



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT (FOURTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, JUNE 16, 2020 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. **COMMUNICATION FROM THE CHAIR - APPROVAL BY THE KIRINYAGA COUNTY ASSEMBLY, OF A MOTION TO REMOVE FROM OFFICE BY IMPEACHMENT, THE GOVERNOR OF KIRINYAGA COUNTY.**

The Speaker conveyed the following Communication from the Chair: -

“Honourable Senators,

By a letter, Ref: CAK/SPK/SEN/1/001, dated 9<sup>th</sup> June, 2020 and received in the Office of the Speaker of the Senate on Wednesday, 10<sup>th</sup> June, 2020, the Speaker of the County Assembly of Kirinyaga informed the Speaker of the Senate that at a sitting of the County Assembly held on the morning of Tuesday, 9<sup>th</sup> June, 2020, the County Assembly of Kirinyaga approved a Motion, pursuant to Section 33(2) of the County Governments Act, for the removal from office, by impeachment, of Governor Anne Mumbi Waiguru, the Governor of Kirinyaga County.

The Speaker of the County Assembly also forwarded copies of the following documents –

- (a) The Order Paper for the morning sitting of Tuesday, 9<sup>th</sup> June, 2020 of the Kirinyaga County Assembly;
- (b) Notice of Motion on the proposed removal from office, by impeachment, of the Governor of Kirinyaga County, dated 8<sup>th</sup> June, 2020;
- (c) The Roll Call Register on the Motion for the removal from office, by impeachment, of the Governor; and
- (d) Copies of documents containing the grounds and particulars on which the proposal for impeachment was made.

Honourable Senators,

In terms of Article 181 of the Constitution, Section 33(3)(a) of the County Governments Act, 2012 and Standing Order 75(1)(a) of the Senate Standing Orders, the Speaker of the Senate is required “*within seven days after receiving notice of a resolution from the speaker of a county assembly to convene a meeting of the Senate to hear charges against the Governor.*”

Consequently, Honourable Senators, pursuant to Section 33(3)(b) of the County Governments Act and Standing Order 75(1)(a) of the Senate Standing Orders, I hereby proceed to read the Charges against the Governor of Kirinyaga County –

A. Gross Violation of the Constitution

The particulars cited under this ground are as follows-

- (a) Failing to deliver the annual State of the County Address to the County Assembly;
- (b) Undermining the authority of the County Assembly;
- (c) Violations under written law, including violation of the Public Procurement and Asset Disposal Act, 2015 and the Public Finance and Management Act, 2012; and
- (d) Violation of Article 201(a), (d) and (e) and Article 227(1) of the Constitution.

B. Abuse of Office and Gross Misconduct

The particulars cited under this ground are as follows-

- (a) Violation of section 46 of the Public Procurement and Asset Disposal Act, 2015;
- (b) Violation of Article 201(a), (d) and (e) and Article 227(1) of the Constitution;
- (c) Improperly conferring a benefit to herself;
- (d) Violation of the Public Finance Management Act, 2012 and the Salaries and Remuneration Commission Act, 2011; and
- (e) Violation of the right to health of the people of Kirinyaga County.

Honourable Senators,

In terms of the way forward, following the reading of the charges against the Governor, Standing Order 75(1)(b) of the Senate Standing Orders, gives the Senate two options on how to proceed with the matter. The Senate may –

- (a) *by Resolution, appoint a Special Committee comprising eleven of its members to investigate the matter; or*
- (b) *investigate the matter in plenary.*

The Senate Majority Leader shall shortly be giving Notice of a Motion for the establishment of a Special Committee. Should the Motion for the establishment of a Special Committee eventually pass, the Special Committee will be required, under

Section 33(4) of the County Governments Act, and Standing Order 75(2) of the Senate Standing Orders to investigate the matter and to report to the Senate on whether it finds the particulars of the allegations against the Governor to have been substantiated.

Honourable Senators,

It is noteworthy, and I wish to emphasize to all Honourable Senators, that when we come to the debate on the Motion to establish the Special Committee, debate on the Motion shall be limited to the substance of the Motion, namely, whether or not to establish the Special Committee. It will not be a debate on the substance of the impeachment or its merits, propriety, prudence or even the constitutionality or the legality of the processes that have preceded the submission of this matter to the Senate. It is, therefore, not permissible to deviate to any matters other than the Motion before the Senate.

