



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (THIRD SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, MARCH 12, 2024 AT 2.30 PM**

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

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was Quorum, invited the Clerk to call out the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR - VISITING TEACHERS AND STUDENTS FROM KITENGELA MAGEREZA SECONDARY SCHOOL IN KAJIADO COUNTY**

The Speaker conveyed the following communication from the Chair: -

“Honourable Senators,

I would like to acknowledge the presence of, in the Public Gallery this afternoon, visiting teachers and students from Kitengela Magereza Secondary School in Kajiado County. The delegation comprises ten (10) teachers and ninety (90) students, who are in the Senate for a one-day academic exposition.

Honourable Senators,

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

I thank you.”

5. **MESSAGES – REJECTION, BY THE NATIONAL ASSEMBLY, OF THE EMPLOYMENT (AMENDMENT) BILL, 2022 (SENATE BILLS NO. 10 OF 2022) AT SECOND READING**

The Speaker conveyed the following Message from the National Assembly: -

“ Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3) & (4), I received the following Message from the Speaker of the National Assembly regarding the decision of the National Assembly to reject the Employment (Amendment) Bill, 2022 (Senate Bills No. 10 of 2022) at Second Reading.

The Message, dated Thursday, 7<sup>th</sup> March, 2024, was received on Friday, 8<sup>th</sup> March, 2024, in the Office of the Clerk of the Senate.

Pursuant to the said Standing Order, I now report the Message –

*“PURSUANT to the provisions of Standing Orders 41 and 149 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –*

*WHEREAS, the Senate considered and passed the Employment (Amendment) Bill (Senate Bills No. 10 of 2022) without amendments on Tuesday, 1<sup>st</sup> August 2023 and referred it to the National Assembly for consideration;*

*AND WHEREAS, on Tuesday, 5<sup>th</sup> March, 2024, the National Assembly considered and rejected the Bill, thereby committing it to a Mediation Committee pursuant to Article 112(1)(a) of the Constitution;*

*NOW THEREFORE, in accordance with the provisions of Article 112 of the Constitution and Standing Order 149 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of Senators to the Mediation Committee on the said Bill.”*

Honourable Senators,

Consequent to the said Decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution –

- 1) The Hon. Eric Muchangi, MP - Co-Chairperson;
- 2) The Hon. Gitonga Murugara, CBS, MP;
- 3) The Hon. Mary Emaase, MP,
- 4) The Hon. Lilian Siyoi, MP;
- 5) The Hon. (Dr.) Wilberforce Oundo, MP;
- 6) The Hon. Irene Mayaka, MP; and
- 7) The Hon. Ruth Odinga, MP.

Honourable Senators,

Pursuant to the provisions of Standing Order 166 (2) of the Senate Standing Orders, and in consultation with the Majority and Minority Leaders, I will, at an appropriate time, appoint Senators to the Joint Mediation Committee.

I thank you.”

6. **PAPERS LAID**

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

- i.) Report of the Auditor General on Financial Statements of Makueni County Bursary Fund for the year ended 30<sup>th</sup> June, 2022.
- ii.) Report of the Auditor General on Financial Statements of Uasin Gishu County Cooperative Enterprise Development Fund for the year ended 30<sup>th</sup> June, 2023.
- iii.) Report of the Auditor General on Financial Statements of Machakos County Assembly Housing and Car Loan Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- iv.) Report of the Auditor General on Financial Statements of Kericho County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2023.
- v.) Report of the Auditor General on Financial Statements of Kajiado County Youth and Women Enterprise Fund for the year ended 30<sup>th</sup> June, 2023.
- vi.) Report of the Auditor General on Financial Statements of the County Government of Marsabit Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2023.
- vii.) Report of the Auditor General on Financial Statements of Municipality of Malindi for the year ended 30<sup>th</sup> June, 2023.
- viii.) Report of the Auditor General on Financial Statements of Ol Kalou Municipality for the year ended 30<sup>th</sup> June, 2023.
- ix.) Report of the Auditor General on Financial Statements of Baringo County Lake Bogoria Community Grant for the year ended 30<sup>th</sup> June, 2023.
- x.) Report of the Auditor General on Financial Statements of Baringo County Co-operative Development Fund for the year ended 30<sup>th</sup> June, 2023.
- xi.) Report of the Auditor General on Financial Statements of Narok County Assembly Car Loans, Grants and Mortgages Scheme Fund for the year ended 30<sup>th</sup> June, 2023.

- xii.) Report of the Auditor General on Financial Statements of the County Government of Narok – County Revenue Fund for the year ended 30<sup>th</sup> June, 2023.
- xiii.) Report of the Auditor General on Financial Statements of Maasai Mara Community Support Fund for the year ended 30<sup>th</sup> June, 2023.
- xiv.) Report of the Auditor General on Financial Statements of Makueni County Bursary Fund for the year ended 30<sup>th</sup> June, 2023.
- xv.) Report of the Auditor General on Financial Statements of Makueni County Emergency Fund for the year ended 30<sup>th</sup> June, 2023.
- xvi.) Report of the Auditor General on Financial Statements of Kakamega County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2023.
- xvii.) Report of the Auditor General on Financial Statements of Kakamega County Small Scale Trade Development Fund for the year ended 30<sup>th</sup> June, 2023.
- xviii.) Report of the Auditor General on Financial Statements of Kakamega County Education Fund for the year ended 30<sup>th</sup> June, 2023.
- xix.) Report of the Auditor General on Financial Statements of Kakamega County Maternal Child Health and Family Planning Fund for the year ended 30<sup>th</sup> June, 2023.
- xx.) Report of the Auditor General on Financial Statements of Kakamega County Investment and Development Agency Limited for the year ended 30<sup>th</sup> June, 2023.
- xxi.) Report of the Auditor General on Financial Statements of the County Government of Kisumu – County Revenue Fund for the year ended 30<sup>th</sup> June, 2023.
- xxii.) Report of the Auditor General on Financial Statements of the County Assembly of Kisumu Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2023.
- xxiii.) Report of the Auditor General on Financial Statements of the County Government of Kisumu – Receiver of Revenue for the year ended 30<sup>th</sup> June, 2023.
- xxiv.) Report of the Auditor General on Financial Statements of Kisumu County Covid-19 Emergency Response Fund for the year ended 30<sup>th</sup> June, 2023.

- xxv.) Report of the Auditor General on Financial Statements of the County Executive of Siaya for the year ended 30<sup>th</sup> June, 2023.
- xxvi.) Report of the Auditor General on Financial Statements of County Government of Siaya – County Revenue Fund for the year ended 30<sup>th</sup> June, 2023.
- xxvii.) Report of the Auditor General on Financial Statements of Siaya County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2023.
- xxviii.) Report of the Auditor General on Financial Statements of Siaya County Emergency Fund of for the year ended 30<sup>th</sup> June, 2023.
- xxix.) Report of the Auditor General on Financial Statements of the County Executive of Vihiga for the year ended 30<sup>th</sup> June, 2023.
- xxx.) Report of the Auditor General on Financial Statements of the County Assembly of Vihiga for the year ended 30<sup>th</sup> June, 2023.
- xxxi.) Report of the Auditor General on Financial Statements of the County Government of Vihiga – Receiver of Revenue for the year ended 30<sup>th</sup> June, 2023.
- xxxii.) Report of the Auditor General on Financial Statements of Vihiga County Sports Fund for the year ended 30<sup>th</sup> June, 2023.

