



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SIXTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 23, 2022 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. PAPERS

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

- i) Report of the Auditor General on the financial statement of County Assembly of Meru Members Car Loan and Housing Scheme Fund for the year ended 30th June, 2019;
- ii) Report of the Auditor General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2015;
- iii) Report of the Auditor General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2016;
- iv) Report of the Auditor General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2017;
- v) Report of the Auditor General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2018;
- vi) Report of the Auditor General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2019;

- vii) Report of the Auditor General on the financial statement of Kajiado County Assembly Emergency Fund for the year ended 30th June, 2019;
- viii) Report of the Auditor General on the financial statement of Kajiado County Assembly Emergency Fund for the year ended 30th June, 2020;
- ix) Report of the Auditor General on the financial statement of Kajiado County Education Bursary, Grants and Scholarship Fund for the year ended 30th June, 2020;
- x) Report of the Auditor General on the financial statement of Thika Water and Sewerage Company Limited for the year ended 30th June, 2020;
- xi) Report of the Auditor General on the financial statement of Laikipia County Assets Leasing Fund for the year ended 30th June, 2020;
- xii) Report of the Auditor General on the financial statement of Laikipia County Assembly Mortgage and Car Loan (Staff) Scheme Fund for the year ended 30th June, 2020;
- xiii) Report of the Auditor General on the financial statement of Nyeri County Enterprise Development Fund for the year ended 30th June, 2020;
- xiv) Report of the Auditor General on the financial statement of Murangá County Assembly Car and Mortgage Loan Scheme Fund for the year ended 30th June, 2020;
- xv) Report of the Auditor General on the financial statement of Kahuti Water and Sanitation Company Limited for the year ended 30th June, 2020;
- xvi) Report of the Auditor General on the financial statement of Nyahururu Water and Sanitation Company Limited for the year ended 30th June, 2020;
- xvii) Report of the Auditor General on the financial statement of Coast Water Works Development Agency for the year ended 30th June, 2020;
- xviii) Report of the Auditor General on the financial statement of Kilifi – Mariakani Water and Sanitation Company Limited for the year ended 30th June, 2020;

- xix) Report of the Auditor General on the financial statement of Municipality of Kilifi for the eighteen (18) months period ended 30th June, 2020;
- xx) Report of the Auditor General on the financial statement of Kilifi County Emergency Fund for the year ended 30th June, 2020;
- xxi) Report of the Auditor General on the financial statement of Kwale County Bursary Fund for the year ended 30th June, 2020;
- xxii) Report of the Auditor General on the financial statement of Kwale County Assembly Members and Staff Loan Scheme Fund for the year ended 30th June, 2020;
- xxiii) Report of the Auditor General on the financial statement of Elgeyo Marakwet County Assembly Car and Mortgage Revolving Fund for the year ended 30th June, 2020;
- xxiv) Report of the Auditor General on the financial statement of Elgeyo Marakwet County Education Fund for the year ended 30th June, 2020;
- xxv) Report of the Auditor General on the financial statement of West Pokot County Bursary, Education Development and Infrastructure Fund for the year ended 30th June, 2020;
- xxvi) Report of the Auditor General on the financial statement of West Pokot County Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020;
- xxvii) Report of the Auditor General on the financial statement of Turkana County Executive Officers Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020;
- xxviii) Report of the Auditor General on the financial statement of Turkana County Youth and Women Empowerment Fund for the year ended 30th June, 2020;
- xxix) Report of the Auditor General on the financial statement of Kiambu Water and Sewerage Company Limited for the year ended 30th June, 2020;
- xxx) Report of the Auditor General on the financial statement of Kisii County Bursaries Fund for the year ended 30th June, 2021;

(The Senate Majority Leader)

4. NOTICE OF MOTION – APPROVAL OF SENATORS TO SERVE IN SESSIONAL COMMITTEES

(The Senate Majority Leader)

THAT, pursuant to Standing Orders Nos. 189, 219, 220 and 221, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Sessional Committees of the Senate –

A. COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS

1. Sen. (Eng.) Hargura Godana, MP
2. Sen. Adan Dullo Fatuma, CBS, MP
3. Sen. Kimani Wamatangi, MP
4. Sen. Njeru Ndwiga, EGH, MP
5. Sen. Samson Cherarkey, MP
6. Sen. (Dr.) Ochillo Ayacko, EGH, MP
7. Sen. (Prof.) Imana Malachy Charles Ekal, MP
8. Sen. Johnes Mwaruma, MP
9. Sen. Mercy Chebeni, MP

B. COMMITTEE ON DELEGATED LEGISLATION

1. Sen. Samuel Losuron Poghio, EGH, MP
2. Sen. Mary Yiane Seneta, MP
3. Sen. Abshiro Halake, MP
4. Sen. Anwar Loiptip, MP
5. Sen. Farhiya Ali Haji, MP
6. Sen. Mwinyihaji Mohammed Faki, MP
7. Sen. Agnes Kavindu Muthama, MP
8. Sen. Judith Pareno, MP
9. Sen. (Prof.) Samson Ongeru, EGH, MP

5. STATEMENT PURSUANT TO STANDING ORDER 47 (1)

The Senator for Nandi County (Sen. Samson Cherarkey, MP.) made a statement concerning the high cost of food and farm inputs in Kenya.

The Senator noted that according to data availed from the Kenya National Bureau of Statistics (KNBS) food prices rose by 8.89% in January, thereby making it hard for millions of Kenyans to meet their daily food needs. The Senator highlighted a number of household items such as wheat flour, maize flour, electricity and fuel, which had risen, exacerbating the problem of food for families.

The Senator drew the attention of the Senate to the high cost of farm inputs such as fertilizer, which retails at Kshs. 6,000 from Kshs. 2,500. This situation has made it difficult for farmers to afford fertilizer for planting, and as a result, threatens the country's food security agenda.

In this regard, the Senator called upon the National Executive to institute modalities that would enable the prices of the basic commodities to come

down and cushion Kenyans from the high cost of living. He highlighted a number of proposals made such as provision of an additional Kshs. 2 billion which would be used for drought mitigation and a further Kshs. 5 billion for fertilizer subsidy program to address the cost of fertilizers in the country.

He concluded by calling the National Assembly to ensure that above measures were captured in the proposed budget for FY 2022/2023.

