(Sen. Esther Okenyuri, MP on behalf of Sen. Sen. Danson Mungatana, MP)

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Veronica Maina, MP) directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for three minutes;

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

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

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Temporary Speaker (Sen. Veronica Maina, MP) allowed Four (4) Senators to record their vote verbally.

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

1. Sen. Adan, Dullo Fatuma, MP
2. Sen. Maanzo, Daniel Kitonga, MP
3. Sen. Oginga Oburu, MP
4. Sen. Ogolla, Beatrice Akinyi, MP -on behalf of Homa Bay County
Delegation

The results of the Division were as follows: -

AYES – 28

NOES -

ABSTENTION – 0

AYES

1. Sen. Adan, Dullo Fatuma, MP -voted verbally
2. Sen. Cherarkey, Samson Kiprotich, MP
3. Sen. Chesang, Allan Kiprotich, MP
4. Sen. Ogolla, Beatrice Akinyi, MP – voted verbally on behalf of Homa Bay County Delegation
5. Sen. Kamau, Joseph Githuku, MP
6. Sen. Khalwale Boni, MP
7. Sen. Kisang, William Kipkemoi, MP
8. Sen. Maanzo, Daniel Kitonga, MP -voted verbally
9. Sen. Madzayo, Stewart Mwachiru, MP
10. Sen. Mandago, Jackson Kiplagat, MP
11. Sen. Methu, John Muhia, MP
12. Sen. Mundigi, Alexander Munyi, MP
13. Sen. Murango, James Kamau, MP
14. Sen. Muthama, Agnes Kavindu, MP
15. Sen. Mwaruma, Johnes Mwashushe, MP
16. Sen. Mwinyihaji, Mohamed Faki, MP
17. Sen. Nderitu, John Kinyua, MP
18. Sen. Nyutu Joe, MP
19. Sen. Oginga Oburu, MP -voted verbally
20. Sen. Olekina Ledama, MP
21. Sen. Onyonka, Richard Momoima, MP
22. Sen. Osotsi, Godfrey Atieno, MP
23. Sen. Seki, Lenku Ole Kanar, MP
24. Sen. Sifuna, Edwine Watanya, M
25. Sen. Thangwa, Paul Karungo, MP
26. Sen. Wafula, David Wakoli, MP
27. Sen. Wakili, Hillary Sigei, MP
28. Sen. Wambua, Enoch Kiio, MP

Question, agreed to.

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

11. **COMMITTEE OF THE WHOLE**

THE NATURAL RESOURCES (BENEFIT SHARING) BILL (SENATE BILLS NO. 6 OF 2022)

(Sen. Danson Mungatana, MP)

*(Resumption of debate interrupted on Wednesday, 7th June, 2023 – Afternoon
Sitting)
(Division)*

Order deferred.

12. **MOTION – STATE OF MENTAL HEALTH OF POLICE OFFICERS**

Order read;

Motion made and Question proposed;

AWARE THAT, police officers are usually first responders and are often exposed to traumatic scenes and chronic stressors such as, dangerous situations, injuries and violence coupled with the need to report and testify about psychologically stressful scenes;

COGNIZANT OF, a survey done by the National Police Service Commission in 2022 which indicated that at least 12 to 13 percent of the 110,000 police officers have mental health challenges stemming from work related issues;

CONCERNED THAT, there has been a recent spike of incidents involving police officers, including murder and suicide which have been linked to the state of mental wellbeing;

NOW THEREFORE, the Senate urges the National Government and the National Police Service through the Ministry of Interior and National Administration to –

1. declare the current mental health situation within the police service a national emergency;
2. urgently establish a specialized facility to cater for police officers with mental illness;
3. develop and implement policies to reduce the stigma surrounding mental health issues within law enforcement agencies and encourage officers to seek help when needed; and
4. prioritise mental health as a priority health and socio-economic agenda within the Police Service and that in cases of deployment and transfers the service considers the health of the affected

(Sen. Hamida Kibwana, MP – 04/05/2023)

Debate interrupted on Wednesday, 14th June, 2023 (Morning Sitting) resumed;

Thereupon, the Mover replied;

Before the Question was put, and pursuant to Standing Order No. 84 (1), the Temporary Speaker (Sen. Veronica Maina, MP) ruled that the Motion does not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY

AWARE THAT, police officers are usually first responders and are often exposed to traumatic scenes and chronic stressors such as, dangerous situations, injuries and violence coupled with the need to report and testify about psychologically stressful scenes;

COGNIZANT OF, a survey done by the National Police Service Commission in 2022 which indicated that at least 12 to 13 percent of the 110,000 police officers have mental health challenges stemming from work related issues;

CONCERNED THAT, there has been a recent spike of incidents involving police officers, including murder and suicide which have been linked to the state of mental wellbeing;

NOW THEREFORE, the Senate urges the National Government and the National Police Service through the Ministry of Interior and National Administration to –

1. declare the current mental health situation within the police service a national emergency;
2. urgently establish a specialized facility to cater for police officers with mental illness;
3. develop and implement policies to reduce the stigma surrounding mental health issues within law enforcement agencies and encourage officers to seek help when needed; and
4. prioritise mental health as a priority health and socio-economic agenda within the Police Service and that in cases of deployment and transfers the service considers the health of the affected officers.