*(The Senate Majority Leader)*

- xxxiii.) Report of the Standing Committee on Labour and Social Welfare on its consideration of the Public Service (Values and Principles) (Amendment) Bill, 2022 (National Assembly Bills No. 46 of 2022).

*(Sen. Miraj Abdulrahman, MP on behalf of the Chairperson, Standing Committee on Labour and Social Welfare)*

7. **NOTICE OF MOTION - ESTABLISHMENT OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

THAT, AWARE THAT Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

NOTING THAT the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions, which if uncontrolled, will result to negative impact of climate change with adverse effect to millions of Kenyans;

CONCERNED THAT the number of private vehicles has significantly grown, leading to increased road accidents, carbon emission and vehicle congestion, costs of which are in excess of Kshs. 100 billion in GDP per year;

NOW THEREFORE the Senate urges the Ministry of Roads and Transport, Ministry of Environment, Climate Change and Forestry, in collaboration with the Council of Governors and the National Climate Change Council to –

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas across the country;
- ii.) identify and develop County car-free zones, also known as “pedestrians’ precincts”, in urbanized areas, where its infrastructure and activities are restricted to pedestrians alone;
- iii.) provide affordable, safe and universally designed public transport access to and around these car-free zones, including, but not limited to, development of Bus Rapid Transport (BRT) in the urban areas;
- iv.) design inclusive mobility infrastructure that supports non – motorized transport facilities, such as pedestrian spaces, bicycle lanes and green spaces, within the Central Business District of every County; and
- v.) ensure inter-modal connectivity among the various transport modes.

## 8. QUESTIONS AND STATEMENTS

### a) **Statement pursuant to Standing Order 52(1)**

The Senator for Nyamira County (Sen. Okong’o Mogeni, MP) made a Statement regarding the disbursement of funds for operational expenses by the Parliamentary Service Commission to county offices,

In the Statement, the Senator informed the Senate that the Parliamentary Service Commission had, by Thursday, 7<sup>th</sup> March, 2024, processed payments for office operations for the second quarter (January to March 2024) for 39 county offices. The Senator informed the Senate that the payments were for the counties which had submitted their financial returns for October to December 2023.

He urged for patience from colleague Senators, in view of the disbursement delays, explaining that the National Treasury was yet to release the necessary exchequer to the Commission.

### b) **Requests for Statements pursuant to Standing Order 53(1)**

- i.) Nominated Senator (Sen. Raphael Chimera, MP) sought a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding boundary dispute between Kwale and Kilifi counties.
- ii.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP), on behalf of the Senator for Migori County (Sen. Eddy Oketch, MP),

sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the use of unnecessary and excessive force by the police during the Kenya Medical Practitioners, Pharmacists and Dentists Union (KMPDU) peaceful procession.

- iii.) Nominated Senator (Sen. Veronica Maina, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the efficiency and competitiveness of the port of Mombasa.
- iv.) Nominated Senator (Sen. Veronica Maina, MP) sought a Statement from the Standing Committee on Energy regarding the effects of the proposed energy (Electricity Market, Bulk Supply and Open Access) regulations.
- v.) The Senator for Bungoma County (Sen. David Wakoli, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the policies governing confirmation in appointment after the probation period in public service.
- vi.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing concerning the ownership of Kariokor Estate in Starehe Constituency.
- vii.) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) sought a Statement from the Standing Committee on Education regarding the exclusion of Alternative Provision of Basic Education and Training (APBET) institutions from the education framework.
- viii.) Nominated Senator (Sen. Esther Okenyuri, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the disbursement and utilization of Uwezo Fund.
- ix.) The Senator for Embu County (Sen. Alexander Mundigi, MP) sought a Statement from the Standing Committee on Education concerning the state of Early Childhood Development Education (ECDE) teachers training in the country.
- x.) The Senator for Vihiga County (Sen. Godfrey Osotsi, MP) sought a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the state of markets in Vihiga County.
- xi.) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the criteria used by Athletics Kenya to identify and select the team for the upcoming 13<sup>th</sup> African Games.

- xii.) The Senator for Laikipia County (Sen. John Nderitu Kinyua, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the processing of land ownership documents for residents of Nanyuki and Makutano/Ngobit Wards in Laikipia County.
- xiii.) The Senator for Nakuru County (Sen. Tabitha Keroche, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the eviction of 140,000 people in Ndabibi area, Maela Ward in Naivasha Sub-County, Nakuru County.
- xiv.) The Senator for Nyandarua County (Sen. John Methu, MP) sought a Statement from the Standing Committee on Information, Communication and Technology regarding the increased number of dropped calls on the mobile network telecommunications service provider, Safaricom.
- xv.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the resettlement of Internally Displaced Persons (IDPs) from Saku Constituency in Marsabit County.
- xvi.) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on National Security, Defence, and Foreign Relations regarding the distribution of relief supplies to the residents of Marsabit County.
- xvii.) The Senator for Narok County (Sen. Ledama Olekina, MP) sought a Statement from the Standing Committee on Education regarding the status of infrastructure projects undertaken by all county governments in the education sector.
- xviii.) Request for a Statement by the Senator for Kisumu City County (Sen. (Prof.) Tom Ojienda, SC, MP) from the Standing Committee on National Security, Defence and Foreign Relations concerning the security and well-being of police officers while on duty countrywide was **dropped** in the absence of the Senator.
- xix.) Request for a Statement by the Senator for Isiolo County (Sen. Fatuma Dullo, MP) from the Standing Committee on Finance and Budget regarding the utilization of emergency relief funds in Isiolo County was **dropped** in the absence of the Senator.

9. **PROCEDURAL MOTION - ALTERATION OF THE HOURS OF MEETING FOR WEDNESDAY, 13<sup>TH</sup> AND THURSDAY, 14<sup>TH</sup> MARCH, 2024**

Order read;

Motion made and Question proposed;

THAT, notwithstanding the Resolutions of the Senate made on 15<sup>th</sup> February, 2024, pursuant to Standing Order 32 on the approval of the Senate Calendar (Regular Sessions) for the Third Session, 2024 and pursuant to Standing Order 34 (4) (b), the Senate resolves to alter its hours of meeting on Wednesday, 13<sup>th</sup> March, 2024 and Thursday, 14<sup>th</sup> March, 2024 as follows: -

- i. morning sittings at 9.00 am to 1.00 pm; and
- ii. afternoon sittings at 2.30 pm until conclusion of Business listed in the Order Paper of the day;

in order to investigate the proposed removal from office, by impeachment, of the Honourable (Dr.) Robert Monda, the Deputy Governor of Kisii County.