6. MOTION – APPROVAL OF SENATORS TO SERVE IN SESSIONAL COMMITTEES

Order read;

Motion made and Question proposed;

THAT, pursuant to Standing Orders Nos. 189, 219, 220 and 221, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Sessional Committees of the Senate –

A. COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS

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5. Sen. Samson Cherarkey, MP
6. Sen. (Dr.) Ochillo Ayacko, EGH, MP
7. Sen. (Prof.) Imana Malachy Charles Ekal, MP
8. Sen. Johnes Mwaruma, MP
9. Sen. Mercy Chebeni, MP

B. COMMITTEE ON DELEGATED LEGISLATION

1. Sen. Samuel Losuron Poghisio, EGH, MP
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3. Sen. Abshiro Halake, MP
4. Sen. Anwar Loiptip, MP
5. Sen. Farhiya Ali Haji, MP
6. Sen. Mwinyihaji Mohammed Faki, MP
7. Sen. Agnes Kavindu Muthama, MP
8. Sen. Judith Pareno, MP
9. Sen. (Prof.) Samson Ongeru, EGH, MP

(The Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

The Mover replied;

Before the question was put and pursuant to Standing Order 79, the Temporary Speaker (Sen. Judith Pareno, MP) ruled that the Motion did not affect counties, Pursuant to Standing Order 79(1).

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, pursuant to Standing Orders Nos. 189, 219, 220 and 221, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Sessional Committees of the Senate –

A. COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS

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8. Sen. Johnes Mwaruma, MP
9. Sen. Mercy Chebeni, MP

B. COMMITTEE ON DELEGATED LEGISLATION

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2. Sen. Mary Yiane Seneta, MP
3. Sen. Abshiro Halake, MP
4. Sen. Anwar Loitiptip, MP
5. Sen. Farhiya Ali Haji, MP
6. Sen. Mwinyihaji Mohammed Faki, MP
7. Sen. Agnes Kavindu Muthama, MP
8. Sen. Judith Pareno, MP
9. Sen. (Prof.) Samson Ongeru, EGH, MP

7. THE LANDLORD AND TENANT BILL (NATIONAL ASSEMBLY BILLS NO. 3 OF 2021)

(The Senate Majority Leader)

Order for Second Reading read;

Order deferred.

8. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The Heritage and Museums Bill (Senate Bills No. 22 of 2021)Clause 3

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP - 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually

14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio– voted virtually
30. Sen. Wario Golich Juma

Clause 3 - agreed to

Clause 4 - amendment proposed

THAT the Bill be amended by deleting clause 4.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio- voted virtually
30. Sen. Wario Golich Juma

Clause 4 - deleted

Clause 5 - amendment proposed

THAT clause 5 of the Bill be amended by—

(a) inserting the following new paragraph immediately after paragraph (b)

–

(ba) identify and manage grade I heritage resources in accordance with this Act; and

deleting paragraphs (d) and (e).

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
22.12.2021)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

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The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually

22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio- voted virtually
30. Sen. Wario Golich Juma

Clause 5 (as amended) - agreed to

Clause 6

Motion made and Question proposed;

THAT, Clause 6 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP - 22.12.2021)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaanyi Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually

5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Clause 6 - agreed to

Clause 7 - amendment proposed

THAT clause 7 of the Bill be amended by inserting the following new paragraph immediately after paragraph (b) –

(ba) identify and manage of grade II heritage resources in accordance with this Act.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and

Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
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The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
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8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
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23. Sen. Ongeri Samson Kegengo – voted virtually
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25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually

30. Sen. Wario Golich Juma

Clause 7 (as amended) - agreed to

Clause 8 - amendment proposed

THAT clause 8 of the Bill be amended—

(a)in subclause (1) by deleting paragraph (d) and substituting therefor the following new paragraph—

(d) three persons representing scientific, arts and general outstanding interest in, and contribution to the work of, the national heritage, one of whom shall be nominated by Nature Kenya;

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

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The results of the Division were as follows:

AYES - 30

NOES - 0

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4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually

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9. Sen. Kang’ata Irungu – voted virtually
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26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio- voted virtually
30. Sen. Wario Golich Juma

Clause 8 (as amended) - agreed to

Clauses 9 to 33

Motion made and Question proposed;

THAT, Clauses 9 to 33 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP-22.12.2021)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

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6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kiio– voted virtually
30. Sen. Wario Golich Juma

Clauses 9 to 33 - agreed to

Clauses 34 to 39 - amendment proposed

THAT the Clauses 34 to 39 be deleted.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually

20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii– voted virtually
30. Sen. Wario Golich Juma

Clauses 34 to 39 - deleted

Clauses 40 to 100

Motion made and Question proposed;

THAT, Clause 40 to 100 be part of the Bill.

(Sen. (Dr.) Alice Milgo, MP-22.12.2021)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually

3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Clauses 40 to 100 - agreed to

The First, the Second and the Third Schedules

Motion made and Question proposed;

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

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and

Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually

30. Sen. Wario Golich Juma

The First, the Second and the Third Schedules - agreed to

New Clause 2A - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 2—

PART IA - SYSTEM FOR MANAGEMENT OF NATIONAL HERITAGE RESOURCES

General principles. 2A. (1) Every person shall, in the management of heritage resources, take into account —

- (a) the lasting value of natural resources to the Kenyan society;
 - (b) the valuable, finite, non-renewable and irreplaceable nature of the resources and the need to ensure their survival;
 - (c) the responsibility by every generation to act as trustee of the national heritage for succeeding generations;
 - (d) the need to promote the interests of all Kenyans;
 - (e) the need to promote reconciliation, understanding and respect, take account of all relevant cultural values and indigenous knowledge systems;
 - (h) the involvement of communities in the management of heritage resources;
 - (i) the respect of cultural values and the dignity of the communities to whom the resource is connected;
 - (j) the need ensure that the process and resources are researched, documented and recorded; and
 - (k) the need to guard against the use of heritage for sectarian purposes or political gain.
- (2) To ensure that heritage resources are effectively managed—
- (a) the skills and capacities of persons and communities involved in heritage resources management shall be developed; and
 - (b) provision shall be made for the ongoing education and training of existing and new heritage resources management workers.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Motion made and Question proposed;

THAT, new clause 2A be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually

20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ogeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii– voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed –

THAT New Clause 2A be part of the Bill.

(Vice Chairperson, Standing Committee on Labour and Social Welfare
– 25.01.2022)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually

5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

New Clause 2A - agreed to

New Clause 2B - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 2—

Heritage assessment
criteria and
grading.

2B. The National Museums of Kenya shall, in consultation with the Cabinet Secretary and the county executive committee member in each county prescribe a system of grading of places and objects which form part of the national heritage and shall distinguish between—

- (a) grade I category consisting of heritage resources with qualities so exceptional that they are of special national significance;
- (b) grade II consisting of heritage resources which, although forming part of the national heritage, can be considered to have special qualities which make them significant within the context of a county or a region; and

such other grade assessment criteria as the National Museum of Kenya shall consider appropriate.

