



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

THURSDAY, MAY 29, 2025 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 no Quorum, directed that the Bell be rung for ten minutes, pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

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

4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair:

- a) **Invitation to all Senators to a Breakfast Meeting of the Standing Committee on Finance on the Fourth Basis for Allocating the Share of National Revenue among Counties**

“Honourable Senators,

As you will recall, the Motion on the consideration of the Report of the Standing Committee on Finance and Budget on the Fourth Basis for allocating the share of national revenue among counties was scheduled for consideration on Tuesday, 27th May 2025. However, before the Motion was moved, several Senators rose on points of order, highlighting the need for more time to interrogate the contents of the report to better understand the Committee’s recommendations.

Several Senators expressed concern that at a meeting convened by the Standing Committee on Finance and Budget on 22nd May, 2025, consultations on the matter were not exhaustive. Consequently, it was

agreed that the Motion be deferred and rescheduled for debate on Tuesday, 3rd June, 2025.

Honourable Senators,

In this respect, the Standing Committee on Finance and Budget has organized another breakfast meeting to apprise Senators on the contents of the report, facilitate consultations, and consensus building on the way forward regarding the Fourth Basis for allocating the share of national revenue among counties.

The breakfast meeting is scheduled to be held in the Senate Chamber, Main Parliament Buildings on Tuesday, 3rd June, 2025 at 7:30 am.

I thank you.”

b) Visiting teachers and students from Kanyuambora Boys High School in Embu County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Kanyuambora Boys High School in Embu County. The delegation comprises four (4) teachers and ninety-six (96) 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.”

c) Visiting teachers and students from Tengecha Boys High School in Kericho County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Tengecha Boys High School in Kericho County. The delegation comprises fifty (50) students and three (3) teachers, 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.”

d) Conduct of Senators while transacting Business in the Senate

“Honourable Senators,

I have a communication to make regarding the conduct of Senators while transacting business in the Senate. Over the last few sittings, the Presidium has observed incidents of disorderly conduct in the Senate thereby necessitating that I make this further communication.

Honourable Senators,

I have previously cautioned Senators on the matter of maintenance of order and decorum in the Senate. The Standing orders provide a framework for debate and order in the Senate. In particular, I refer Honourable Senators to Part XVIII and Part XX of the Senate Standing Orders which provides for “Rules of debate” and “Order in the Senate and in Committees”.

Allow me for the benefit of all Senators to reiterate what these Parts provide. Part XVIII provides for, among others -

- i.* Speaking twice to a Question;
- ii.* Point of Order;
- iii.* Anticipating debate;
- iv.* Contents of speeches;
- v.* Comments on Proceedings of Select Committees; and
- vi.* Responsibility for statement of fact.

On the other hand, Part XX which contains Standing Orders 121 and 122 provide for acts which constitute disorderly conduct and gross disorderly conduct. These Standing Orders provide that a Senator is disorderly if the Senator (inter-alia) -

- (i) creates disorder;
- (ii) knowingly raises a false point of order;
- (iii) unnecessarily interrupts proceedings or consults in a disruptive manner;
- (iv) makes allegations without, in the Speaker’s opinion, adequate substantiation; or
- (v) defies a ruling or direction of the Speaker or Chairperson of Committees;
- (vi) demonstrates or makes disruptive utterances against the suspension of a named Senator;
- (vii) disrupts or attempts to disrupt the Speaker’s Procession;
- (viii) commits any other breach of these Standing Orders, that in the opinion of the Speaker, constitutes gross disorderly conduct.

Honourable Senators,

Standing orders 121 (2) and 122 (2) further provide for the consequences of creating disorder and gross disorder in the Senate. In the instance of disorderly conduct, “the Speaker may call a Senator whose conduct is disorderly to order, and-

- (a) caution the Senator; or
- (b) order the Senator to withdraw from the precincts of the Senate for the remainder of that day’s sitting.”

In the instance of gross disorderly conduct, the Speaker “shall order the Senator to withdraw immediately from the precincts of Parliament –

- (a) on the first occasion, for a maximum of three sitting days, including the sitting day of suspension; and
- (b) on the second or subsequent occasion during the same session, for a minimum of seven sitting days and a maximum of twenty-one sitting days, including the day of suspension;”

Honourable Senators,

The above provisions are in place to ensure that debates in Plenary proceed in a respectful and constructive manner that allows all Senators the opportunity to contribute meaningfully in the process facilitating the Senate to fulfill its constitutional mandate in an orderly, systematic and predictable manner.

I must once again caution Honourable Senators that the Presidium will not hesitate to invoke and apply the provisions of the Standing Orders on a Senator who is disorderly. I, therefore, urge all Honourable Senators to abide by the Standing Orders and uphold the dignity of the Senate. I reaffirm that the Rules will be applied fairly, firmly and without exception.