*(The Senate Majority Leader)*

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (2), the Speaker ruled that the Motion does not affect counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

THAT, notwithstanding the Resolutions of the Senate made on 15<sup>th</sup> February, 2024, pursuant to Standing Order 32 on the approval of the Senate Calendar (Regular Sessions) for the Third Session, 2024 and pursuant to Standing Order 34 (4) (b), the Senate resolves to alter its hours of meeting on Wednesday, 13<sup>th</sup> March, 2024 and Thursday, 14<sup>th</sup> March, 2024 as follows: -

- i. morning sittings at 9.00 am to 1.00 pm; and
- ii. afternoon sittings at 2.30 pm until conclusion of Business listed in the Order Paper of the day;

in order to investigate the proposed removal from office, by impeachment, of the Honourable (Dr.) Robert Monda, the Deputy Governor of Kisii County.

10. **MOTION - REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE 2024 MEDIUM TERM DEBT MANAGEMENT STRATEGY**  
(The Chairperson, Standing Committee on Finance and Budget)

Order read;

THAT, the Senate, adopts the Report of the Standing Committee on Finance and Budget on the 2024 Medium Term Debt Management Strategy, laid on the Table of the Senate on Thursday, 7<sup>th</sup> March, 2024.

Order deferred.

11. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

**IN THE COMMITTEE**

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

**The Affordable Housing Bill (National Assembly Bills No. 75 of 2023)**

Clause 3 - amendment proposed

- THAT, clause 3 of the Bill be amended in sub-clause (1) —
- (a) by deleting the words “institutional housing” appearing immediately after the words “affordable housing” in paragraph (b); and
  - (b) by deleting the words “institutional housing” appearing immediately after the words “affordable housing” in paragraph (c).

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watenya, MP

9. Sen. Wambua Enoch Kii, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, M
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Motion made and Question proposed;

THAT, Clause 3 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

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**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
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25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
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**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 3 - agreed to;

Clause 4 - amendment proposed

THAT, clause 4 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause—

- (2) The Levy shall be paid at the rate of one point five percent of
- (a) the net salary of an employer; or
  - (b) the net salary of an employee
- provided that the amount paid to the collector shall not exceed Ksh 2,500

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

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25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Motion made and Question proposed;

THAT, Clause 4 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

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7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 4 - agreed to;

Clause 5 - amendment proposed

THAT, clause 5 of the Bill be amended in subsection (2) by deleting the words “business or company which” and substituting therefor the words “person who”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 5(as amended) - agreed to;

Clause 6 - amendment proposed;

THAT, clause 6 of the Bill be amended—

- (a) by renumbering the current paragraph as sub-clause (1); and
  - (b) by inserting the following new sub-clause—
- (2) The Cabinet Secretary shall provide by notice in the *Gazette* that the following persons are exempt from section 4 to the extent specified in the notice—
- (a) any person who enters into a subsisting mortgage that is not contemplated under this Act;
  - (b) any person residing in a rural area and is in possession of a certificate of title registered in their name;
  - (c) any person engaged in agricultural farming or business activities whose annual turnover is less than Ksh 288,000 per year;
  - (d) any person aged fifty years and over and is engaged in informal business activities;
  - (e) any person with less than five years remaining to statutory retirement at the time of the enactment of this Act; and
  - (f) any person diagnosed with a terminal illness by a certified medical professional;

*(Sen. Okong'o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watanya, MP
9. Sen. Wambua Enoch Kiiro, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question

- negatived;

Motion made and Question proposed;

THAT, Clause 6 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP

- 25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wamatinga Wahome, MP

**NOES**

- 1. Sen. Boy Issa Juma, MP
- 2. Sen. Kajwang’ Moses Otieno, MP
- 3. Sen. Madzayo Stewart Mwachiru, MP
- 4. Sen. Mogeni Erick Okong’o, MP
- 5. Sen. Mwaruma Johnes Mwashushe, MP
- 6. Sen. Mwinyihaji Mohamed Faki, MP
- 7. Sen. Oketch Eddy Gicheru, MP
- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watanya, MP
- 11. Sen. Wambua Enoch Kiio, MP

Clause 6 - agreed to;

Clause 7 - amendment proposed;

THAT, clause 7 of the Bill be deleted and substituted with the following new clause–

Default on payment of amount of Levy.	<b>7.</b> Where an amount of the Levy remains unpaid after the date when it becomes due and payable by a person liable to remit the amount, a penalty equal to three per centum of the unpaid amount shall be due and payable for each month or part thereof that the amount remains unpaid and shall be summarily recovered as a civil debt for the person liable to remit the amount.
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*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 7 (as amended)

- agreed to:

Clause 8

Motion made and Question proposed;

THAT, Clause 8 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP

- 25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wamatinga Wahome, MP

**NOES**

- 1. Sen. Boy Issa Juma, MP
- 2. Sen. Kajwang’ Moses Otieno, MP
- 3. Sen. Madzayo Stewart Mwachiru, MP
- 4. Sen. Mogeni Erick Okong’o, MP
- 5. Sen. Mwaruma Johnes Mwashushe, MP
- 6. Sen. Mwinyihaji Mohamed Faki, MP
- 7. Sen. Oketch Eddy Gicheru, MP
- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watenya, MP
- 11. Sen. Wambua Enoch Kiio, MP

Clause 8

- agreed to;

Clause 9

- amendment proposed;

THAT, clause 9 of the Bill be amended –

- (a) in paragraph (d) by deleting the words “section 38” and substituting therefor the words “section 42”; and
- (b) by inserting the following new paragraph immediately after paragraph (e)—
  - (ea) loans approved by the Cabinet Secretary for the time being in charge of the National Treasury;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Clause 9 (as amended) - agreed to;

Clause 10 - amendment proposed;

THAT, clause 10 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “institutional housing” appearing immediately after the words “affordable housing”; and
- (b) by deleting sub-clause (2).

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watanya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP

14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

THAT, clause 10 of the Bill be amended –

- (a) in subclause (1) by deleting the word “development” appearing immediately after the words “funds for the” and substituting therefor the words “design, development and maintenance”;
- (b) in subclause (2) –
  - (i) by deleting the word “development of affordable housing schemes” appearing in paragraph (d) immediately after the words “facilitate the” and substituting therefor the words “design, development and maintenance of affordable housing schemes in all counties”;
  - (ii) by inserting the following new paragraph immediately after paragraph (g)—
    - (h) facilitate the provision of services to the projects under the management of the Fund.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 10 (as amended)

- agreed to;

Clause 11

- amendment proposed;

THAT, clause 11 be amended

- (a) in sub-clause (1) by deleting paragraph(b); and
- (b) by deleting sub-clause (3) and substituting therefor the following new sub-clause -
- (3) The monies shall be allocated to county governments as a conditional grant in accordance with the Public Finance Management Act and on such conditions as may be prescribed by the Cabinet Secretary for the time being responsible for the National Treasury.