(Vice Chairperson, Standing Committee on Labour and Social Welfare-25.01.2022)

Motion made and Question proposed;

THAT, new clause 2B be now read a Second Time.

(Vice Chairperson, Standing Committee on Labour and Social Welfare-25.01.2022)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually

13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, the New Clause 2B be part of the Bill

(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kiio- voted virtually
30. Sen. Wario Golich Juma

New Clause 2B - agreed to

New Clause 7A - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clause immediately after clause 7—

County museum. 7A. (1) A county executive committee member may establish a county museum for the management of the heritage resources within the respective county.

(2) Notwithstanding the generality of subsection (1), a county museum shall—

- (a) advise the county executive committee member on the implementation of this Act or relevant county legislation;
- (b) submit an annual report to the county executive committee member regarding its activities for each financial year;
- (c) promote the systematic identification, recording and assessment of heritage resources and heritage objects which form part of the national heritage in a county;
- (d) protect and manage heritage resources in a county which fulfil the heritage assessment criteria prescribed under this Act for grade II status;
- (e) notify the National Museums of Kenya of the presence of any heritage resource in the county which fulfils the heritage assessment criteria prescribed under this Act for grade I status;
- (f) maintain data bases on heritage resources in accordance with national standards, and at regular intervals furnish the National Museums of Kenya with such data; and
- (g) establish policy, objectives and strategic plans for heritage resources management in the county.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Motion made and Question proposed;

THAT, new clause 7A be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES

2. Sen. Kajwang Moses Otieno , MP- NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
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26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 7A be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
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20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually

- 25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
- 26. Sen. Poghisio Samuel Losuron – voted virtually
- 27. Sen. Sakaja Johnson Arthur
- 28. Sen. Wako Sitswila Amos – voted virtually
- 29. Sen. Wambua Enoch Kiio– voted virtually
- 30. Sen. Wario Golich Juma

New Clause 7A - agreed to

New Clause 33A - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Petition for declaration of National and county heritage sites.

33A. (1) A person may petition –

- (a) the National Museums of Kenya for a place to be declared a national heritage site; or
- (b) the respective county museum for a place to be declared a county heritage site.

(2) The Cabinet Secretary shall develop regulations on petitions for declaration of National and county heritage sites.

(Vice Chairperson, Standing Committee on Labour and Social Welfare- 25.01.2022)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Mpaayei Phillip Salau , MP – AYES
- 2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33A be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and

Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually

30. Sen. Wario Golich Juma

New Clause 33A - agreed to

New Clause 33B - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Inventory of national heritage.

33B. (1) The National Museums of Kenya shall keep and maintain an inventory of national heritage.

(2) The inventory of national heritage shall be in the form of a data base of information on heritage resources, including—

(a) an object, monument or protected area declared this Act to be a protected object, monument or protected area;

(b) all places and objects protected through the publication of notices in the *Gazette* or *county gazette*, whether under this Act or a county legislation; and

(c) places and objects subject to general protection under this Act or a county legislation for the management of heritage resources.

(3) The National Museums of Kenya shall list heritage resources in the inventory under the categories prescribed under this Act.

(4) The National Museums of Kenya shall from time to time, and in consultation with the relevant county museum review and update the inventory of national heritage.

(5) The National Museums of Kenya shall make the inventory of national heritage accessible to members of the public.

(6) The National Museums of Kenya shall, at regular intervals, publish a summary and analysis of the inventory of national heritage.

(Vice Chairperson, Standing Committee on Labour and Social Welfare-25.01.2022)

Motion made and Question proposed;

THAT, new clause 33B be now read a Second Time.

(Vice Chairperson, Standing Committee on Labour and Social Welfare-25.01.2022)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually

25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33B be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno

- 8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
- 9. Sen. Kang’ata Irungu – voted virtually
- 10. Sen. Khaniri George – voted virtually
- 11. Sen. Linturi Franklin Mithika – voted virtually
- 12. Sen. Madzayo Stewart Mwachiru – voted virtually
- 13. Sen. Malalah Cleophas Wakhungu – voted virtually
- 14. Sen. Mbogo George Ochilo Ayacko
- 15. Sen. Moi Gideon Kipsielei Towett – voted virtually
- 16. Sen. Mpaayei Phillip Salau
- 17. Sen. Murkomen Onesimus Kipchumba
- 18. Sen. Muthama Agnes Kavindu
- 19. Sen. Mutula Kilonzo Junior – voted virtually
- 20. Sen. Mwangi Paul Githiomi
- 21. Sen. Mwaruma Johnes Mwashushe – voted virtually
- 22. Sen. Mwinyihaji Mohamed Faki – voted virtually
- 23. Sen. Ongeru Samson Kegengo – voted virtually
- 24. Sen. Orengo James – voted virtually
- 25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
- 26. Sen. Poghisio Samuel Losuron – voted virtually
- 27. Sen. Sakaja Johnson Arthur
- 28. Sen. Wako Sitswila Amos – voted virtually
- 29. Sen. Wambua Enoch Kii- voted virtually
- 30. Sen. Wario Golich Juma

New Clause 33B - agreed to

New Clause 33C - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Heritage registers.

33C. (1) A county museum shall compile and maintain heritage register specifying the heritage resources in the respective county in accordance with this Act.

(2) A county museum shall, in the heritage register, set out the heritage resources in accordance with—

- (a) the sub categories prescribed under this Act;
- (b) the area of jurisdiction; and
- (c) such other categories as the Cabinet Secretary shall prescribe.

(3) The respective county executive committee member shall prescribe the procedure and information required for—

- (a) the entry of a resource into the heritage register; and
- (b) the compilation of an inventory of heritage resources.

(4) A county museum may approve an application for the entry of heritage resource in the heritage register submitted to it by any person in the prescribed form.

(5) A county museum shall not enter a place in a heritage register unless the museum has consulted with owner of such place regarding the protection of that place.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Motion made and Question proposed;

THAT, new clause 33C be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation

9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33C be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

National heritage
resources
assistance
programme.

33D. (1) The National Museums of Kenya may provide financial assistance in the form of a grant or a loan to an approved body or an individual for a project in line with the provisions and the principles prescribed under this Act.