I thank you.”

e) **Visiting teachers and students from Taito KTGA Nandi Hills Secondary School in Nandi County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Taito KTGA Nandi Hills Secondary School in Nandi County. The delegation comprises seven (7) teachers and one hundred and fifty-three (153) 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. **PETITION**

Pursuant to Standing Order 236 (2)(a), the Senator for Busia County (Sen. Andrew Okoiti Omtatah, MP) presented a Petition to the Senate by Mr. Patrick Musilu on behalf of the residents of *Wamunyu* in Machakos County regarding the need to protect and propagate commercialization of new generation (*Muthea*) Antivenom in Kenya.

Pursuant to Standing Order 238 (1), the Speaker committed the Petition to the Standing Committee on Health for consideration.

6. **PAPERS LAID**

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

- i) Report of the Controller of Budget (COB) on the County Governments Budget Implementation Review for the First Quarter of Financial Year 2024/2025.
- ii) Report of the Auditor-General on the Financial Statements of Emali-Sultan Hamud Municipality – County Government of Makueni for the financial year ended 30th June, 2024.

(The Senate Majority Leader)

- iii) Report of the Standing Committee on Agriculture, Livestock and Fisheries on its consideration of the Nuts and Oil Crops Bill (Senate Bills No. 47 of 2023).

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

- iv) Statement on the business of the Senate for the week commencing Tuesday, 3rd June, 2025.

(The Senate Majority Leader)

7. **QUESTIONS AND STATEMENTS**

a) Request for Statements pursuant to Standing Order 53 (1)

- i) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on National Security,

Defense and Foreign Relations regarding the murder of Father Alois Cheruiyot Bett and the recent increase of banditry activities in the North-Rift region.

- ii) The Senator for Wajir County (Sen. Abass Sheikh, MP) sought Statement from the Standing Committee on Education regarding the deteriorating state of Early Childhood Development Education (ECDE) Centres in Wajir County.
- iii) Request for Statement by the Senator for Kitui County (Sen. Enoch Wambua, MP) from the Standing Committee on National Security, Defense and Foreign Relations regarding the resurgence of banditry in Kitui County was deferred.
- iv) Request for Statement by the Senator for Kitui County (Sen. Enoch Wambua, MP) from the Standing Committee on Roads and Transportation regarding the status of construction of Kibwezi-Mutomo-Kitui-Migwani-Mbondoni Road was deferred.
- v) The Senator for Migori County (Sen. Eddy Oketch, MP) sought a Statement from the Standing Committee on Finance and Budget regarding fraudulent activities targeting retirees' lump-sum pension payouts.
- vi) The Senator for Kakamega County (Sen. (Dr) Boni Khalwale, MP) sought a Statement Standing Committee on Devolution and Intergovernmental Relations on a matter of county-wide concern, namely the stalled projects in Kakamega County.

b) Statement Pursuant to Standing Order 57 (1)

The Senate Majority Leader issued a statement on the business of the Senate for the week commencing Tuesday, 3rd June, 2025.

c) Personal Statement Pursuant to Standing Order 58

The Senator for Nakuru County (Sen. Tabitha Keroche, MGH, MP) made a personal Statement regarding allegations made by the Governor for Nakuru County, H.E Susan Kihika, EGH, in a televised interview, that the Senator was admitted in a hospital in London, United Kingdom suffering from kidney failure.

8. **MOTION - CONSIDERATION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON A PETITION TO THE SENATE BY MS. MERCY JEPCHIRCHIR REGARDING ALLEGED MEDICAL NEGLIGENCE AND STAFF INCOMPETENCE WHICH LED TO THE DEATH OF MS. ANNITA JEPKORIR AT THE MOI TEACHING AND REFERRAL HOSPITAL**

Order read;

Motion Made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Health on a Petition to the Senate by Ms. Mercy Jepchirchir regarding alleged medical negligence and staff incompetence which led to the death of Ms. Annita Jepkorir at the Moi Teaching and Referral Hospital, laid on the Table of the Senate on Wednesday, 7th May, 2025.

(The Chairperson, Standing Committee on Health – 27.05.2025)

Debate interrupted on Wednesday 28th May, 2025 (Afternoon Sitting) resumed;

And there being no more Senators wishing to contribute;

Mover replied;

Pursuant to Standing Order 66 (3), the Mover requested for the deferment of the putting of the Question to a later date.

And the Temporary Speaker (Sen. Veronica Maina, MP), acceding to the request, nominated Tuesday, 3rd June, 2025, as the day when the Question shall be put.

9. **THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2024)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Business Laws (Amendment) Bill (Senate Bills No. 51 of 2024) be now read a Second Time.

(The Senate Majority Leader)

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

10. **SENATE ROSE** – at thirty minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on Tuesday, June 03, 2025 at 2:30 pm