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watanya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP

8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

THAT, clause 11 (4) of the Bill be amended—

- (a) in paragraph (a) by deleting the word “two” and substituting therefor the word “point five (0.5%)”;
- (b) by inserting the following new paragraph immediately after paragraph (b)—
  - (c) not less than point five percent (0.5%) of the monies to the county committees for the administration of the County Committees as may be approved by the Cabinet Secretary for the time being responsible for the National Treasury.
- (c) by inserting the following new subsection immediately after subsection 4 – (4A) The monies under subclause (4)(c) shall be appropriated as a conditional grant to county governments.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 11 (as amended)

- agreed to;

Clause 12

- amendment proposed;

THAT, clause 12 of the Bill be amended in sub-clause (3) by deleting the words “National Assembly” and substituting therefor the word “Parliament”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP

- 17. Sen. Mundigi Alexander Munyi, MP
- 18. Sen. Mwenda Gataya Mo Fire, MP
- 19. Sen. Nderitu John Kinyua, MP
- 20. Sen. Nyutu Joe, MP
- 21. Sen. Recha Julius Murgor, MP
- 22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
- 23. Sen. Seki Lenku Ole Kanar, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wamatinga Wahome, MP

**NOES**

- 1. Sen. Boy Issa Juma, MP
- 2. Sen. Kajwang’ Moses Otieno, MP
- 3. Sen. Madzayo Stewart Mwachiru, MP
- 4. Sen. Mogeni Erick Okong’o, MP
- 5. Sen. Mwaruma Johnes Mwashushe, MP
- 6. Sen. Mwinyihaji Mohamed Faki, MP
- 7. Sen. Oketch Eddy Gicheru, MP
- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watenya, MP
- 11. Sen. Wambua Enoch Kiiro, MP

Clause 12 (as amended)

- agreed to;

Clause 13

- amendment proposed;

THAT, clause 13 of the Bill be amended—

(a) in sub-clause (1)—

(i) by deleting the words “the Board” and substituting therefor the words “Each county government”

(ii) by deleting paragraph (b);

(b) by deleting sub-clause (2) and substituting therefor the following new clause—

(2) Each county government shall submit the annual investment programme referred to in subsection (1) to the county assembly for approval.

(c) by deleting sub-clause (3) by deleting sub-clause (3) and substituting the following new sub-clause—

(3) At the end of each financial year, each county government shall submit a report on the annual investment programme to the Senate.

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watanya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP

22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

THAT, clause 13 of the Bill be amended in sub-clause (3) by deleting the words “the National Assembly for approval before disbursing funds out of the Fund” and substituting therefor the word “Parliament”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP

13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 13 (as amended)

- agreed to;

Clause 14

amendment proposed;

THAT, clause 14 of the Bill be amended in sub-clause (3) by deleting paragraph (e) and substituting therefor the following new paragraph—

- (e) three persons who shall be nominated from the following bodies and appointed by the Cabinet Secretary
  - (i) the Law Society of Kenya;
  - (ii) the Institute of Certified Public Accountants of Kenya; and
  - (iii) the Board of Registered Architects and Quantity Surveyors.

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watenya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson Kiprotich, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation

- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

Clause 14 - amendment proposed;

THAT, clause 14 of the Bill be amended in sub-clause (3)—

- (a) by deleting the word “his” appearing in paragraph (b) and substituting therefor the word “their”;
- (b) by deleting the word “his” appearing in paragraph (c) and substituting therefor the word “their”;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chesang Allan Kiprotich, MP
- 5. Sen. Chute Mohamed Said, MP
- 6. Sen. Ekomwa James Lomenen, MP
- 7. Sen. Haji Abdul Mohammed, MP
- 8. Sen. Kamau Joseph Githuku, MP
- 9. Sen. Kathuri Murungi, MP
- 10. Sen. Keroche Tabitha Karanja, MP
- 11. Sen. Khalwale Boni, MP

12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Clause 14 (as amended) - agreed to;

Clause 15 - amendment proposed;

THAT, clause 15 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “institutional housing” appearing immediately after the words “affordable housing”;
- (b) in sub-clause (2)—
  - (i) by deleting the words “and institutional housing” appearing immediately after the words “affordable housing” in paragraph (a); and
  - (ii) by deleting the words “institutional housing” appearing immediately after the words “affordable housing projects” in paragraph(c);

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watanya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP

22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

THAT, clause 15 of the Bill be amended in sub -clause (2) by inserting the following new paragraph immediately after paragraph (d)—

(da) inspect and enforce compliance to this Act, guidelines and regulations set under the Act.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP

12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 15 (as amended)

- agreed to;

Clause 16

- amendment proposed;

THAT, clause 16 of the Bill be amended—

(a) in sub-clause (1) –

(i) by deleting paragraph (b) and substituting therefor the following new paragraph—

(b) has ten years' experience in a senior management position in the public service or private sector; and

(ii) by inserting the following new paragraph—

(c) meets the requirements of Chapter Six of the Constitution.

(b) in sub-clause (2) by deleting the words “other than as an *ex-officio* member” appearing immediately after the word “Board”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP

2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 16 (as amended)

- agreed to;

Clause 17

- amendment proposed;

THAT, clause 17 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “other than the *ex-officio* members” appearing immediately after the word “Board”;
- (b) in sub-clause (2)–
  - (i) by deleting the words “other than an *ex-officio* member” appearing immediately after the word “Board” in the introductory sentence;
  - (ii) by deleting the words “his or her” appearing in paragraph (d) and substituting therefor the word “their”; and
- (c) in sub-clause (3) by deleting the words “other than an *ex-officio* member” appearing immediately after the word “Board”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Clause 17 (as amended)

- agreed to;

Clause 18

- amendment proposed;

THAT, clause 18 of the Bill be amended by deleting the words “other than an *ex-officio* member” appearing immediately after the word “member”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP

2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 18 (as amended)

- agreed to;

Clause 19

- amendment proposed;

THAT, clause 19 of the Bill be amended in sub-clause (1) by inserting the word "First" immediately after the words "accordance with the"

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the "**Yes**", "**No**" or "**Abstain**" button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP

10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 19 (as amended)

- agreed to;

Clauses 20, 21 and 22;

Motion made and Question proposed;

THAT, Clauses 20, 21 and 22 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watenya, MP
- 11. Sen. Wambua Enoch Kiio, MP

Clauses 20, 21 and 22

- agreed to;

Clause 23

- amendment proposed;

THAT, clause 23 of the Bill be amended—

(a) in sub-clause (2) by inserting the following new paragraph—  
(c) meets the requirements of Chapter Six of the Constitution; and

(b) by inserting the following new sub-clause—

(3) The Chief Executive Officer shall hold office for a term of three years and shall be eligible for reappointment for one further term of three years.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chesang Allan Kiprotich, MP
- 5. Sen. Chute Mohamed Said, MP
- 6. Sen. Ekomwa James Lomenen, MP
- 7. Sen. Haji Abdul Mohammed, MP
- 8. Sen. Kamau Joseph Githuku, MP
- 9. Sen. Kathuri Murungi, MP

10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 23 (as amended)

- agreed to;

Clauses 24, 25, 26, 27, 28, 29, 30 and 31;

Motion made and Question proposed;

THAT, Clauses 24, 25, 26, 27, 28, 29, 30 and 31 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watenya, MP
- 11. Sen. Wambua Enoch Kiio, MP

Clauses 24, 25, 26, 27, 28, 29, 30 and 31

- agreed to;

Clause 32

- amendment proposed

THAT, the Bill be amended by deleting clause 32 and substituting therefor the following new section –

Allocation  
of land.  
  