(2) The Cabinet Secretary shall, in consultation with the National Museums of Kenya, prescribe the procedure for the application for approval and granting of financial assistance and the criteria for the assessment of projects.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.02.2022)*

Motion made and Question proposed;

THAT, new clause 33D be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually

6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33D be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kiio– voted virtually
30. Sen. Wario Golich Juma

New Clause 33D - agreed to

New Clause 33E - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Heritage
agreements.

33E. (1) The National Museums of Kenya or a county museum may enter into an agreement with a conservation body, a person, or a community for the conservation or improvement of a heritage resource.

(2) A heritage agreement may provide for—

- (a) the maintenance and management of a heritage resource;
- (b) the custody of the resource;
- (c) the occupation or use of the place by the owner;
- (d) the facilities of access to be permitted to the public;
- (e) the payment of any expenses incurred by the owner in connection with the maintenance of the heritage resource;
- (f) the duration of the agreement; and
- (g) the procedure for the resolution of any dispute arising out of the agreement.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Motion made and Question proposed;

THAT, new clause 33E be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33E be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Onger Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisi Samuel Losuron – voted virtually

- 27. Sen. Sakaja Johnson Arthur
- 28. Sen. Wako Sitswila Amos – voted virtually
- 29. Sen. Wambua Enoch Kiio– voted virtually
- 30. Sen. Wario Golich Juma

New Clause 33E - agreed to

New Clause 33F - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Compulsory repair order.

33F.The National Museums of Kenya or a county museum may, where it appears that any place or object is in imminent danger of serious damage or destruction and requires to be protected by a declaration under this Act, make an order protecting the said place or object in the prescribed manner.

(Vice Chairperson, Standing Committee on Labour and Social Welfare-25.02.2022)

Motion made and Question proposed;

THAT, new clause 33F be now read a Second Time.

(Vice Chairperson, Standing Committee on Labour and Social Welfare-25.01.2022)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Mpaayei Phillip Salau , MP – AYES
- 2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30**NOES - 0****ABSTENTIONS - 0**

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kio- voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33F be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Onger Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisi Samuel Losuron – voted virtually

- 27. Sen. Sakaja Johnson Arthur
- 28. Sen. Wako Sitswila Amos – voted virtually
- 29. Sen. Wambua Enoch Kiio– voted virtually
- 30. Sen. Wario Golich Juma

New Clause 33F - agreed to

New Clause 33G - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Heritage areas.

33G. (1) The National and county governments shall at the time of revision of a national or county planning laws, or the compilation or revision of a spatial plan, take into account the need for the designation of heritage areas to protect any place of environmental or cultural interest.

(2) A county government may, by notice in the *county gazette*, designate any area or land to be a heritage area if such area or land is of environmental or cultural interest or has heritage resources.

(3) A county government shall provide for the protection of a heritage area through the provisions of its planning laws or legislation.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Motion made and Question proposed;

THAT, new clause 33G be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii– voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33G be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi

- 21. Sen. Mwaruma Johnes Mwashushe – voted virtually
- 22. Sen. Mwinyihaji Mohamed Faki – voted virtually
- 23. Sen. Ongeri Samson Kegengo – voted virtually
- 24. Sen. Orengo James – voted virtually
- 25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
- 26. Sen. Poghisio Samuel Losuron – voted virtually
- 27. Sen. Sakaja Johnson Arthur
- 28. Sen. Wako Sitswila Amos – voted virtually
- 29. Sen. Wambua Enoch Kiio– voted virtually
- 30. Sen. Wario Golich Juma

New Clause 33G - agreed to

New Clause 33H - insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Burial grounds
and graves.

33H. (1) Where it is not the responsibility of any other body, the National Museums of Kenya shall conserve and generally care for burial grounds and graves protected under this Act.

(2) The National Museums of Kenya shall identify and record the graves of victims of conflict and any other graves which it considers to be of cultural significance and may, or this purpose, erect memorials associated with the graves and maintain such memorials.

(3) A person shall not, unless such person has applied for and obtained a permit from by the National Museums of Kenya or a county museum—

(a) destroy, damage, alter, exhume or remove from its original position or otherwise disturb the grave of a victim of conflict, or any burial ground or part thereof which contains such graves;

(b) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than sixty years which is situated outside a formal cemetery administered by a county government; or

(c) bring onto or use at a burial ground or grave referred to in paragraph (a) or (b) any excavation equipment, or any equipment which assists in the detection or recovery of metals.

(4) The National Museums of Kenya or a county museum may not issue a permit for the destruction or damage of any burial ground or grave referred to in subsection (3) unless it is satisfied that the applicant has made satisfactory arrangements for the exhumation and re-interment of the

contents of such graves, at the cost of the applicant.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.02.2022)*

Motion made and Question proposed;

THAT, new clause 33H be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually

13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kiiio– voted virtually
30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33H be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
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7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
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11. Sen. Linturi Franklin Mithika – voted virtually
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13. Sen. Malalah Cleophas Wakhungu – voted virtually
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15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kiio– voted virtually
30. Sen. Wario Golich Juma

New Clause 33H

- agreed to

New Clause 33I

- insertion of New Clause proposed

THAT the Bill be amended by inserting the following new clauses immediately after clause 33—

Establishment of
research
institutions No. 28
of 2013.

33I. (1) The Cabinet Secretary may, on the recommendation of the National Museums of Kenya, by notice in the *Gazette* establish research institutes and grant

a Certificate of Registration in accordance with the provisions of the Science, Technology and Innovation Act.

(2) The research institutes established under subsection (1) may research and conduct other activities of –

- (a) scientific, natural, cultural or technological importance by means of exploration and field investigations, data analysis, public programmes, exhibitions, tours or publications;
- (b) biomedical importance by use of non-human primates and other animal models;
- (c) importance to conservation of biodiversity, including identification, documentation, establishment and curation of a national biodiversity inventory;
- (d) research in fields of ancient, historical, scientific, cultural, natural, technological, biomedical and human interest; and
- (e) dissemination and transmission of knowledge from research on cultural heritage, natural heritage, biomedical, ancient and historical monuments and sites of national importance.

(3) An order under this section may specify—

- (a) that the institute to which it relates shall have corporate personality;
- (b) the duties, powers and functions of the institute;
- (c) the manner in which the institute shall be governed; and
- (d) such other matters with respect to the conduct and management of the institute, as the Cabinet Secretary may find it necessary or desirable to provide for.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Motion made and Question proposed;

THAT, new clause 33I be now read a Second Time.

