



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**THURSDAY, MAY 09, 2024 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 Temporary Speaker (Sen. Abdul Haji, MP).

3. **QUORUM OF THE SENATE**

The Temporary Speaker (Sen. Abdul Haji, MP) having counted the Senators present at the commencement of the Sitting and confirmed that there was a Quorum, informed the Senate of a technical hitch in the public address and broadcasting equipment due to power outage in Parliament.

4. **SUSPENSION OF SITTING DUE TO TECHNICAL HITCH**

The Temporary Speaker (Sen. Abdul Haji, MP) suspended the Sitting at forty-eight minutes past two O'clock, for thirty minutes, to allow the maintenance team to address the technical hitch and power supply.

5. **SENATE RESUMED** – At forty-eight minutes past Three O'clock (The Speaker - in the Chair).

6. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair –

**i. Visiting delegation of officers in the Office of the Deputy Senate Minority Leader**

“Honourable Senators,

In the Speaker's gallery, we have thirty-two (32) officers who work in the office of the Deputy Senate Minority Leader and Senator for Kitui County, Senator Enoch Kiio Wambua, CBS, MP. They are here on a one – day education tour.

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 visit.

I thank you.”

**ii. Visiting Student Leaders from the Technical University of Kenya (TUK)**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting Student Leaders from the Technical University of Kenya in Nairobi City County. The students are in the Senate for a one-day academic exposition.

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 visit.

I thank you.”

**7. PETITION**

Pursuant to Standing Order 238 (2), Sen. Ledama Olekina, MP, on behalf of the Chairperson, Standing Committee on Health, laid on the table of the Senate the Report of the Standing Committee on a Petition by Mr. Jafar Muhsin Kasay and others, concerning management and use of Kenyatta University Teaching and Referral and Research Hospital (KUTRRH) by medical students.

*(Sen. Ledama Olekina, MP on behalf of the Chairperson, Standing Committee on Health)*

**8. PAPERS LAID**

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

- i.) Report of the Auditor General on Financial Statements of Narok Water and Sewerage Services Company Limited for the year ended 30<sup>th</sup> June, 2023.
- ii.) Report of the Auditor General on Financial Statements of Nolturesh Loitokitok Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.

- iii.) Report of the Auditor General on Financial Statements of Imetha Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.
- iv.) Report of the Auditor General on Financial Statements of Municipality of Kapenguria for the year ended 30<sup>th</sup> June, 2023.
- v.) Report of the Auditor General on Financial Statements of Homa Bay County Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.
- vi.) Report of the Auditor General on Financial Statements of Sibho Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2023.
- vii.) Report of the Auditor General on Financial Statements of Trans Nzoia County Executive Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- viii.) Report of the Auditor General on Financial Statement of the County Government of Trans Nzoia – County Revenue Fund for the year ended 30<sup>th</sup> June, 2023.
- ix.) Report of the Auditor General on Financial Statements of the County Government of Trans Nzoia – Receiver of Revenue, Revenue Statements for the year ended 30<sup>th</sup> June, 2023.
- x.) Report of the Auditor General on Financial Statements of Trans Nzoia County Youth and Women Development Fund for the year ended 30<sup>th</sup> June, 2023.
- xi.) Report of the Auditor General on Financial Statements of Nakuru County Executive Mortgage (Staff) Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- xii.) Report of the Auditor General on Financial Statements of Eldama Ravine Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June, 2023.
- xiii.) Report of the Auditor General on Financial Statements of Kirandich Water Company Limited for the year ended 30<sup>th</sup> June, 2023.
- xiv.) Report of the Bomet County Assembly Select Committee on Public Investments and Accounts on inquiry into the operations and performance of the Bomet Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2021.

*(Sen. Gloria Orwoba, MP on behalf of the Senate Majority Leader)*

- xv.) Report of the Standing Committee on Health on inquiry into alleged irregularities in the procurement of long-lasting insecticide treated nets at the Kenya Medical Supplies Authority (KEMSA).

*(The Vice-Chairperson, Standing Committee on Health)*

- xvi.) Report of the Standing Committee on Health on a Petition by Mr. Jafar Muhsin Kasay and others concerning management and use of Kenyatta University Teaching and Referral and Research Hospital (KUTRRH) by medical students.

*(Sen. Ledama Olekina, MP on behalf of the Chairperson, Standing Committee on Health)*

- xvii.) Statement on the business of the Senate for the week commencing Tuesday, 14<sup>th</sup> May, 2024.