No. 6 of  
2012

32. (1) The provisions of the Land Act shall, subject to subsection (2), apply to the allocation of public land for the implementation of the affordable housing scheme and development of institutional housing scheme.

(2) Land held by a county government shall not be allocated unless the Board has, in the prescribed manner carried out public participation and stakeholder engagement with the affected community within the county.

*(Sen. Abass Mohammed Sheikh, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chesang Allan Kiprotich, MP

5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 32 (as amended)

- agreed to;

Clause 33

- amendment proposed;

THAT, clause 33 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word “Fund” appearing immediately after the word “The” and substituting therefor the word “Board”.
- (b) in sub-clause (2) by deleting the word “Fund” appearing immediately after the words “Act, 2012, the” and substituting therefor the word “Board”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP

2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 33 (as amended)

- agreed to;

Clause 34

- amendment proposed;

THAT, clause 34 of the Bill be deleted.

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the **“Yes”, “No”** or **“Abstain”**

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

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

1. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
2. Sen. Korir Joyce Chepkoech, MP - on behalf of Bomet County Delegation

The results of the Division were as follows: -

**AYES – 11**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP

3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – voted verbally on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – voted verbally on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question

- negatived;

Further amendment proposed;

THAT clause 34 of the Bill be amended by deleting the word “Fund” and substituting therefor the word “Board”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 34(as amended)

- agreed to;

Clause 35

- amendment proposed;

THAT, the Bill be amended by deleting clause 35 and substituting therefor the following new clause —

Agreement  
with private  
institutions  
and persons.

35. (1) The Board may enter into an agreement with a private institution –

(a) to develop and construct affordable housing units and associated social and physical infrastructure; and

(b) for the supply of goods and materials in connection with the construction of affordable housing units.

(2) The Board shall, before entering into an agreement under subsection (1), publish in at least two newspapers of nationwide circulation and on electronic media, a notice of intention to enter into an agreement and invitation of tenders from the public in the prescribed form.

(3) The Cabinet Secretary may, in consultation with the Board, prescribe guidelines for the publication of a notice under subsection (2) and invitations to tender.

*(Sen. Abass Mohammed Sheikh, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Clause 35 (as amended)

- agreed to;

Further amendment proposed;

THAT, clause 35 of the Bill be amended by deleting the word “Fund” and substituting therefor the word “Board”.

*(The Chairperson, Standing Committee Roads, Transportation and Housing)*

Further amendment to Clause 35 withdrawn by the mover;

Clause 36

- amendment proposed;

THAT, clause 36 of the Bill be amended in sub-clause (1) by deleting the word “Fund” and substituting therefor the word “Board”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP

6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Clause 36 (as amended)

- agreed to;

Clause 37

Motion made and Question proposed;

THAT, Clause 37 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP

4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 37

- agreed to;

Clause 38

- amendment proposed;

THAT, clause 38 of the Bill be deleted and substituted with the following new clause–

Eligibility criteria.	38. (1) A person is eligible for allocation of one affordable housing unit if the person meets the criteria prescribed in regulations.
-----------------------	--

(2) In this section, a person means a natural person.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP

5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 38 (as amended)

- agreed to;

Further amendment proposed;

THAT, the Bill be amended in clause 38 by deleting the words “or body corporate” immediately after the words “A person”.

*(Sen. Abass Mohammed Sheikh, MP)*

Further amendment to Clause 38 withdrawn by the mover;

Clause 39

- amendment proposed;

THAT, clause 39 of the Bill be amended in subclause (1) by deleting the words “section 30” and substituting therefor the words “section 38”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation

26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kio, MP

Clause 39 (as amended)

- agreed to

Further amendment proposed;

THAT, clause 39 of the Bill be amended in subclause (2) by deleting paragraph (c).

*(Sen. Abass Mohammed Sheikh, MP)*

Further amendment to Clause 39 withdrawn by the mover;

Clause 40

- amendment proposed;

THAT, clause 40 of the Bill be amended by—

- (a) renumbering the current paragraph as subclause (1); and
- (b) by inserting the following new sub-clause—

(2) The Cabinet Secretary may in consultation with the Board issue regulations for the better carrying out of subsection (1).

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 40 (as amended)

- agreed to;

Clause 41

- amendment proposed;

THAT, clause 41 of the Bill be amended by deleting the words “where applicable

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Amendment to Clause 41 withdrawn by the mover;

Clause 41

Motion made and Question proposed;

THAT, Clause 41 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP

12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 41- agreed to;Clause 42- amendment proposed

THAT, clause 42 of the Bill be amended by deleting sub-clause (4) and substituting therefor the following new sub-clauses—

(4) A person who has made a voluntary saving and has not been allocated an affordable housing unit—

(a) may withdraw their savings by issuing ninety days' written notice to the agency for refund with any accrued interest; or

(b) may apply to the Board for approval of issuance of an affordable mortgage to develop a rural affordable housing unit;

(5) An application in sub-section (4) (b) will be accompanied by an agreement that the applicant agrees to have their saved deposits and the land upon which the unit is to be built to be used as collateral.

(6) Upon approval by the Board, the applicant shall cause a charge on the title in subsection (5) to be executed in favour of the Board.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP

2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 42 (as amended)

- agreed to;

Clause 43

Motion made and Question proposed;

THAT, Clause 43 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP

10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 43

- agreed to;

Clause 44

- amendment proposed;

THAT, clause 44 (2) of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph–

- (a) to a fine not exceeding twenty million shillings or imprisonment of a term not exceeding ten years, or both; and.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP

- 3. Sen. Madzayo Stewart Mwachiru, MP
- 4. Sen. Mogeni Erick Okong’o, MP
- 5. Sen. Mwaruma Johnes Mwashushe, MP
- 6. Sen. Mwinyihaji Mohamed Faki, MP
- 7. Sen. Oketch Eddy Gicheru, MP
- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watanya, MP
- 11. Sen. Wambua Enoch Kiio, MP

Clause 44 (as amended) - agreed to;

Clause 45 - amendment proposed;

THAT, clause 45 of the Bill be amended in sub-clause (1) by deleting the words “he is” appearing in paragraph(b)(i) and substituting therefor the word “they are”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

- 1. Sen. Abass Sheikh Mohamed, MP
- 2. Sen. Cherarkey Samson, MP
- 3. Sen. Cheruiyot Aaron Kipkirui, MP
- 4. Sen. Chesang Allan Kiprotich, MP
- 5. Sen. Chute Mohamed Said, MP
- 6. Sen. Ekomwa James Lomenen, MP
- 7. Sen. Haji Abdul Mohammed, MP
- 8. Sen. Kamau Joseph Githuku, MP
- 9. Sen. Kathuri Murungi, MP

10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 45 (as amended) - agreed to;

Clause 46

Motion made and Question proposed;

THAT, Clause 46 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
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17. Sen. Mundigi Alexander Munyi, MP
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20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
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24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 46

- agreed to;

Clause 47

- amendment proposed;

THAT, clause 47 of the Bill be amended—

(a) in sub-clause (2) by inserting the following new paragraphs—

- (i) immediately after paragraph (a)—
  - (ab) criteria for eligibility of allocation of an affordable housing unit under section 38 after paragraph (a);
- (ii) immediately after paragraph (i);
  - (j) the typology and dimensions for affordable housing units relative to the incomes of the individual applicants;
  - (k) the procedural guidelines for the Board to off-take affordable housing units under an affordable housing scheme;
  - (l) the interest rate or administration fee for a loan issued under section 41; and
  - (m) criteria for eligibility of allocation of a low interest mortgage under section 42.