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and

Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually

30. Sen. Wario Golich Juma

Question agreed to

Motion made and Question proposed;

THAT, New Clause 33I be part of the Bill

*(Vice Chairperson, Standing Committee on Labour and Social Welfare –
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
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10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
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25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

New Clause 33I - agreed to

Clause 2 - amendment proposed

THAT clause 2 of the Bill be amended by inserting the following new definition immediately after the definition of the word “heritage”—

“living heritage” means the intangible aspects of inherited culture, and may include—

- (a) cultural tradition;
- (b) oral history;
- (c) performance;
- (d) ritual;
- (e) popular memory;
- (f) skills and techniques;
- (g) indigenous knowledge systems; or
- (h) the holistic approach to nature, society and social relationships;

*(Vice Chairperson, Standing Committee on Labour and Social Welfare-
25.01.2022)*

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and

Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang’ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeri Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually

30. Sen. Wario Golich Juma

Clauses 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.

(Sen. (Dr.) Alice Milgo, MP – 22.12.2021)

Debate interrupted on Tuesday, 25th January, 2022, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

After the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau , MP – AYES
2. Sen. Kajwang Moses Otieno , MP– NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

1. Sen. Ali Abdullahi Ibrahim – voted virtually
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich – voted virtually
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Hargura Godana – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy – voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kang'ata Irungu – voted virtually
10. Sen. Khaniri George – voted virtually
11. Sen. Linturi Franklin Mithika – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually

13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochilo Ayacko
15. Sen. Moi Gideon Kipsielei Towett – voted virtually
16. Sen. Mpaayei Phillip Salau
17. Sen. Murkomen Onesimus Kipchumba
18. Sen. Muthama Agnes Kavindu
19. Sen. Mutula Kilonzo Junior – voted virtually
20. Sen. Mwangi Paul Githiomi
21. Sen. Mwaruma Johnes Mwashushe – voted virtually
22. Sen. Mwinyihaji Mohamed Faki – voted virtually
23. Sen. Ongeru Samson Kegengo – voted virtually
24. Sen. Orengo James – voted virtually
25. Sen. Nyamunga Rose - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron – voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos – voted virtually
29. Sen. Wambua Enoch Kii- voted virtually
30. Sen. Wario Golich Juma

The Title and Clause 1

- agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the Heritage and Museums Bill (Senate Bills No. 22 of 2021) and its approval thereof with amendments.

(Sen. Kipchumba Murkomen, MP, on behalf of Sen. (Dr.) Alice Milgo, MP)

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

Question put and agreed to.

9. HOUSE RESUMED – The Speaker – in the Chair

10. THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 22 OF 2021)

Bill reported with amendments;

Motion made and Question proposed;

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

(Sen. Kipchumba Murkomen, MP, on behalf of Sen. (Dr.) Alice Milgo, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to;

Motion made and Question proposed;

THAT, the Heritage and Museums Bill (Senate Bills No. 22 of 2021) be now read a Third Time.

(Sen. Kipchumba Murkomen, MP, on behalf of Sen. (Dr.) Alice Milgo, MP)

There being no Senator wishing to contribute;

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

The Speaker directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed 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;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang', Moses Otieno, MP - NOES

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

The results of the Division were as follows: -

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Haji Abdul Mohamed – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang' Moses Otieno

8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Mahamud Mohamed Maalim – voted virtually
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mpaayei Philip Salau
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohammed Faki – voted virtually
22. Sen. Orengo James – voted virtually
23. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
24. Sen. Poghisio Samuel Losuron – voted virtually
25. Sen. Sakaja Johnson Arthur – voted virtually
26. Sen. Wako Sitswila Amos – voted virtually
27. Sen. Wario Golich Juma

Question - agreed to

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

11. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Oversight and Accountability Bill, 2021 (Senate Bills No. 17 of 2021)

Clauses 3 and 4

Motion made and Question proposed;

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

(Sen. Ledama Olekina, MP – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang, Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually

24. Sen. Orenge James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clauses 3 and 4 - agreed to

Clause 5 - Amendment proposed

THAT clause 5 of the Bill be amended –

- (a) in subclause (1) by deleting the word “shall” appearing immediately after the words “each county government” and substituting therefor the word “may”;
- (b) in subclause (2) by deleting the word “shall” appearing immediately after the words “A county government” and substituting therefor the word “may”;

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Philip Salau, MP– AYES
2. Sen. Kajwang’ Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orengo James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clause 5 (as amended) -agreed to

Clause 6 - 16

Motion made and Question proposed;

THAT, Clauses 6 - 16 be part of the Bill.

(Sen. Ledama Olekina, MP – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang, Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orengo James - voted virtually

25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kii - voted virtually
30. Sen. Wario Golich Juma

Clauses 6 -16 - agreed to

Clause 17 - amendment proposed

THAT clause 17 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause –

(1) A Senator may facilitate public participation through public awareness campaigns in the respective county.

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Philip Salau, MP– AYES
2. Sen. Kajwang', Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orenge James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clause 17(as amended) - agreed to

Clause 18

Motion made and Question proposed;

THAT, Clause 18 be part of the Bill.

(Sen. Ledama Olekina, MP – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee

sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang, Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orengo James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur

28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clause 18 - agreed to

Clause 19 - amendment proposed

THAT clause 19 of the Bill be amended in subclause (2) by deleting the words “County Assembly” appearing immediately after the words “The Clerk of the” and substituting therefor the word “Senate”.

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Philip Salau, MP– AYES
2. Sen. Kajwang’, Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang’ Moses Otieno

8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orengo James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clause 19 (as amended) -agreed to

Clause 20

Motion made and Question proposed;

THAT, Clause 20 be part of the Bill.

(Sen. Ledama Olekina, MP – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang, Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George - voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually
15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orengo James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clause 2, the Title, and Clause 1

Motion made and Question proposed;

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

(Sen. Ledama Olekina, MP – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021 resumed on a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP– AYES
2. Sen. Kajwang, Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 30

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Halake Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kimani Wamatangi Paul - voted virtually
11. Sen. Langat Christopher Andrew- voted virtually
12. Sen. Lelegwe Ltumbesi - voted virtually
13. Sen. Madzayo Stewart Mwachiru - voted virtually
14. Sen. Mahamud Mohamed Maalim - voted virtually

15. Sen. Malalah Cleophas Wakhungu
16. Sen. Mbogo George Ochillo Ayacko
17. Sen. Moi Gideon Kipsielei Towett- voted virtually
18. Sen. Mpaayei Philip Salau
19. Sen. Murkomen Onesimus Kipchumba
20. Sen. Muthama Agnes Kavindu
21. Sen. Mutula Kilonzo Junior - voted virtually
22. Sen. Mwangi Paul Githiomi
23. Sen. Mwaruma Johnes Mwashushe - voted virtually
24. Sen. Orengo James - voted virtually
25. Sen. Nyamunga Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
26. Sen. Poghisio Samuel Losuron - voted virtually
27. Sen. Sakaja Johnson Arthur
28. Sen. Wako Sitswila Amos - voted virtually
29. Sen. Wambua Enoch Kiio - voted virtually
30. Sen. Wario Golich Juma

Clause 2, Title and Clause 1 - agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the County Oversight and Accountability Bill (Senate Bill No. 17 of 2021), and its approval thereof with amendments.