However, should the Motion for the establishment of a Special Committee not pass, the Senate shall proceed to investigate and consider the matter in Plenary. In that event, I will appoint the dates on which the Senate will sit in Plenary to hear and dispose of the matter.

Honourable Senators,

The hearing of charges for the proposed removal from office of a Governor is one of the most important functions of the Senate under the Constitution. In undertaking this mandate, the Senate will be sitting as a quasi-judicial body and will conduct investigations into disputed claims and alleged infractions of the Constitution and the law and will thereafter, make its determination. In this regard, it shall be out of order, within the meaning of Standing Order 117, for any Senator to make comments, whether written or spoken, in relation to the conduct of the Governor or the impeachment process, outside the confines of the impeachment proceedings; as such comments may prejudice the just outcome of the process.

I conclude by urging all Senators to exercise the highest level of responsibility on this matter.

I thank you.”

#### 4. **PETITION**

Pursuant to Standing Order 226 (1) (a) and 230 (2) (b) the Speaker of the Senate presented to the Senate a Petition by Ms. Carole Karuga, MBS, concerning poor administration of land registries countrywide and frequent closure of the Central and Nairobi Land Registries.

Pursuant to Standing Order 231, the Speaker invited Senators to comment on the Petition and, subsequently, committed the Petition to the Standing Committee on

Land, Environment and Natural Resources for consideration, pursuant to Standing Order 232 (1).

5. **PAPERS**

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

- i) Third Report of the Procedure and Rules Committee on amendments to the Senate Standing Orders to facilitate virtual sittings of the Senate and its committees.

*(Vice-Chairperson, Procedure and Rules Committee)*

- ii) The Crops (Tea Industry) Regulations, 2020 - Legal Notice No. 97 of 2020;
- iii) The Crops (Sugar) (General) Regulations, 2020 - Legal Notice No. 99 of 2020.

*(The Deputy Majority Leader)*

- iv) Report of the Standing Committee on Land, Environment and Natural Resources on the Wildlife Conservation and Management (Amendment) Bill (Senate Bills No. 24 of 2019).

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

- v) Report of the Standing Committee on Justice, Legal Affairs and Human Rights on the approval of Hon. Rachel Ameso Amollo, for appointment as a non-Member of Parliament Commissioner to the Parliamentary Service Commission.

*(Vice-Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)*

- vi) The Seventh progress report of the Ad-Hoc Committee on COVID – 19 Situation in Kenya

*(Chairperson, Ad-hoc Committee on COVID-19 Situation in Kenya)*

6. **NOTICE OF MOTION - APPROVAL OF THE THIRD REPORT OF THE PROCEDURE AND RULES COMMITTEE ON AMENDMENTS TO THE SENATE STANDING ORDERS TO FACILITATE VIRTUAL SITTINGS OF THE SENATE AND ITS COMMITTEES**

*(Vice-Chairperson, Procedure and Rules Committee)*

**THAT**, Pursuant to Standing Orders 252 and 255, the Senate approves the Third Report of the Procedure and Rules Committee on amendments to the Senate Standing Orders to facilitate virtual sittings of the Senate and its committees, laid on the table of the

Senate on, Tuesday, 16<sup>th</sup> June, 2020, and pursuant to the provisions of Article 124(1) of the Constitution and Standing Orders 255 and 257-

- i. resolves to amend its Standing Orders as contained in Appendix 1 of the Report; and,
- ii. orders that the amendments to the Standing Orders as contained in Appendix 1 of the Report shall come into effect upon approval.