*(The Senate Majority Leader)*

## 9. QUESTIONS AND STATEMENTS

### a) Statements pursuant to Standing Order 53 (1)

- i) Request for a Statement by the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) from the Standing Committee on Labour and Social Welfare regarding the employment of persons above the mandatory retirement age by the Kisumu County Government was **dropped** in the absence of the Senator.
- ii) Request for a Statement by the Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) from the Standing Committee on Devolution and Intergovernmental Relations regarding the state of stadia facilities in Kisumu County was **dropped** in the absence of the Senator.
- iii) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding alleged corruption and nepotism at the Kenya Academy of Sports (KAS).
- iv) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the deteriorating condition of the Marere bridge along the Kwale – Kinango road.
- v) Request for a Statement by Nominated Senator (Sen. Raphael Chimera, MP) from the Standing Committee on Land, Environment and Natural Resources regarding the construction of the Mwache multi-purpose dam project in Kwale County was **deferred** on the request of the Senator.
- vi) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a Statement from the Standing Committee on National Security, Defense and Foreign Relations regarding insecurity in Vihiga County.

- vii) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a Statement from the Standing Committee on Health regarding the unprocedural disciplinary proceedings against healthcare workers at the Vihiga County Referral Hospital.
- viii) Nominated Senator (Sen. Beatrice Ogolla, MP), on behalf of Nominated Senator (Sen. Catherine Mumma, MP), sought a Statement from the Standing Committee on Education concerning access to village and youth polytechnics for the youth in informal settlements.
- ix) Nominated Senator (Sen. Beatrice Ogolla, MP), on behalf of Nominated Senator (Sen. Catherine Mumma, MP), sought a Statement from the Standing Committee on Education regarding the efforts of the National Government and the Nairobi City County Government to facilitate equal access to public education for children in informal settlements in Nairobi City County.
- x) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on Information, Communication and Technology regarding the loss of Free-To-Air (FTA) signal for licensed broadcast signal distributors in Kenya.
- xi) The Senator for West Pokot County (Sen. (Rev.) Julius Murgor, MP) sought a Statement from the Standing Committee on Education regarding the welfare of Early Childhood Development Education (ECDE) teachers in West Pokot County.

**b) Statement pursuant to Standing Order 57(1)**

The Senate Majority Leader issued a Statement on the business of the Senate for the week commencing Tuesday, 14<sup>th</sup> May, 2024.

10. **THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2024)**

(The Senate Majority Leader)

Order for First Reading read;

Bill read a First Time and committed to the Standing Committee on Justice, Legal Affairs and Human Rights.

11. **HOJA - KUIDHINISHWA KWA RUZUKU YA MASHARTI KWA UJENZI WA UWANJA WA MANISPAA YA MOMBASA**

Shughuli kusomwa;

Hoja kutolewa na kupendekezwa;

inazipa Serikali za Kaunti jukumu la kuendeleza, kuanzisha, kusimamia na kudumisha vifaa vya michezo na kitamaduni ambavyo ni pamoja na viwanja, viwanja vya michezo, vituo vya kitamaduni, na miundombinu mingine inayohusiana;

IKIKUMBUKWA KUWA ukanda mzima wa Pwani Nchini hauna uwanja wa kisasa uliojengwa kwa viwango vya kimataifa, hivyo kuwanyima wananchi manufaa yanayotokana na viwanja na vifaa vya michezo;

WASIWASI kwamba ujenzi wa uwanja wa michezo wa Manispaa ya Mombasa umekumbwa na ucheleweshaji na vikwazo tangu kuanzishwa kwa mradi huo mwaka wa 2019 kutokana na matatizo ya kifedha, ambayo yameathiri utekelezaji wa mradi na kunyima jamii eneo hilo uwanja unohitajika sana;

KWA HIVYO SASA Bunge la Seneti linaazimia kwamba Hazina ya Kitaifa na Wizara ya Masuala ya Vijana, Uchumi Ubunifu na Michezo itengee Serikali ya Kaunti ya Mombasa ruzuku ya masharti ya Shilingi bilioni 1.7 kwa ajili ya kukamilisha ujenzi wa Uwanja wa Manispaa ya Mombasa.

*(Seneta Mohamed Mwinjihaji Faki, Mbunge – 23.04.2024)*

Mjadala uliokatizwa Jumatano, 08 Mei, 2024 - Kikao cha mchana uliendelea kwa Kura ya Mgawanyiko;

Kabla ya Hoja kuamuliwa na kwa mujibu wa Kanuni ya Kudumu 84 (1), Spika alitoa uamuzi kuwa swala hilo linaathiri kaunti na kura ya Mgawanyiko itafanyika kwa vikoa vya kaunti;

Spika alielekeza kuwa upigaji wa Kura wa Mgawanyiko utafanyika kielektroniki kwa mujibu wa Kanuni ya Kudumu 86 na kuagiza kengele ya Kura ya Mgawanyiko ikirizwe kwa muda wa dakika tano;

Baada ya dakika tano kukamilika, Spika aliagiza milango ya Ukumbi ifungwe na Kizuio kifungwe na Maseneta kupiga kura kielektroniki;

Spika alitoa Hoja ili iamuliwe na kuagiza Maseneta wapige kura kwa kubofya kitufe cha **“Ndio”**, **“La”** au **“Mzio”**;

Kabla ya matokeo ya kura ya Mgawanyiko kutangazwa na kwa mujibu wa kanuni ya Kudumu 86 (5), Spika aliruhusu Maseneta wawili (2) kupiga kura kwa kutamka kura ya kuunga au kupinga hoja hiyo.