(Sen. Kipchumba Murkomen MP on behalf of Sen. Ledama Olekina, MP)

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

Question put and agreed to.

12. HOUSE RESUMED – The Speaker - in the Chair

13. THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 17 OF 2021)

Bill reported with amendments;

Motion made and Question proposed -

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

(Sen. Kipchumba Murkomen MP on behalf of Sen. Ledama Olekina, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and Question proposed –

THAT, the County Oversight and Accountability Bill, 2021 (Senate Bills No. 17 of 2021)_be now read a Third Time.

(Sen. Kipchumba Murkomen MP on behalf of Sen. Ledama Olekina, MP)

There being no Senator wishing to contribute;

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

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for five minutes;

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

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau, MP– AYES
2. Sen. Kajwang Moses Otieno, MP - NOES

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

The results of the Division were as follows:-

AYES - 27

NOES - 0

ABSTENTIONS – 0

AYES

1. Sen. Halake, Abshiro Soka- voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy, Issa Juma – voted virtually
3. Sen. Cherarkey, Samson Kiprotich
4. Sen. Cheruiyot, Aaron Kipkirui – voted virtually
5. Sen. Haji, Abdul Mohamed – voted virtually
6. Sen. Imana, Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’, Moses Otieno
8. Sen. Chebeni, Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri, George – voted virtually

10. Sen. Kihika, Susan Wakarura – voted virtually
11. Sen. Kimani, Wamatangi Paul – voted virtually
12. Sen. Madzayo, Stewart Mwachiru – voted virtually
13. Sen. Mahamud, Mohamed Maalim – voted virtually
14. Sen. Mbogo, George Ochillo Ayacko
15. Sen. Mpaayei, Philip Salau
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu
18. Sen. Mutula, Kilonzo Junior – voted virtually
19. Sen. Mwangi, Paul Githiomi
20. Sen. Mwaruma, Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji, Mohammed Faki – voted virtually
22. Sen. Orengo, James – voted virtually
23. Sen. Nyamunga, Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
24. Sen. Poghisio, Samuel Losuron – voted virtually
25. Sen. Sakaja, Johnson Arthur – voted virtually
26. Sen. Wako, Sitswila Amos – voted virtually
27. Sen. Wario, Golich Juma

Question - agreed to

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

14. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The County Governments (Amendment) Bill (Senate Bills No. 42 of 2021)

Clauses 2 and 3

Motion made and Question proposed;

THAT, Clauses 2 and 3 be part of the Bill.

(Sen. Moses Kajwang', MP – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau, MP – AYES
2. Sen. Kajwang Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kimani Wamatangi Paul - voted virtually
10. Sen. Lelegwe Ltumbesi - voted virtually
11. Sen. Madzayo Stewart Mwachiru - voted virtually
12. Sen. Mahamud Mohamed Maalim - voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mpaayei Philip Salau
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu
18. Sen. Mutula Kilonzo Junior - voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe - voted virtually
21. Sen. Orengo James - voted virtually
22. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Losuron - voted virtually

- 24. Sen. Sakaja Johnson Arthur
- 25. Sen. Wako Sitswila Amos - voted virtually
- 26. Sen. Wambua Enoch Kiio - voted virtually
- 27. Sen. Wario Golich Juma

Clauses 2 and 3 - agreed to

Clause 4 - amendment proposed

THAT clause 4 of the Bill be amended –

- (a) in the proposed new section 91A(1) by deleting paragraph (h); and
- (b) in the proposed new section 91B by deleting the word “determine” appearing at the beginning of the paragraph (a) and substituting therefor the words “consult on”.

(Chairperson, Standing Committee on Devolution and Intergovernmental Relations – 22.12.2021)

Debate interrupted on Wednesday, 22nd December, 2021, resumed on a Division.

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Mpaayei Phillip Salau, MP – AYES
- 2. Sen. Kajwang Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 27

NOES - 0

ABSTENTIONS – 0

AYES

- 1. Sen. Halake Abshiro Soka- voted virtually on behalf of Isiolo County Delegation
- 2. Sen. Boy Issa Juma - voted virtually

3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kimani Wamatangi Paul - voted virtually
10. Sen. Lelegwe Ltumbesi - voted virtually
11. Sen. Madzayo Stewart Mwachiru - voted virtually
12. Sen. Mahamud Mohamed Maalim - voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mpaayei Philip Salau
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu
18. Sen. Mutula Kilonzo Junior - voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe - voted virtually
21. Sen. Orenge James - voted virtually
22. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Losuron - voted virtually
24. Sen. Sakaja Johnson Arthur
25. Sen. Wako Sitswila Amos - voted virtually
26. Sen. Wambua Enoch Kiio - voted virtually
27. Sen. Wario Golich Juma

Clause 4 (as amended) - agreed to

Title and Clause 1

Motion made and Question proposed;

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

(Sen. Moses Kajwang', MP 22.12.2021)

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau, MP – AYES
2. Sen. Kajwang Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma - voted virtually
3. Sen. Cherarkey Samson Kiprotich - voted virtually
4. Sen. Cheruiyot Aaron Kipkirui
5. Sen. Hargura Godana - voted virtually
6. Sen. Imana Malachy Charles Ekal - voted virtually
7. Sen. Kajwang' Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Kimani Wamatangi Paul - voted virtually
10. Sen. Lelegwe Ltumbesi - voted virtually
11. Sen. Madzayo Stewart Mwachiru - voted virtually
12. Sen. Mahamud Mohamed Maalim - voted virtually
13. Sen. Malalah Cleophas Wakhungu – voted virtually
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mpaayei Philip Salau
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu
18. Sen. Mutula Kilonzo Junior - voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe - voted virtually
21. Sen. Orengo James - voted virtually
22. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
23. Sen. Poghisio Samuel Losuron - voted virtually
24. Sen. Sakaja Johnson Arthur
25. Sen. Wako Sitswila Amos - voted virtually
26. Sen. Wambua Enoch Kii - voted virtually
27. Sen. Wario Golich Juma

Title and Clauses 1 - agreed to

Motion made;

THAT, the Committee do report to the Senate, its consideration of the County Governments (Amendments) Bill (Senate Bill No. 38 of 2021), and its approval thereof with amendments.