(b) by inserting the following new sub-clauses—

(3) The Cabinet Secretary shall table before Parliament, the regulations made under this section within thirty days of commencement of this Act.

(4) Regulations made under this section shall not take effect unless approved by a resolution passed by Parliament.

(5) If a House of Parliament does not make a resolution either approving or rejecting any regulations within fifteen sitting days after submission to it for approval, the House shall be deemed to have approved those regulations.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
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13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
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19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 47 (as amended)

- agreed to;

Clause 48

- amendment proposed;

THAT, clause 48 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3) –

(4) Any ongoing project or programme on affordable housing implemented pursuant to a commitment or obligation under subsection (3) shall be deemed to be a project or programme commenced under this Act.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP

16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
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6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 48 (as amended)

- agreed to;

Clause 49

- amendment proposed;

THAT, clause 49 of the Bill be amended in sub-clause (1) by inserting the word “before” after the word “immediately”.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 49 (as amended)

- agreed to;

**Progress report;**

Motion made;

THAT, the Committee of the Whole do report to the Senate its consideration of the Affordable Housing Bill (National Assembly Bills No. 75 of 2023) and seek leave to sit again today.

*(The Senate Majority Leader)*

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

Question put and agreed to.

12. **THE SENATE RESUMED** – (The Deputy Speaker - in the Chair)

13. **THE AFFORDABLE HOUSING BILL (NATIONAL ASSEMBLY BILLS NO. 75 OF 2023)**

**Progress reported;**

Motion made and Question proposed: -

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

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (1) the Deputy Speaker ruled that the Motion does not affect counties.

Question put and agreed to.

14. **PROCEDURAL MOTION – EXTENSION OF SITTING TIME OF THE SENATE**

Motion made and Question proposed;

THAT, pursuant to Standing Order 34(4)(a), the Senate resolves to extend its sitting time, today, Tuesday, 12<sup>th</sup> March, 2024, until conclusion of business appearing at Order No. 10 in the Order Paper.

*(The Deputy Senate Majority Whip)*

Debate arising;

And there being no other Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (2), the Deputy Speaker ruled that the Motion does not affect counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

THAT, pursuant to Standing Order 34(4)(a), the Senate resolves to extend its sitting time, today, Tuesday, 12<sup>th</sup> March, 2024, until conclusion of business appearing at Order No. 10 in the Order Paper.

15. **COMMITTEE OF THE WHOLE**

Order for the Committee read;

**IN THE COMMITTEE**

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

**The Affordable Housing Bill (National Assembly Bills No. 75 of 2023)**

New Clause 11 A

- insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clauses immediately after clause 11—

Investments by the Board.	11A. The Board may, with the approval of the Cabinet Secretary in charge of Treasury, invest any income that is not immediately required.
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*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 11A be now read a Second Time;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question

agreed to;

Motion made and Question proposed;

THAT, New Clause 11A be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
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- 20. Sen. Nyutu Joe, MP
- 21. Sen. Recha Julius Murgor, MP
- 22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
- 23. Sen. Seki Lenku Ole Kanar, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wamatinga Wahome, MP

**NOES**

- 1. Sen. Boy Issa Juma, MP
- 2. Sen. Kajwang’ Moses Otieno, MP
- 3. Sen. Madzayo Stewart Mwachiru, MP
- 4. Sen. Mogeni Erick Okong’o, MP
- 5. Sen. Mwaruma Johnes Mwashushe, MP
- 6. Sen. Mwinyihaji Mohamed Faki, MP
- 7. Sen. Oketch Eddy Gicheru, MP
- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watanya, MP
- 11. Sen. Wambua Enoch Kiio, MP

New Clause 11A - agreed to;

New Clause 11B - insertion of new clause proposed;

Borrowing by the Board.	11B. The Board may, with the approval of the Cabinet Secretary in charge of Treasury, borrow funds for the advancement of the objectives of the Act.
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*(The Chairperson, Standing Committee on Roads, Transportation and  
Housing)*

Motion made and Question proposed;

THAT, New Clause 11B be now read a Second Time;

*(The Chairperson, Standing Committee Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

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7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 11B be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

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8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 11B

- agreed to;

New Clause 31A

- insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new clauses immediately after clause 31—

**PART III - A - ROLE OF THE COUNTY GOVERNMENTS IN AFFORDABLE HOUSING**

- Establishment 31A. (1) There is established in every county, a of County Rural and Urban Affordable Housing Committee.
- (2) The County Committee shall consist of the following—
- (a) a non-executive chairperson who shall be nominated by the county governor;

- (b) the County Executive Committee member responsible for matters relating to housing or their representative designated in writing;
- (c) three other persons who shall be nominated by the county governor, of whom—
  - (i) one shall be a representative of a registered association of traders operating in the county;
  - (ii) one shall be a representative of a registered residential association; in the county;
  - (iii) one shall be a member of the public residing within the county; and
- (d) the chief officer for the time being in charge of housing, who shall be an *ex-officio* member and the secretary to the County Committee.

(3) A person nominated under subsection (2) (a) and subsection (2) (d), shall be vetted and approved by the county assembly.

(4) In nominating a person as a member under subsection (2) (a) and subsection (2) (d), the county governor shall—

- (a) ensure that not more than two-thirds of the members are of the same gender;
- (b) ensure that ethnic minorities within the county are adequately represented; and
- (c) consider marginalized groups including youth and persons with disability.

(5) The members of the Committee shall be appointed within thirty days of the commencement of this Act.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 31A be now read a Second Time;

*(The Chairperson, Standing Committee Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

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**ABSTENTION – 0**

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25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
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4. Sen. Mogeni Erick Okong’o, MP
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7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question agreed to;

Motion made and Question proposed;

THAT, New Clause 31A be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

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**NOES**

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8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 31A

- agreed to;

New Clause 31B

- insertion of new clause proposed;

Qualifications  
for  
appointment.

31B. (1) A person qualifies to be appointed  
as the Chairperson of the County Committee if  
that person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has at least five years’ experience in matters relating to housing, built environment, banking, or finance;
- (c) has resided in the county for a period of not less than five years.; and
- (d) meets the requirements of Chapter Six of the Constitution

- (2) A person qualifies to be appointed as a member of the County Committee, if the person—
- (a) meets the requirements of Chapter Six of the Constitution;
  - (b) has not been convicted of a criminal offence which attracts imprisonment for a term not exceeding six months;
  - (c) has not been adjudged bankrupt or entered into a composition or arrangement with the creditors of the person; and
  - (d) is not disqualified under any other written law from appointment as such.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 31B be now read a Second Time;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

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**NOES**

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6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 31B be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

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3. Sen. Madzayo Stewart Mwachiru, MP



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

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8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question

agreed to;

Motion made and Question proposed;

THAT, New Clause 31C be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

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8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 31C

- agreed to;

New Clause 31D

- insertion of new clause proposed;

Remuneration  
of the County  
Committee  
members.