Na hapo, Maseneta wafuatao wakapiga kura ya **“Ndio”**-

1. Sen. Ogolla Beatrice Akinyi, Mbunge –kwa niaba ya Kikoa cha Kaunti ya Homa Bay
2. Sen. Tobiko Pesi Peris, Mbunge –kwa niaba ya Kikoa cha Kaunti ya Kajiado

Matokeo ya Kura ya Mgawanyiko ni kama ifuatavyo -

**NDIO – 27****LA – 0****MZIO – 0****NDIO**

1. Sen. Abass Sheikh Mohamed, Mbunge
2. Sen. Cherarkey Samson, Mbunge
3. Sen. Cheruiyot Aaron Kipkirui, Mbunge
4. Sen. Chute Mohamed Said, Mbunge
5. Sen. Haji Abdul Mohammed, Mbunge
6. Sen. Ogolla Beatrice Akinyi, Mbunge – alitamka kura ya kuunga kwa niaba ya kikoa cha kaunti ya Homa Bay
7. Sen. Kamau Joseph Githuku, Mbunge
8. Sen. Khalwale Boni, Mbunge
9. Sen. Kisang William Kipkemoi, Mbunge
10. Sen. Lelegwe Steve Ltumbesi, Mbunge
11. Sen. Maanzo Daniel Kitonga, Mbunge
12. Sen. Madzayo Stewart Mwachiru, Mbunge
13. Sen. Methu John Muhia, Mbunge
14. Sen. Mogeni Erick Okong'o, Mbunge
15. Sen. Mundigi Alexander Munyi, Mbunge
16. Sen. Mungatana Danson Buya, Mbunge
17. Sen. Muthama Agnes Kavindu, Mbunge
18. Sen. Mwinyihaji Mohamed Faki, Mbunge
19. Sen. Nderitu John Kinyua, Mbunge
20. Sen. Nyutu Joe, Mbunge
21. Sen. Olekina Ledama, Mbunge
22. Sen. Osotsi Godfrey Atieno, Mbunge
23. Sen. Recha Julius Murgor, Mbunge
24. Sen. Roba Ali Ibrahim, Mbunge
25. Sen. Tobiko Pesi Peris, Mbunge - alitamka kura ya kuunga kwa niaba ya kikoa cha kaunti ya Kajiado
26. Sen. Sifuna Edwin Watanya, Mbunge
27. Sen. Wambua Enoch Kiio, Mbunge

Swala limekubaliwa.

**IMEAMULIWA IPASAVYO**

KUFAHAMU KWAMBA Sehemu ya 2 ya Ratiba ya Nne ya Katiba ya Kenya inazipa Serikali za Kaunti jukumu la kuendeleza, kuanzisha, kusimamia na kudumisha vifaa vya michezo na kitamaduni ambavyo ni pamoja na viwanja, viwanja vya michezo, vituo vya kitamaduni, na miundombinu mingine inayohusiana;

IKIKUMBUKWA KUWA ukanda mzima wa Pwani Nchini hauna uwanja wa kisasa uliojengwa kwa viwango vya kimataifa, hivyo kuwanyima wananchi manufaa yanayotokana na viwanja na vifaa vya michezo;

WASIWASI kwamba ujenzi wa uwanja wa michezo wa Manispaa ya Mombasa

umekumbwa na ucheleweshaji na vikwazo tangu kuanzishwa kwa mradi huo mwaka wa 2019 kutokana na matatizo ya kifedha, ambayo yameathiri utekelezaji wa mradi na kunyima jamii eneo hilo uwanja unohitajika sana;

KWA HIVYO SASA Bunge la Seneti linaazimia kwamba Hazina ya Kitaifa na Wizara ya Masuala ya Vijana, Uchumi Ubunifu na Michezo itengee Serikali ya Kaunti ya Mombasa ruzuku ya masharti ya Shilingi bilioni 1.7 kwa ajili ya kukamilisha ujenzi wa Uwanja wa Manispaa ya Mombasa.