7. **NOTICE OF MOTION - ESTABLISHMENT OF A SELECT COMMITTEE TO INVESTIGATE THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF THE GOVERNOR OF KIRINYAGA COUNTY**

(The Senate Majority Leader)

**THAT, WHEREAS**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act, 2012, and Standing Order 58 of the Kirinyaga County Assembly Standing Orders, on 9<sup>th</sup> June, 2020, the County Assembly of Kirinyaga approved a Motion to remove from office, by impeachment, Hon. Anne Mumbi Waiguru, the Governor of Kirinyaga County;

**AND FURTHER, WHEREAS** by letter Ref. Ref: CAK/SPK/SEN/1/001 dated 9<sup>th</sup> June, 2020, and received in the Office of the Speaker of the Senate on Wednesday, 10<sup>th</sup> June, 2020, the Speaker of the County Assembly of Kirinyaga informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

**AND WHEREAS**, pursuant to Section 33(3)(b) of the County Governments Act, 2012 and standing order 75(1)(b) of the Senate, the Senate may, by resolution, appoint a special committee comprising eleven of its Members to investigate the matter or investigate the matter in Plenary;

**NOW THEREFORE**, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 75(1)(b)(i), the Senate resolves to establish a special committee comprising -

- 1) Sen. Abshiro Halake, MP;
- 2) Sen. (Dr.) Michael Mbiti, MP;
- 3) Sen. Mwangi Paul Githiomi, MP;
- 4) Sen. Beth Mugo, EGH, MP;
- 5) Sen. Anuar Loitiptip, MP;
- 6) Sen. Philip Mpaayei, MP;
- 7) Sen. Cleophas Malalah, MP;
- 8) Sen. Beatrice Kwamboka, MP;
- 9) Sen. Stewart Madzayo, MP;
- 10) Sen. Judith Pareno, MP; and
- 11) Sen. Moses Kajwang', MP.

to investigate the proposed removal from office by impeachment of the Governor of Kirinyaga County and to report to the Senate within ten (10) days, pursuant to Standing Order 75(2), of its appointment, on whether it finds the particulars of the allegations to have been substantiated.

8. **NOTICE OF MOTION - ADOPTION OF REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON THE APPROVAL OF HON. RACHEL AMESO AMOLLO, FOR APPOINTMENT AS A NON-MEMBER OF PARLIAMENT COMMISSIONER TO THE PARLIAMENTARY SERVICE COMMISSION**

(Vice-Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights, on the approval of Hon. Rachel Ameso Amollo, for appointment as a non-Member of Parliament Commissioner to the Parliamentary Service Commission, laid on the table of the Senate on Tuesday, 16th June, 2020, pursuant to Standing Order 71, and that pursuant to Article 127(2)(d) of the Constitution and Section 9(2) of the Parliamentary Service Act, approves the appointment of Hon. Rachel Ameso Amollo, as a Member of the Parliamentary Service Commission.

9. **NOTICE OF MOTION - ALTERATION OF THE SENATE CALENDAR (REGULAR SESSIONS) FOR THE FOURTH SESSION**

(The Deputy Majority Whip)

**THAT**, notwithstanding the Senate Resolutions made on 27<sup>th</sup> February, 2020 (approval of Senate Calendar), 17<sup>th</sup> March, 2020, 14<sup>th</sup> April, 2020 and 2<sup>nd</sup> June, 2020 (alteration of the Senate Calendar), the Senate, pursuant to Standing Order 29 (4) and 31 (3) (b) now resolves to hold its Sittings on Tuesday, 23<sup>rd</sup> June, 2020 morning (starting from 10.00 am and ending at 12.30 pm) and afternoon and thereafter proceed on recess and resume Sittings on Tuesday, 7<sup>th</sup> July, 2020.

10. **NOTICE OF MOTION - ADOPTION OF THE SEVENTH PROGRESS REPORT OF THE AD-HOC COMMITTEE ON COVID-19 SITUATION IN KENYA**

(Chairperson, Ad-hoc Committee on COVID-19 Situation in Kenya)

THAT, the Senate adopts the Seventh Progress Report of the Ad-hoc Committee on COVID –19 Situation in Kenya, laid on the Table of the Senate on Tuesday, 16th June, 2020.

11. **STATEMENT PURSUANT TO STANDING ORDER 47(1)**

The Senator for Vihiga County (Sen. George Khaniri, MP) made a Statement on the late John Nyenze.