(Sen. Kipchumba Murkomen, MP, on behalf of Sen. Moses Kajwang' MP)

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

Question put and agreed to.

15. HOUSE RESUMED – The Speaker - in the Chair

16. THE COUNTY GOVERNMENTS (AMENDMENT) BILL, 2021 (SENATE BILLS NO. 38 OF 2021)

Bill reported with amendments;

Motion made and Question proposed-

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

(Sen. Kipchumba Murkomen MP, on behalf of Sen. Moses Kajwang' MP)

There being no Senator wishing to contribute;

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

Question put and agreed to.

Motion made and Question proposed –

THAT, the County Governments (Amendment) Bill, 2021 (Senate Bills No. 38 of 2021) be now read a Third Time.

(Sen. Kipchumba Murkomen MP, on behalf of Sen. Moses Kajwang' MP)

There being no Senator wishing to contribute;

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

The Speaker directed that roll call division be taken pursuant to Standing Order 83 (1), and in line with the Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for five minutes;

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

The names of the Tellers were announced as follows;

1. Sen. Mpaayei Phillip Salau, MP- AYES
2. Sen. Kajwang Moses Otieno, MP - NOES

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

The results of the Division were as follows:-

AYES - 27

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Halake Abshiro Soka- voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy Issa Juma – voted virtually
3. Sen. Cherarkey Samson Kiprotich
4. Sen. Cheruiyot Aaron Kipkirui – voted virtually
5. Sen. Haji Abdul Mohamed – voted virtually
6. Sen. Imana Malachy Charles Ekal – voted virtually
7. Sen. Kajwang’ Moses Otieno
8. Sen. Chebeni Mercy- voted virtually on behalf of Uasin Gishu County Delegation
9. Sen. Khaniri George – voted virtually
10. Sen. Kihika Susan Wakarura – voted virtually
11. Sen. Kimani Wamatangi Paul – voted virtually
12. Sen. Madzayo Stewart Mwachiru – voted virtually
13. Sen. Mahamud Mohamed Maalim – voted virtually
14. Sen. Mbogo George Ochillo Ayacko
15. Sen. Mpaayei Philip Salau
16. Sen. Murkomen Onesimus Kipchumba
17. Sen. Muthama Agnes Kavindu
18. Sen. Mutula Kilonzo Junior – voted virtually
19. Sen. Mwangi Paul Githiomi
20. Sen. Mwaruma Johnes Mwashushe – voted virtually
21. Sen. Mwinyihaji Mohammed Faki – voted virtually
22. Sen. Orengo James – voted virtually
23. Sen. Nyamunga Rose Ogendo- voted virtually on behalf of Kisumu County Delegation
24. Sen. Poghisio Samuel Losuron – voted virtually
25. Sen. Sakaja Johnson Arthur – voted virtually
26. Sen. Wako Sitswila Amos – voted virtually
27. Sen. Wario Golich Juma

Question - agreed to

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

17. COMMITTEE OF THE WHOLE

Order for Committee read;

IN THE COMMITTEE

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

The Elections (Amendment) Bill (Senate Bills No. 42 of 2021)

Clause 2 – Amendment proposed

THAT the Bill be amended by deleting clause 2 and substituting therefor the following new clause –

Amendment of section 22 of No. 24 of 2011. **2.** Section 22 of the Elections Act is amended by deleting subsection (1) and substituting therefor the following new subsection –

(1) A person is eligible for nomination as a candidate for an election under this Act if that person -

(a) is qualified to be elected to that office under the Constitution and this Act; and

(b) holds a certificate, diploma or other post-secondary school qualification acquired after undergoing a period of at least three months of study in a recognised institution and in such manner as may be prescribed by the Commission; or

(c) has served as a member of Parliament or a member of a county assembly under the Constitution of Kenya or as a councillor under the repealed Local Government Act.

(Sen. Kipchumba Murkomen, MP – 23.02.2022)

Further amendment proposed

THAT the Bill be amended by deleting clause 2 and substituting therefor the following new clause –

Amendment of section 22 of No. 24 of 2011. **2.** Section 22 of the Elections Act is amended –

(a) in subsection (1) by deleting paragraph (b) and substituting therefor the following new

paragraph—

(b) holds—

- (i) in the case of a Member of Parliament, a degree from a university recognized in Kenya or its equivalent; or
- (ii) in the case of member of a county assembly, a certificate of secondary education or its equivalent.

(b) by deleting subsection (1A) and substituting therefor the following new section –

(1A) Subsection (1)(b)(i) shall come into force and shall apply to qualifications for candidates in the general elections to be held after the 2022 general elections.

(Sen. Eric Okong’o Mogeni, MP)

Further amendment dropped.

The Committee proceeded to a Division;

The Acting Chairperson (Sen. Judith Pareno, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate Plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

- 1. Sen. Mpaayei Phillip Salau, MP– AYES
- 2. Sen. Kajwang’ Moses Otieno, MP - NOES

The Acting Chairperson (Sen. Judith Pareno, MP) put the Question and directed the Clerk to call out the names of Senators in alphabetical order;

The results of the Division were as follows:

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

- 1. Sen. Abshiro Halake – voted virtually on behalf of Isiolo County Delegation

2. Sen. Cherarkey Samson Kiprotich
3. Sen. Cheruiyot Aaron Kipkirui
4. Sen. Haji Abdul Mohamed – voted virtually
5. Sen. Kajwang’ Moses Otieno
6. Sen. Chebeni Mercy – voted virtually on behalf of Uasin County Delegation
7. Sen. Khaniri George – voted virtually
8. Sen. Kihika Susan Wakarura – voted virtually
9. Sen. Linturi Franklin Mithika – voted virtually
10. Sen. Madzayo Stewart Mwachiru – voted virtually
11. Sen. Mahamud Mohamed Maalim – voted virtually
12. Sen. Malalah Cleophas Wakhungu – voted virtually
13. Sen. Mbogo George Ochillo Ayacko
14. Sen. Mpaayei Philip Salau
15. Sen. Murkomen Onesimus Kipchumba
16. Sen. Muthama Agnes Kavindu
17. Sen. Mutula Kilonzo Junior – voted virtually
18. Sen. Mwangi Paul Githiomi
19. Sen. Mwaruma Johnes Mwashushe – voted virtually
20. Sen. Orengo, James – voted virtually
21. Sen. Nyamunga Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
22. Sen. Poghisio Samuel Losuron – voted virtually
23. Sen. Sakaja Johnson Arthur
24. Sen. Wako Sitswila Amos – voted virtually
25. Sen. Wario Golich Juma

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

(Sen. Kipchumba Murkomen, MP – 23.02.2022)

Debate interrupted on Wednesday, 23rd February, 2022 (Morning Sitting) resumed on a Division.