12. **MOTION – STATUS OF PENDING BILLS IN COUNTIES**

Order read;

Motion made and Question proposed;

AWARE THAT, as at 31<sup>st</sup> December, 2023, according to the County Governments Budget Implementation Review report for the first half of the financial year 2023/2024, County Governments had accumulated a total of Ksh.156.34 Billion shillings in pending bills with Nairobi City County accumulating the largest share of Ksh.107, 037,053,000 followed by Kiambu and Mombasa Counties at Kshs. 5,711,614,412 and Kshs. 3,922,131,877 respectively;

CONCERNED THAT, the accumulated pending bills in Counties have significantly affected service providers in the counties leading to closure of businesses, stalling of county projects, adversely affecting economic growth in counties, service delivery and ultimately slowing down the country's economic growth;

FURTHER CONCERNED, that most of the service providers in the counties are battling court cases lodged against them by their financiers and suppliers while others are languishing in poverty exacerbated by the increased cost of living, with increased mental health disease incidences and others dying as a result of the effects of colossal amounts of debt owed to them by county governments;

NOW THEREFORE, the Senate-

1. Recommends that all County Governments pay verified pending bills amounting to less than Ksh. 1 Billion by the end of this financial year and those above Ksh.1 Billion by the end of the financial year 2024/2025; and
2. Resolves that-
  - i. pursuant to the provisions of Regulation 41(2) & (3) of the Public Finance Management (County Governments) Regulations, 2015, County Governments prioritize payment of pending bills as a first charge on the County Revenue Fund failure to which the subsequent quotas budget releases will not be done;



- ii. County Governments shall only pay pending Bills contained in their respective procurement plans pursuant to Regulation 50 (2) & (3) of the Public Finance Management (County Governments) Regulations;
- iii. Supplementary budgets for county governments are prepared in the 3<sup>rd</sup> Quarter to curb instances of arbitrary re-allocations out of the approved budget estimates; and
- iv. County governments shall conduct public participation while formulating supplementary budgets, failure to which the Controller of Budget (CoB) shall not approve the supplementary budgets.

*(Sen. Ledama Olekina, MP – 28.03.2024)*

Amendment proposed;

THAT, the Motion be amended in Paragraph 2 as follows –

- i) in sub-paragraph (i), by deleting all the words immediately after the word “County Governments” and inserting the following words in place thereof “prepare and submit to the Controller of Budget, a payment plan, prioritizing payment of pending bills as a first charge on the County Revenue Fund, failure to which the subsequent quota budget releases will not be done.”
- ii) by inserting a new sub -paragraph immediately after Sub-paragraph (i) as follows –  
“(ii) the Controller of Budget takes into consideration the efforts made by a county government to clear inherited pending bills when approving exchequer releases;”
- iii) by inserting a new sub-paragraph immediately after Sub-paragraph (iv) as follows –  
“(v) County governments, in consultation with the Controller of Budget, to provide a budget for completion of all existing projects and that initiation of new projects to cease until completion of the existing projects.”

*(Sen. Moses Kajwang’, MP – 07.05.2024)*

Debate interrupted on Tuesday, 7<sup>th</sup> May, 2024 on the amendment, resumed on a Division;

Before the Question was put and pursuant to Standing Order 84 (1), the Speaker ruled that the matter affects Counties and that voting would be by County Delegations;

The Speaker directed that electronic voting be taken pursuant to Standing Order 86 and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to Standing Order 86 (5), the Speaker allowed three (3) Senators to record their votes verbally.

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

1. Sen. Methu John Muhia, MP
2. Sen. Ogolla Beatrice Akinyi, MP–on behalf of Homa Bay County Delegation
3. Sen. Tobiko Pesi Peris, MP–on behalf of Kajiado County Delegation

The results of the Division were as follows: -

**AYES – 27**

**NOES – 0**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, 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
13. Sen. Methu John Muhia, MP – voted verbally
14. Sen. Mogeni Erick Okong’o, MP
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwinyihaji Mohamed Faki, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Olekina Ledama, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Recha Julius Murgor, MP
24. Sen. Roba Ali Ibrahim, MP
25. Sen. Tobiko Pesi Peris, MP - voted verbally on behalf of Kajiado County Delegation

- 26. Sen. Sifuna Edwin Watenya, MP
- 27. Sen. Wambua Enoch Kiio, MP

Question on the amendment agreed to.

Question upon the Motion as amended, proposed, pursuant to Standing Order 67 (2).

AWARE THAT, as at 31<sup>st</sup> December, 2023, according to the County Governments Budget Implementation Review report for the first half of the financial year 2023/2024, County Governments had accumulated a total of Ksh.156.34 Billion shillings in pending bills with Nairobi City County accumulating the largest share of Ksh.107, 037,053,000 followed by Kiambu and Mombasa Counties at Kshs. 5,711,614,412 and Kshs. 3,922,131,877 respectively;

CONCERNED THAT, the accumulated pending bills in Counties have significantly affected service providers in the counties leading to closure of businesses, stalling of county projects, adversely affecting economic growth in counties, service delivery and ultimately slowing down the country's economic growth;

FURTHER CONCERNED that most of the service providers in the counties are battling court cases lodged against them by their financiers and suppliers while others are languishing in poverty exacerbated by the increased cost of living, with increased mental health disease incidences and others dying as a result of the effects of colossal amounts of debt owed to them by county governments;

