



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (FOURTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, JUNE 03, 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) Visiting teachers and students from Kigumo Bendera High School in Murang'a County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Kigumo Bendera High School in Murang'a County. The delegation comprises one hundred and fourteen (114) students and five (5) 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.”

**b) Visiting teachers and students from Oshwal Academy in Mombasa County**

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Oshwal Academy in Mombasa County. The delegation comprises thirty-seven (37) students and four (4) 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.”

**5. PAPERS**

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

- i) Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Laban Omusundi, a resident of Nakuru County, concerning the branding of public projects with images of Governors and Members of County Assemblies (MCAs) and branding of county vehicles.

*(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations)*

- ii) Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on implementation of the Senate Resolution on the Current State of the Nation made on Wednesday, 24<sup>th</sup> July, 2024.

*(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)*

**6. NOTICE OF MOTION – REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON A PETITION TO THE SENATE BY MR. LABAN OMUSUNDI CONCERNING THE BRANDING OF PUBLIC PROJECTS WITH IMAGES OF GOVERNORS AND MEMBERS OF COUNTY ASSEMBLIES (MCAs) AND BRANDING OF COUNTY VEHICLES**

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr.

Laban Omusundi concerning the branding of public projects with images of Governors and Members of the County Assemblies (MCAs) and branding of county vehicles, laid on the Table of the Senate on Tuesday, 3<sup>rd</sup> June, 2025.

7. **NOTICE OF MOTION – REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION ON IMPLEMENTATION OF THE SENATE RESOLUTION ON THE CURRENT STATE OF THE NATION MADE ON WEDNESDAY, 24<sup>TH</sup> JULY, 2024**

(The Senate Majority Leader on behalf of the Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

THAT, the Senate adopts the Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration on implementation of the Senate Resolution on the Current State of the Nation made on Wednesday, 24<sup>th</sup> July, 2024, laid on the Table of the Senate on Tuesday, 3<sup>rd</sup> June, 2025.

8. **STATEMENTS**

**Requests for Statement pursuant to Standing Order 53(1)**

- i) The Senator for Kitui County (Sen. Enoch Wambua, MP) sought a Statement from the Standing Committee on National Security, Defense and Foreign Relations regarding the resurgence of banditry in Kitui County.
  - ii) The Senator for Kitui County (Sen. Enoch Wambua, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the status of construction of Kibwezi-Mutomo-Kitui-Migwani-Mbondoni Road.
  - iii) Nominated Senator (Sen. Miraj Abdillahi, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding alleged restriction of the number of passenger seats by M/S. Qatar Airways and Turkish Airlines on their direct flights to the Moi International Airport, Mombasa.
  - iv) The Senator for Tharaka-Nithi County (Sen. Mwenda Gataya, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the protection of the dignity and welfare of the boychild and men in Kenya.
9. **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, 7<sup>th</sup> May, 2025.

*(The Chairperson, Standing Committee on Health - 07.05.2025)*

Debate interrupted on Thursday, 29<sup>th</sup> May, 2025, resumed for Question to be put.

Before the Question was put, and pursuant to Standing Order No. 84(2), the Speaker ruled that the Motion does not affect counties.

And the Speaker having ascertained that there was Quorum, pursuant to Standing Order 42(1);

Question put and agreed to.

### **RESOLVED ACCORDINGLY**

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, 7<sup>th</sup> May, 2025.

### **10. MOTION – REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE FOURTH BASIS FOR ALLOCATING THE SHARE OF NATIONAL REVENUE AMONG COUNTIES**

Order read;

Motion made and Question proposed;

THAT, the Senate notes the Report of the Standing Committee on Finance and Budget on the Fourth Basis for Allocating the Share of National Revenue Among the Counties, laid on the Table of the Senate on Thursday, 17th April, 2025, and that pursuant to Article 217(1) of the Constitution, approves the Fourth Basis for Allocating the Share of National Revenue Among the Counties for the Financial Years 2025/2026 to 2029/2030 as follows-

**County Allocation = (Baseline Allocation Ratio\* Ksh. 387.425 billion) + (Ksh. 2 billion shared equally among the identified 11 counties) + {(0.45\*Population Index) + (0.35\*Equal Share Index) + (0.12\*Poverty Index) + (0.08\*Geographical Size Index)} \*Additional County Equitable Share above Ksh. 389.425 billion}.**

Where –

- i) *Baseline Allocation Ratio = The allocation factor derived from each County's allocation for the Financial Year 2024/2025;*
- ii) *The 11 identified counties are: - Elgeyo/Marakwet, Embu, Isiolo, Kirinyaga, Laikipia, Lamu, Nyamira, Samburu, Taita/Taveta, Tharaka-Nithi and Vihiga;*

- iii) *The Population Index is based on the 2019 Kenya Population and Housing Census (KPHC);*
- iv) *The Poverty Index is based on the 2022 Kenya Poverty Report by the Kenya National Bureau of Statistics (KNBS); and*
- v) *Geographical Size is capped at 10%.*

*(The Chairperson, Standing Committee on Finance and Budget)*

Debate arising;

Raising a point of order pursuant to Standing Order 110(1) the Senator for Vihiga County (Sen. Godfrey Osotsi, MP) claimed to move-

“That, the debate be now adjourned”.

And the Temporary Speaker (Sen. Catherine Mumma, MP) acceding to the claim;

Motion made and Question proposed;

“THAT, the debate be now adjourned”

*(Sen. Godfrey Osotsi, MP)*

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

Question put and agreed to.

11. **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 – 29.05.2025)*

Debate interrupted on Thursday, 29<sup>th</sup> May, 2025 resumed;

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

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

**MEMORANDUM**

*The Speaker will take the Chair on  
Wednesday, June 04, 2025 at 9:30 am*