31D. The Chairperson and the members of the County Committee shall be paid such sitting allowances or other remuneration for expenses as recommended by the Salaries and Remuneration Commission.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 31D be now read a Second Time;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
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12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
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19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 31D be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

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7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 31D

- agreed to;

New Clause 31E

- insertion of new clause proposed;

Conduct of  
affairs and  
business of  
the County  
Committee.

31E. (1) The conduct of affairs and business of the County Committee shall be in accordance with the First Schedule of this Act.

(2) Subject to subsection (1), the Committee may amend its own procedures for the better carrying out of its functions.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 31E be now read a Second Time;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

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21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP



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5. Sen. Chute Mohamed Said, MP
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25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

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6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kio, MP

New Clause 31E - agreed to;

New Clause 31F - insertion of new clause proposed;

<p>Functions of the County Committee.</p>	<p>31F. (1) The County Committee shall— (a) in consultation with the Board, develop a framework for the attainment of affordable housing in the county;</p>
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- (b) advise the governor on affordable housing programmes within the county;
- (c) develop a five-year affordable housing investment programme for the county and annual housing investment programme for the county;
- (d) collaborate with the boards of cities and municipalities in developing plans for social and physical infrastructure related to affordable housing pursuant to section 21 of the Urban Areas and Cities Act;
- Cap 303, (e) make periodical written reports on the five-year  
Laws of affordable housing investment programme for the  
Kenya. county and annual housing investment programme for the county to the Board;
- (f) to make annual reports to the county assembly on the implementation of affordable housing in the county; and to perform such other duties as may be assigned by the county governor in writing.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 31F be now read a Second Time;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

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22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
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6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiiro, MP

Question

agreed to;

Motion made and Question proposed;

THAT, New Clause 31F be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

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22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
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24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 31F - agreed to;

New Clause 31G - insertion of new clause proposed;

County legislation.	31G. Nothing in this Act shall preclude county governments from enacting legislation related to affordable housing in the counties.
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*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

Motion made and Question proposed;

THAT, New Clause 31G be now read a Second Time;

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
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**NOES**

1. Sen. Boy Issa Juma, MP
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7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kio, MP

Question

agreed to;

Motion made and Question proposed;

THAT, New Clause 31G be part of the Bill.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “Yes”, “No” or “Abstain” button;

The results of the Division were as follows: -

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7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 31G - agreed to;

New Clause 37A - insertion of new clause proposed;

THAT the Bill be amended by inserting the following new section immediately after clause 37 —

Priority of ownership for slum residents.

37A. (1) The Board shall, where an affordable housing project is to be implemented on land on which exists a settlement, —

- (a) issue a notice, in the prescribed form, to the residents in that settlement of the intended implementation of the project
- (b) put in place a mechanism for the resettlement of the residents; and
- (c) offer to the residents in that settlement, the first right of purchase of a unit in the project.

*(Sen. Abass Mohammed Sheikh, MP)*

Motion made and Question proposed;

THAT, New Clause 37A be now read a Second Time;

*(Sen. Abass Mohammed Sheikh, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

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**NOES**

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8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question

agreed to;

Motion made and Question proposed;

THAT, New Clause 37A be part of the Bill.

*(Sen. Abass Mohammed Sheikh, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

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14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP

- 16. Sen. Methu John Muhia, MP
- 17. Sen. Mundigi Alexander Munyi, MP
- 18. Sen. Mwenda Gataya Mo Fire, MP
- 19. Sen. Nderitu John Kinyua, MP
- 20. Sen. Nyutu Joe, MP
- 21. Sen. Recha Julius Murgor, MP
- 22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
- 23. Sen. Seki Lenku Ole Kanar, MP
- 24. Sen. Thangwa Paul Karungo, MP
- 25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wamatinga Wahome, MP

**NOES**

- 1. Sen. Boy Issa Juma, MP
- 2. Sen. Kajwang’ Moses Otieno, MP
- 3. Sen. Madzayo Stewart Mwachiru, MP
- 4. Sen. Mogeni Erick Okong’o, MP
- 5. Sen. Mwaruma Johnes Mwashushe, MP
- 6. Sen. Mwinyihaji Mohamed Faki, MP
- 7. Sen. Oketch Eddy Gicheru, MP
- 8. Sen. Olekina Ledama, MP
- 9. Sen. Osotsi Godfrey Atieno, MP
- 10. Sen. Sifuna Edwin Watenya, MP
- 11. Sen. Wambua Enoch Kiio, MP

New Clause 37A - agreed to;

New Clause 42A - insertion of new clause proposed;

THAT, the Bill be amended by inserting the following new sections immediately after section 42 -

**PART VA – OWNERSHIP OF AFFORDABLE HOUSING UNITS**

Issuance of a certificate of ownership.	42A. (1) The Board shall, with the approval of the Cabinet Secretary, transfer the ownership of an affordable housing unit to a qualified applicant upon completion of payment of the agreed price.
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(2) The Registrar shall not, without the written consent of the Board, register a transfer of any housing unit under this Act.

(3) The certificate of the Board that any affordable housing unit has been sold to an individual under the provisions of this Act shall be conclusive evidence of consent under subsection (2).

(4) The registration of an owner of affordable housing units shall be undertaken in accordance with the Sectional Properties Act.

*(Sen. Abass Mohammed Sheikh, MP)*

Motion made and Question proposed;

THAT, New Clause 42A be now read a Second Time;

*(Sen. Abass Mohammed Sheikh, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP

18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 42A be part of the Bill.

*(Sen. Abass Mohammed Sheikh, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27****NOES - 11****ABSTENTION - 0****AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 42A- agreed to;New Clause 42B- insertion of new clause proposed;

Restrictions  
as to  
ownership.

42B. A person shall not acquire more than one affordable housing unit developed under this Act.

*(Sen. Abass Mohammed Sheikh, MP)*

The proposed New Clause 42B withdrawn by the mover;

New Clause 42C

- insertion of new clause proposed;

Restrictions  
to owners  
of  
affordable  
housing  
unit.

42C. Except with the prior written consent of the Board, a purchaser of an affordable housing unit under this Act shall not by contract, agreement or otherwise, sell or agree to sell his or her unit or any interest therein to any other person.

*(Sen. Abass Mohammed Sheikh, MP)*

Motion made and Question proposed;

THAT, New Clause 42C be now read a Second Time;

*(Sen. Abass Mohammed Sheikh, MP)*

There being no other Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP

5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Question - agreed to;

Motion made and Question proposed;

THAT, New Clause 42C be part of the Bill.

*(Sen. Abass Mohammed Sheikh, MP)*

There being no Senator wishing to contribute;

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP

4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

New Clause 42C

- agreed to;

First Schedule

- amendment proposed;

THAT, the First Schedule of the Bill be amended—

- (a) in paragraph 1 by deleting the words “at least half” appearing in subparagraph (4) and substituting therefor the word “majority”; and
- (b) in paragraph 2 by deleting the words “fifty plus one” and substituting therefor the words “majority”.