NOW THEREFORE, the Senate-

1. recommends that all County Governments pay verified pending bills amounting to less than Ksh. 1 Billion by the end of this financial year and those above Ksh.1 Billion by the end of the financial year 2024/2025; and
2. Resolves that-
  - i. pursuant to the provisions of Regulation 41(2) & (3) of the Public Finance Management (County Governments) Regulations, 2015, County Governments prepare and submit to the Controller of Budget, a payment plan, prioritizing payment of pending bills as a first charge on the County Revenue Fund, failure to which the subsequent quota budget releases will not be done;
  - ii. The Controller of Budget takes into consideration the efforts made by a county government to clear inherited pending bills when approving exchequer releases;
  - iii. County Governments shall only pay pending Bills contained in their respective procurement plans pursuant to Regulation 50 (2) & (3) of the Public Finance Management (County Governments) Regulations;

- iv. Supplementary budgets for county governments are prepared in the 3<sup>rd</sup> Quarter to curb instances of arbitrary re-allocations out of the approved budget estimates;
- v. County governments, in consultation with the Controller of Budget, to provide a budget for completion of all existing projects and that initiation of new projects to cease until completion of the existing projects; and
- vi. County governments shall conduct public participation while formulating supplementary budgets, failure to which the Controller of Budget (CoB) shall not approve the supplementary budgets.

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 84 (1), the Speaker ruled that the matter affects Counties and that voting would be by County Delegations;

The Speaker directed that electronic voting be taken pursuant to Standing Order 86 and that the division bell be rung for five minutes;

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

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

Before the results of the Division were announced and pursuant to Standing Order 86 (5), the Speaker allowed two (2) Senators to record their votes verbally.

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

- 1. Sen. Recha Julius Murgor, MP
- 2. Sen. Tobiko Pesi Peris, MP - on behalf of Kajiado County Delegation

The results of the Division were as follows: -

**AYES – 27**

**NOES – 0**

**ABSTENTION – 0**

**AYES**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chute Mohamed Said, MP
- 5. Sen. Haji Abdul Mohammed, 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
13. Sen. Methu John Muhia, MP
14. Sen. Mogeni Erick Okong’o, MP
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Muthama Agnes Kavindu, MP
18. Sen. Mwinyihaji Mohamed Faki, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Olekina Ledama, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Recha Julius Murgor, MP – voted verbally
24. Sen. Roba Ali Ibrahim, MP
25. Sen. Tobiko Pesi Peris, MP - voted verbally on behalf of Kajiado County Delegation
26. Sen. Sifuna Edwin Watenya, MP
27. Sen. Wambua Enoch Kiio, MP

Question agreed to;

**RESOLVED ACCORDINGLY**

AWARE THAT, as at 31<sup>st</sup> December, 2023, according to the County Governments Budget Implementation Review report for the first half of the financial year 2023/2024, County Governments had accumulated a total of Ksh.156.34 Billion shillings in pending bills with Nairobi City County accumulating the largest share of Ksh.107, 037,053,000 followed by Kiambu and Mombasa Counties at Kshs. 5,711,614,412 and Kshs. 3,922,131,877 respectively;

CONCERNED THAT, the accumulated pending bills in Counties have significantly affected service providers in the counties leading to closure of businesses, stalling of county projects, adversely affecting economic growth in counties, service delivery and ultimately slowing down the country’s economic growth;

FURTHER CONCERNED that most of the service providers in the counties are battling court cases lodged against them by their financiers and suppliers while others are languishing in poverty exacerbated by the increased cost of living, with increased mental health disease incidences and others dying as a result of the effects of colossal amounts of debt owed to them by county governments;

NOW THEREFORE, the Senate-

1. recommends that all County Governments pay verified pending bills amounting to less than Ksh. 1 Billion by the end of this financial year and those above Ksh.1 Billion by the end of the financial year 2024/2025; and
2. Resolves that-
  - i. pursuant to the provisions of Regulation 41(2) & (3) of the Public Finance Management (County Governments) Regulations, 2015, County Governments prepare and submit to the Controller of Budget, a payment plan, prioritizing payment of pending bills as a first charge on the County Revenue Fund, failure to which the subsequent quota budget releases will not be done;
  - ii. The Controller of Budget takes into consideration the efforts made by a county government to clear inherited pending bills when approving exchequer releases;
  - iii. County Governments shall only pay pending Bills contained in their respective procurement plans pursuant to Regulation 50 (2) & (3) of the Public Finance Management (County Governments) Regulations;
  - iv. Supplementary budgets for county governments are prepared in the 3<sup>rd</sup> Quarter to curb instances of arbitrary re-allocations out of the approved budget estimates;
  - v. County governments, in consultation with the Controller of Budget, to provide a budget for completion of all existing projects and that initiation of new projects to cease until completion of the existing projects; and
  - vi. County governments shall conduct public participation while formulating supplementary budgets, failure to which the Controller of Budget (CoB) shall not approve the supplementary budgets.

13. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

**IN THE COMMITTEE**

*(The Acting Chairperson of Committees (Sen. Abdul Haji, MP) – in the Chair)*

**The National Rating Bill (National Assembly Bills No. 55 of 2022)**

Clauses 3, 4, 5, 6, 7, 8, 9, 10 and 11

Motion made and Question proposed;

THAT, Clauses 3, 4, 5, 6, 7, 8, 9,10 and 11 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP

- 21. Sen. Omar Mariam Sheikh, MP– voted on behalf of Mandera County Delegation
- 22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
- 23. Sen. Sifuna Edwin Watanya, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiio, MP

Clauses 3, 4, 5, 6, 7, 8, 9, 10 and 11 - agreed to

Clause 12 - amendment proposed

THAT Clause 12 of the Bill be amended in–

- (a) subclause (3) by inserting the words ‘and the Council of County Governors’ immediately after the words ‘National Land Commission’.
- (b) subclause (4) by inserting the words ‘in consultation with the Council of County Governors’ immediately after the words ‘The Cabinet Secretary may’.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

- 1. Sen. Cherarkey Samson, MP
- 2. Sen. Haji Abdul Mohammed, MP
- 3. Sen. Lelegwe Steve Ltumbesi, MP



The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP – voted verbally
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 12 (as amended)

- agreed to;

Clause 13

Motion made and Question proposed;

THAT Clause 13 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 14

- amendment proposed

THAT Clause 14 be amended by inserting the following new subclause immediately after subclause (3) –

- (4) The amount of the rates set under Subsection (1) shall not exceed four per cent of the unimproved value of the rateable property.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

- 1. Sen. Cherarkey Samson, MP
- 2. Sen. Haji Abdul Mohammed, MP
- 3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP – voted verbally
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chute Mohamed Said, MP
- 5. Sen. Haji Abdul Mohammed, MP – voted verbally
- 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 – voted verbally
- 11. Sen. Maanzo Daniel Kitonga, MP
- 12. Sen. Madzayo Stewart Mwachiru, MP

13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 14 (as amended)

- agreed to;

Clauses 15, 16, 17, 18 and 19

Motion made and Question proposed;

THAT, Clauses 15, 16, 17, 18 and 19 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES - 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP

2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
6. Sen. Ogola 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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clauses 15, 16, 17, 18 and 19 - agreed to;

Clause 20 - amendment proposed;

THAT Clause 20 of the Bill be amended in—

- (a) subclause (2) by inserting the words ‘and the Council of County Governors’ immediately after the words ‘the Cabinet Secretary’.
- (b) subclause (6) by deleting the words ‘recommend to the Cabinet Secretary Ministry of Lands to further review before submission’ and inserting therefor the word ‘submit’.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson, MP
2. Sen. Haji Abdul Mohammed, MP
3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP – voted verbally
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 20 (as amended)

- agreed to;

Clauses 21, 22, 23, 24, 25, 26, 27 and 28

Motion made and Question proposed;

THAT, Clauses 21, 22, 23, 24, 25, 26, 27 and 28 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP

- 21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
- 22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
- 23. Sen. Sifuna Edwin Watanya, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiio, MP

Clauses 21, 22, 23, 24, 25, 26, 27 and 28 - agreed to;

Clause 29 - amendment proposed;

THAT Clause 29 of the Bill be amended in subclause (1) by deleting the word ‘five’ appearing immediately after the words ‘undertaken in every’ and inserting therefor the word ‘ten’.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

- 1. Sen. Cherarkey Samson, MP
- 2. Sen. Haji Abdul Mohammed, MP
- 3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES - 0**

**ABSTENTION – 0**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP – voted verbally
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chute Mohamed Said, MP
- 5. Sen. Haji Abdul Mohammed, MP – voted verbally
- 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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 29 (as amended) - agreed to;

Clause 30 - amendment proposed;

THAT Clause 30 of the Bill be amended by deleting—

- (a) subclause (4);
- (b) subclause (5); and
- (c) subclause (6).

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

- 1. Sen. Cherarkey Samson, MP
- 2. Sen. Haji Abdul Mohammed, MP
- 3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES - 0**

**ABSTENTION – 0**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP – voted verbally
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chute Mohamed Said, MP
- 5. Sen. Haji Abdul Mohammed, MP – voted verbally
- 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 – voted verbally
- 11. Sen. Maanzo Daniel Kitonga, MP
- 12. Sen. Madzayo Stewart Mwachiru, MP
- 13. Sen. Methu John Muhia, MP
- 14. Sen. Mungatana Danson Buya, MP
- 15. Sen. Mwenda Gataya Mo Fire, MP
- 16. Sen. Mwinyihaji Mohamed Faki, MP
- 17. Sen. Nderitu John Kinyua, MP
- 18. Sen. Ojienda Odhiambo Tom, MP
- 19. Sen. Olekina Ledama, MP
- 20. Sen. Recha Julius Murgor, MP
- 21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
- 22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
- 23. Sen. Sifuna Edwin Watanya, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiiro, MP