The Acting Chairperson (Sen. Rose Nyamunga, MP) directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines issued by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Acting Chairperson directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang', Moses Otieno, MP - NOES

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

The results of the Division were as follows:

AYES - 25

NOES - 0

ABSTENTIONS - 0

AYES

1. Sen. Adan, Dullo Fatuma
2. Sen. Cherarkey, Samson Kiprotich
3. Sen. Cheruiyot, Aaron Kipkirui
4. Sen. Haji, Abdul Mohamed – voted virtually
5. Sen. Kajwang', Moses Otieno
6. Sen. Chebeni, Mercy – voted virtually on behalf of Uasin County Delegation
7. Sen. Khaniri, George – voted virtually
8. Sen. Kihika, Susan Wakarura – voted virtually
9. Sen. Linturi, Franklin Mithika – voted virtually
10. Sen. Madzayo, Stewart Mwachiru – voted virtually
11. Sen. Mahamud, Mohamed Maalim – voted virtually
12. Sen. Malalah, Cleophas Wakhungu – voted virtually
13. Sen. Mbogo, George Ochillo Ayacko
14. Sen. Mpaayei, Philip Salau
15. Sen. Murkomen, Onesimus Kipchumba
16. Sen. Muthama, Agnes Kavindu
17. Sen. Mutula, Kilonzo Junior – voted virtually
18. Sen. Mwangi, Paul Githiomi
19. Sen. Mwaruma, Johnes Mwashushe – voted virtually
20. Sen. Orenge, James – voted virtually
21. Sen. Nyamunga, Rose Ogendo – voted virtually on behalf of Kisumu County Delegation
22. Sen. Poghisio, Samuel Losuron – voted virtually
23. Sen. Sakaja, Johnson Arthur
24. Sen. Wako, Sitswila Amos – voted virtually
25. Sen. Wario, Golich Juma

The Title and Clause 1 – agreed to.

Motion made: -

THAT, the Committee do report to the Senate, its consideration of the Elections (Amendment) Bill (Senate Bills No. 42 of 2021) and its approval thereof with amendments.

(Sen. Kipchumba Murkomen, MP)

Before the Question was put and pursuant to Standing Order 79(1), the Acting Chairperson (Sen. Judith Pareno, MP) ruled that the Question did not affect counties;

Question put and agreed to.

18. HOUSE RESUMED – the Speaker - in the Chair

19. THE ELECTIONS (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2021)

Bill reported with amendments;

Motion made and Question proposed;

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

(Sen. Kipchumba Murkomen, MP)

There being no Senator wishing to contribute;

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

Question put and agreed to;

Motion made and Question proposed;

THAT, the Elections (Amendment) Bill (Senate Bills No. 56 of 2021) be now read a Third Time.

(Sen. Kipchumba Murkomen, MP)

There being no Senator wishing to contribute;

The House proceeded to a Division;

The Speaker directed that a Roll Call Division be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and Committee sittings during the Covid-19 pandemic situation dated 17th April, 2020, and directed that the division bell be rung for eleven minute;

Upon the expiry of the eleven minute, the Speaker directed that the doors be locked and the bars be drawn;

The names of the Tellers were announced as follows;

1. Sen. Mpaayei, Phillip Salau, MP- AYES
2. Sen. Kajwang', Moses Otieno, MP - NOES

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

The results of the Division were as follows: -

AYES - 27

NOES - 0

ABSTENTIONS - 0

1. Sen. Halake, Abshiro Soka - voted virtually on behalf of Isiolo County Delegation
2. Sen. Boy, Issa Juma - voted virtually
3. Sen. Cherarkey, Samson Kiprotich
4. Sen. Cheruiyot, Aaron Kipkirui - voted virtually
5. Sen. Haji, Abdul Mohamed - voted virtually
6. Sen. Imana, Malachy Charles Ekal - voted virtually
7. Sen. Kajwang', Moses Otieno
8. Sen. Chebeni, Mercy - voted virtually on behalf of Uasin County Delegation
9. Sen. Khaniri, George - voted virtually
10. Sen. Kihika, Susan Wakarura - voted virtually
11. Sen. Kimani, Wamatangi Paul - voted virtually
12. Sen. Madzayo, Stewart Mwachiru - voted virtually
13. Sen. Mahamud, Mohamed Maalim - voted virtually
14. Sen. Mbogo, George Ochillo Ayacko
15. Sen. Mpaayei, Philip Salau
16. Sen. Murkomen, Onesimus Kipchumba
17. Sen. Muthama, Agnes Kavindu
18. Sen. Mutula, Kilonzo Junior - voted virtually
19. Sen. Mwangi, Paul Githiomi
20. Sen. Mwaruma, Johnes Mwashushe - voted virtually
21. Sen. Mwinyihaji, Mohamed Faki - voted virtually
22. Sen. Orengo, James - voted virtually
23. Sen. Nyamunga, Rose Ogendo - voted virtually on behalf of Kisumu County Delegation
24. Sen. Poghisio, Samuel Losuron - voted virtually
25. Sen. Sakaja, Johnson Arthur - voted virtually
26. Sen. Wako, Sitswila Amos - voted virtually
27. Sen. Wario, Golich Juma

Question - agreed to.

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

20. **COMMITTEE OF THE WHOLE**
THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2021)
(Sen. Naomi Shiyonga, MP)

Order deferred.

21. **COMMITTEE OF THE WHOLE**
THE LAW OF SUCCESSION (AMENDMENT) BILL, (SENATE BILLS NO. 15 OF 2021)
(Sen. Abshiro Halake, MP)

Order deferred.

22. **MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID-19 FUNDS BY TWENTY EIGHT (28) COUNTY GOVERNMENTS**
(The Chairperson, Standing Committee on Health)

Order read.

THAT the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday 9th February, 2022.

Order deferred.

And there being no other business, the Temporary Speaker (Sen. Judith Pareno, MP) adjourned the Senate at eleven minutes past Six O'clock, without question put, pursuant to the Standing Orders.

23. **SENATE ROSE** - at eleven minutes past Six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, February 23, 2022 at 2:30 p.m.*