*(The Chairperson, Standing Committee Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP

8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

First Schedule (as amended)

- agreed to;

Second Schedule

Motion made and Question proposed;

THAT, Second Schedule be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP

8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Second Schedule

- agreed to;

Third Schedule

- amendment proposed;

THAT, the Third Schedule of the Bill be amended by deleting paragraphs 2,3,4,5 and 6.

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watenya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson Kiprotich, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP

4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

THAT, the Third Schedule of the Bill be amended by inserting the following new paragraphs immediately in paragraph 5—

5A. National Construction Authority.

5B. State Department responsible for matters relating to Public Works.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang’ Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong’o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP

10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

The Third Schedule (as amended) - agreed to;

Clause 2 - amendment proposed;

THAT, clause 2 of the Bill be amended by deleting the definition of the word “institutional housing”

*(Sen. Okong’o Mogeni, MP)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 9**

**NOES - 27**

**ABSTENTION – 0**

**AYES**

1. Sen. Kajwang’ Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong’o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Oketch Eddy Gicheru, MP
6. Sen. Olekina Ledama, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Sifuna Edwin Watenya, MP
9. Sen. Wambua Enoch Kiio, MP

**NOES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson Kiprotich, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP

6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

Question - negatived;

Further amendment proposed;

THAT, clause 2 of the Bill be amended—

- (a) In sub-clause (1) by inserting the following new definition—  
“County Committee” means the County Affordable Housing Committee established under Part IV of this Act;
- (b) by deleting sub-clause (2) and inserting the following new sub-clause 2 for purposes of this Act, “affordable housing unit” refers to —
  - (a) a social housing unit means a house targeted to a person whose monthly income is below twenty thousand shillings;
  - (b) an affordable housing unit means a house targeted at a person whose monthly income is between twenty thousand and one hundred and forty-nine thousand shillings;
  - (c) affordable middle class housing unit means middle to high income housing targeted at persons whose monthly income is over one hundred and forty-nine thousand shillings; or
  - (d) rural affordable housing unit means a house under section 42 targeted at a person living in any area which is not an urban area.

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
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16. Sen. Methu John Muhia, MP
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20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP– on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 2(as amended)

- agreed to;

The Title

- amendment proposed;

THAT , the Bill be amended by deleting the Title and replacing therefore the following new title—

Rural and Urban Affordable Housing Act.

*(The Chairperson, Standing Committee Roads, Transportation and Housing)*

The proposed amendment to the Title withdrawn by the mover;

Motion made and Question proposed;

THAT, the Title be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES - 27**

**NOES - 11**

**ABSTENTION - 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
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9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
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12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
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21. Sen. Recha Julius Murgor, MP
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23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watenya, MP
11. Sen. Wambua Enoch Kiio, MP

The Title

- agreed to;

Clause 1

- amendment proposed;

THAT, the Bill be amended by deleting the words “Affordable Housing Act ,2024” appearing immediately after the words “cited as the” and replacing therefor the following ne words “Rural and Urban Affordable Housing Act, 2024”

*(The Chairperson, Standing Committee on Roads, Transportation and Housing)*

The proposed amendment to Clause 1 withdrawn by the mover;

Motion made and Question proposed;

THAT, Clause 1 be part of the Bill.

*(The Senate Majority Leader)*

The Committee proceeded to a Division;

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

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

The Acting Chairperson (Sen. Veronica Maina, MP) put the Question and directed Senators to cast their votes by pressing either the “**Yes**”, “**No**” or “**Abstain**” button;

The results of the Division were as follows: -

**AYES – 27**

**NOES - 11**

**ABSTENTION – 0**

**AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP

13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Madzayo Stewart Mwachiru, MP
4. Sen. Mogeni Erick Okong'o, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Oketch Eddy Gicheru, MP
8. Sen. Olekina Ledama, MP
9. Sen. Osotsi Godfrey Atieno, MP
10. Sen. Sifuna Edwin Watanya, MP
11. Sen. Wambua Enoch Kiio, MP

Clause 1 - agreed to;

**Report**

Motion made –

THAT, the Committee of the Whole House do report to the Senate, its consideration of the Affordable Housing Bill (National Assembly Bills No. 75 of 2023), and its approval thereof with amendments;

*(The Senate Majority Leader)*

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

Question put and agreed to.

16. **THE SENATE RESUMED** – (The Deputy Speaker) – in the Chair

17. **THE AFFORDABLE HOUSING BILL, (NATIONAL ASSEMBLY BILLS NO. 75 OF 2023)**

Bill reported **with** amendments;

Motion made and Question proposed: -

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

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84 (1), the Deputy Speaker ruled that the Motion does not affect counties;

Question put and agreed to.

Motion made and Question proposed: -

THAT, the Affordable Housing Bill (National Assembly Bills No. 75 of 2023) be now read a Third Time.

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

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

The Deputy Speaker directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for ten minutes;

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

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

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

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

1. Sen. Asige Crystal Kagehi, MP – on behalf of Mombasa County Delegation
2. Sen. Kathuri Murungi, MP

The results of the Division were as follows: -

**AYES - 27****NOES - 10****ABSTENTION - 0****AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Cherarkey Samson, MP
3. Sen. Cheruiyot Aaron Kipkirui, MP
4. Sen. Chesang Allan Kiprotich, MP
5. Sen. Chute Mohamed Said, MP
6. Sen. Ekomwa James Lomenen, MP
7. Sen. Haji Abdul Mohammed, MP
8. Sen. Kamau Joseph Githuku, MP
9. Sen. Kathuri Murungi, MP – voted verbally
10. Sen. Keroche Tabitha Karanja, MP
11. Sen. Khalwale Boni, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Kisang William Kipkemoi, MP
14. Sen. Lelegwe Steve Ltumbesi, MP
15. Sen. Mandago Jackson Kiplagat, MP
16. Sen. Methu John Muhia, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Thangwa Paul Karungo, MP
25. Sen. Korir Joyce Chepkoech, MP – on behalf of Bomet County Delegation
26. Sen. Wafula David Wakoli, MP
27. Sen. Wamatinga Wahome, MP

**NOES**

1. Sen. Kajwang' Moses Otieno, MP
2. Sen. Madzayo Stewart Mwachiru, MP
3. Sen. Mogeni Erick Okong'o, MP
4. Sen. Mwaruma Johnes Mwashushe, MP
5. Sen. Asige Crystal Kagehi – voted verbally on behalf of Mombasa County Delegation
6. Sen. Oketch Eddy Gicheru, MP
7. Sen. Olekina Ledama, MP
8. Sen. Osotsi Godfrey Atieno, MP
9. Sen. Sifuna Edwin Watanya, MP
10. Sen. Wambua Enoch Kiio, MP

Question agreed to;

Bill Read a Third Time and passed.

And the time being fifty-five minutes past Six O'clock, the Deputy Speaker adjourned the Senate without Question put, pursuant to the Standing Orders.

18. SENATE ROSE - at fifty-five minutes past Six O'clock.

**M E M O R A N D U M**

*The Speaker will take the Chair on  
Wednesday, 13<sup>th</sup> March, 2024 at 9:00 a.m.*

--x--