Clause 30 (as amended)

- agreed to;

Clause 31

Motion made and Question proposed;

THAT, Clause 31 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP– voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiiio, MP

Clause 32

- amendment proposed;

THAT Clause 32 of the Bill be amended—

- (a) in subclause (3) by inserting the words ‘of preparing a report under Subsection (4)’ immediately after the words ‘Valuer for purposes’;
- (b) in subclause (6) by deleting the word ‘tabling’ appearing immediately after the words ‘county assembly for’ and inserting therefor the word ‘approval’.
- (c) by inserting the following new subclauses immediately after subclause (6)—

(7) The County Assembly shall, within sixty (60) sitting days of submission under subsection (6), by resolution approve or reject the draft valuation roll or draft supplementary valuation roll.

(8) Where the County Assembly fails to make a resolution within the period under subsection (7), the draft valuation roll or draft supplementary valuation roll shall be deemed to have been approved.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson, MP
2. Sen. Haji Abdul Mohammed, MP
3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26****NOES – 0****ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP – voted verbally
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP– voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 32 (as amended)

- agreed to;

Clause 33

Motion made and Question proposed;

THAT, Clause 33 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP– voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 33 - agreed to;

Clause 34 - amendment proposed;

THAT Clause 34 of the Bill be amended in subclause (6) by deleting the word ‘may’ appearing immediately after the words ‘a county government’ and inserting therefor the word “shall”.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson, MP
2. Sen. Haji Abdul Mohammed, MP
3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26****NOES – 0****ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP – voted verbally
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mungatana Danson Buya, MP
15. Sen. Mwenda Gataya Mo Fire, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP

- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiio, MP

Clause 34 (as amended) - agreed to;

Clauses 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 and 55

Motion made and Question proposed;

THAT, Clauses 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 and 55 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chute Mohamed Said, MP
- 5. Sen. Haji Abdul Mohammed, MP – voted verbally
- 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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clauses 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54 and 55 - agreed to;

Clause 56 - amendment proposed;

THAT Clause 56 of the Bill be amended in –

- (a) subclause (1) by deleting the word ‘may’ appearing immediately after the words ‘The Cabinet Secretary’ and inserting therefor the words ‘shall, in consultation with the Council of County Governors,’
- (b) subclause (2) by deleting the word ‘may’, appearing immediately after the words “the Cabinet Secretary” and inserting therefor the words “shall, in consultation with the Council of County Governors,”.
- (c) subclause (2) by inserting the following new paragraph immediately after paragraph (a)—
  - (aa) the technological systems to be used in the preparation and implementation of the valuation roll or the supplementary valuation roll.

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

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson, MP
2. Sen. Haji Abdul Mohammed, MP
3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP – voted verbally
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 56 (as amended)

- agreed to;

Clause 57

Motion made and Question proposed;

THAT, Clause 57 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation

- 22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
- 23. Sen. Sifuna Edwin Watanya, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiio, MP

Clause 57 - agreed to;

New Clause 24 A - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new clauses immediately after Clause 24—

Chief Government Valuer. 24A. (1) There shall be a Chief Government Valuer who shall be the principal advisor to the National Government and county governments on all matters relating to valuation.

(2) The Chief Government Valuer shall be appointed by the Public Service Commission through a competitive recruitment process.

*(Sen. Edwin Sifuna, MP)*

Motion made and Question proposed;

THAT, New Clause 24A be now read a Second Time;

*(Sen. Edwin Sifuna, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP - voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 24A be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

New Clause 24A

- agreed to;

New Clause 24B

- insertion of new clause proposed;

Qualification of the Chief Government Valuer

24B. (1) A person is qualified for appointment as the Chief Government Valuer if that person—

- (a) is a citizen of Kenya;
- (b) has a minimum of a Bachelor’s degree from a university recognized in Kenya in—
  - (i) land economics;
  - (ii) real estate; or;
  - (iii) any other relevant field;
- (c) has at least fifteen years’ experience in the valuation practice;
- (d) is a full member of the Institution of Surveyors of Kenya (Chapter on Valuation) and in good standing; and
- (e) meets the requirements of Chapter Six of the Constitution.

*(Sen. Edwin Sifuna, MP)*

Motion made and Question proposed;

THAT, New Clause 24B be now read a Second Time;

*(Sen. Edwin Sifuna, MP)*

There being no Senator wishing to contribute,

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26****NOES – 0****ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 24B be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES - 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

New Clause 24B - agreed to;

New Clause 30A - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new Clause immediately after Clause 30—

Supplementary valuation roll

30A. (1) The county government shall, in preparing a supplementary valuation roll, rely on data or information that was used in the preparation of the valuation roll to assign values to be adopted on the properties contained in a supplementary valuation roll.

(2) A supplementary valuation roll shall include only those alterations and additions to the valuation roll which are permitted by this section.