13. **MOTION - COMPENSATION TO THE KENYAN VICTIMS OF THE 1998 BOMBING OF THE UNITED STATES EMBASSY IN NAIROBI**

THAT, AWARE THAT, disaster is defined as an overwhelming event and circumstance that tests the adaptation of responses of a community or individuals beyond their capability and leads momentarily to massive disruption of function for a community or individual that often exceeds their capacity to cope using existing resources;

FURTHER AWARE THAT, such was the case with the 1998 US Embassy Bomb disaster in Nairobi in which many of the Kenyan casualties resulted from the collapse of adjacent buildings located within a two to three block radius, and with reverberations being felt in most parts of Nairobi that resulted in 213 Kenyans and 12 Americans killed and over 5000 citizens of both countries being seriously injured;

NOTING THAT, US Allies, including Kenya, have endured the great burden of death, and long-term and in many instances permanent, physical and psychological injury;

FURTHER NOTING THAT, the United States Government has since compensated some of the victims and families of US citizens, leaving the families of Kenyan citizens and certain other victims uncompensated;

NOW, THEREFORE, the Senate resolves that the Ministry of Foreign Affairs:

- (i) Advances friendship and co-operation between the United States and

Kenya by supporting the eligibility of Kenyan and American victims and their personal representatives, surviving spouses and next of kin in the Victim Compensation Fund pursuant to the Justice for United States Victims of State Sponsored Terrorism Act; and

- (ii) Partners with the Ministry of Health to explore subsidized medical treatment for the surviving victims of the bomb blast.

Raising a point of order pursuant to Standing Order 71, the Senator for Machakos County (Sen. Agnes Kavindu Muthama, MP) claimed to withdraw the Motion.

And the Temporary Speaker, (Sen. Veronica Maina, MP), acceding to the claim, the Motion was **withdrawn**.

14. **THE AGRICULTURAL AND LIVESTOCK EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)**

Order for Second Reading read;

Motion Made and Question Proposed;

THAT, the Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022) be now read a Second Time.

(Sen. Maureen Tabitha Mutinda, MP - 14/06/2023)

Debate interrupted on Thursday, 15th June, 2023, resumed;

And there being no Senator wishing to contribute;

Mover replied;

Pursuant to Standing Order 66(3), the Mover requested the Temporary Speaker (Sen. Veronica Maina, MP) to defer the putting of the Question to a later date;

And the Temporary Speaker, (Sen. Veronica Maina, MP) acceding to the request, deferred putting of the question to a later date.

15. **MOTION - REPORT OF THE 61ST SESSION OF THE ORGANISATION OF AFRICAN, CARRIBEAN AND PACIFIC STATES (OACPS) PARLIAMENTARY ASSEMBLY AND THE 42ND SESSION OF THE OACPS -EU JOINT PARLIAMENTARY ASSEMBLY HELD IN MAPUTO, MOZAMBIQUE ON 23RD OCTOBER TO 2ND NOVEMBER 2022**

Order read;

Motion made and Question proposed;

THAT, the Senate notes the Report of the 61st Session of the Organisation of African, Caribbean and Pacific States (OACPS) Parliamentary Assembly and the 42nd Session of the OACPS -EU Joint Parliamentary Assembly held in Maputo, Mozambique on 23rd October to 2nd November, 2022.

(Sen. Tabitha Mutinda, MP)

And there being no Senator wishing to contribute;

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate notes the Report of the 61st Session of the Organisation of African, Caribbean and Pacific States (OACPS) Parliamentary Assembly and the 42nd Session of the OACPS -EU Joint Parliamentary Assembly held in Maputo, Mozambique on 23rd October to 2nd November, 2022.

16. **THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)**

Order for Second Reading read;

Motion made;

THAT, the Mung Beans Bill (Senate Bills No. 13 of 2022) be now Read a Second time.

(Sen. Enoch Wambua, MP)

And the time being thirty Minutes past six O'clock, the Temporary Speaker (Sen. Veronica Maina, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

17. **SENATE ROSE** – at thirty minutes past six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, June 21, 2023 at 9:30 a.m.*

--X--