(3) The draft supplementary valuation roll shall take into account—

- (a) rateable property omitted from valuation;
- (b) new rateable property;
- (c) rateable property which is subdivided or consolidated with other rateable property; and,
- (d) re-categorization of the rate on the change of use of the rateable property.

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

Motion made and Question proposed;

THAT, New Clause 30A be now read a Second Time;

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

There being no Senator wishing to contribute,

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 30A be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES - 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watenya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kio, MP

New Clause 30A

- agreed to;

The First Schedule, Second Schedule, Third Schedule and Fourth Schedule

Motion made and Question proposed;

THAT, the First Schedule, Second Schedule, Third Schedule and Fourth Schedule be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation

- 22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
- 23. Sen. Sifuna Edwin Watanya, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Wamatinga Wahome, MP
- 26. Sen. Wambua Enoch Kiio, MP

The First Schedule, Second Schedule, Third Schedule and Fourth Schedule - agreed to;

Clause 2 - amendment proposed;

THAT Clause 2 of the Bill be amended by deleting –

- (a) the definition of the term ‘occupier’ and inserting therefor the following new definition—

“occupier” means, in relation to rateable property, a person who is in physical possession of premises, or a person who has control over the premises, where the rateable owner is unknown;

- (b) the definition of the term ‘valuation roll’ and inserting therefor the following new definition—

“valuation roll” means a roll prepared in accordance with this Act;

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

Further Amendment proposed;

THAT Clause 2 of the Bill be amended by deleting the definition of ‘Chief Government Valuer’ and inserting the following new definition—

“Chief Government Valuer” means a valuer appointed under Section 24A

*(Sen. Edwin Sifuna, MP)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 (Sen. Abdul Haji, MP) allowed three (3) Senators to record their votes verbally.

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

1. Sen. Cherarkey Samson, MP
2. Sen. Haji Abdul Mohammed, MP
3. Sen. Lelegwe Steve Ltumbesi, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP – voted verbally
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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 – voted verbally
11. Sen. Maanzo Daniel Kitonga, MP
12. Sen. Madzayo Stewart Mwachiru, MP
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Clause 2 (as amended)

- agreed to;

The Title and Clause 1

Motion made and Question proposed;

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

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Abdul Haji, 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. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Acting Chairperson (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26**

**NOES – 0**

**ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP



The Title and Clause 1

- agreed to;

**Report-**

Motion made and Question proposed;

THAT, the Committee of the Whole House do report to the Senate, its consideration of the National Rating Bill (National Assembly Bills No. 55 of 2022) and its approval thereof with amendments;

*(The Senate Majority Leader)*

Before the Question was put and pursuant to Standing Order 84 (1), the Acting Chairperson (Sen. Abdul Haji, MP) ruled that the Question does not affect counties;

Question put and agreed to.

14. **THE SENATE RESUMED** – The Temporary Speaker (Sen. Abdul Haji, MP) – in the Chair.

15. **THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILLS NO. 55 OF 2022)**

Bill reported **with** amendments;

Motion made and Question proposed: -

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

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and Question proposed: -

THAT, the National Rating Bill (National Assembly Bills No. 55 of 2022) be now read a Third Time.

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

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

The Temporary Speaker (Sen. Abdul Haji, 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 Temporary Speaker (Sen. Abdul Haji, 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. Abdul Haji, 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 Standing Order 86 (5), the Temporary Speaker (Sen. Abdul Haji, MP) allowed one (1) Senator to record his vote verbally.

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

Sen. Haji Abdul Mohammed, MP

The results of the Division were as follows: -

**AYES – 26****NOES – 0****ABSTENTION – 0**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chute Mohamed Said, MP
5. Sen. Haji Abdul Mohammed, MP – voted verbally
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
13. Sen. Methu John Muhia, MP
14. Sen. Mundigi Alexander Munyi, MP
15. Sen. Mungatana Danson Buya, MP
16. Sen. Mwinyihaji Mohamed Faki, MP
17. Sen. Nderitu John Kinyua, MP
18. Sen. Ojienda Odhiambo Tom, MP
19. Sen. Olekina Ledama, MP
20. Sen. Recha Julius Murgor, MP
21. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
22. Sen. Tobiko Pesi Peris, MP – voted on behalf of Kajiado County Delegation
23. Sen. Sifuna Edwin Watanya, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Wamatinga Wahome, MP
26. Sen. Wambua Enoch Kiio, MP

Question agreed to.

Bill Read a Third Time and passed.

16. **THE HOUSES OF PARLIAMENT (BICAMERAL RELATIONS) BILL (NATIONAL ASSEMBLY BILLS NO. 44 OF 2023)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Houses of Parliament (Bicameral Relations) Bill (National Assembly Bills No. 44 of 2023) be now read a Second Time.

*(The Senate Majority Leader)*

Debate arising;

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.

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**MEMORANDUM**

*The Speaker will take the Chair on Tuesday, May 14, 2024 at 2:30 p.m.*

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O'clock.