Thereupon, the Senator informed the House that the country has lost one of the greatest pioneer of twist musicians, the great music maestro John Amutabi Mwangi Nzenze. He however, noted that the death of Mzee Nzenze was actually a

celebration of a life well lived for his moves, tunes and sounds will live on with the generations to come.

The Senator further explained that twist music was one of the earliest inventions of indigenous music styles introduced in the country even before independence by Kenyan natives. Noting that there are numerous pioneer artists of twist music who had since passed away, they included; Daudi Kabaka, Gabriel Omolo, Habel Kifoto and now Mzee John Nzenze, who belted timeless songs like *Msichana Wa Elimu, Lunch Time, Christina, Angelike* among others that had the themes of love, life, nationalism, patriotism and development.

The Senator expressed his disappointment in the Music Copyright Society of Kenya (MCSK) saying that it had failed to live up to its purpose of collecting royalties for and fairly handing over the same to artists. He alluded this to the mismanagement and corruption at the MCSK which was not only illegal but immoral. He proposed that the Cabinet Secretary, Ministry of Sports, Culture and Heritage should institute measures to preserve the African heritage in the form of music and develop policies that will ensure men and women who flew the national flag high internationally are appreciated.

In conclusion, he said that despite the government having failed musicians for a very long time with regard to the provision of special social protection, Kenyans should learn to celebrate their heroes.

12. **MOTION – EXTENSION OF SITTING TIME**

Motion made and Question proposed-

That, notwithstanding the provisions of Standing Order 31(2) and pursuant to the provisions of Standing Order 31(3)(a) the Senate resolves to extend its sitting time until conclusion of the business listed in order 15 and 24 in today's Order Paper.

*(Sen. Kipchumba Murkomen, MP)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Speaker informed the Senate that the Motion does not affect counties.

Cognizant of the need to accord Senators seated in the extended Chamber a chance to vote, the House proceeded to a Division;

The Speaker directed that roll call vote be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and committee sittings during the Covid-19 pandemic situation dated April 17<sup>th</sup> 2020, and that the Division Bell be rung for one minute;

After the expiry of one minute, the Speaker directed that the doors be locked and the bars drawn;

The names of the Tellers were announced;

1. Sen. Kipchumba Murkomen – Ayes
2. Sen. Irungu Kang’ata – Noes

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

The results of the Division were as follows:-

AYES – 18      NOES – 41      ABSTENTIONS – 0

**AYES**

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Cheruiyot Aaron Kipkirui
3. Sen. Iman Falhada Dekow
4. Sen. Kabaka Boniface Mutinda
5. Sen. Kibiru Charles Reubenson
6. Sen. Kihika Susan Wakarura
7. Sen. Langat Christopher Andrew
8. Sen. Lelegwe Ltumbesi
9. Sen. Linturi Franklin Mithika
10. Sen. Lokorio Petronila Were
11. Sen. Mahamud Mohamed Maalim
12. Sen. Murkomen Onesimus Kipchumba
13. Sen. Nderitu John Kinyua
14. Sen. Ndwiga Peter Njeru
15. Sen. Omanga Millicent
16. Sen. Sakaja Johnson Arthur
17. Sen. Wambua Enoch Kiio
18. Sen. Wario Golich Juma

**NOES**

1. Sen. Adan Dullo Fatuma
2. Sen. Boy Issa Juma
3. Sen. Chebeni Mercy
4. Sen. Gona Christine Zawadi
5. Sen. Haji Farihiya Ali
6. Sen. Haji Mohamed Yusuf
7. Sen. Halake Abshiro Soka
8. Sen. Hargura Godana
9. Sen. Inimah Getrude Musuruve
10. Sen. Kajwang’ Moses Otieno
11. Sen. Kamar Margaret Jepkoech
12. Sen. Kang’ata Irungu
13. Sen. Kasanga Sylvia Mueni
14. Sen. Kilonzo Mutula Junior



15. Sen. Kirinyaga Ephraim Maina
16. Sen. Loiptip Anuar
17. Sen. Madzayo Stewart Mwachiru
18. Sen. Makori Beatrice Kwamboka
19. Sen. Malalah Cleophas Wakhungu
20. Sen. Masitsa Naomi Shiyonga
21. Sen. Mbito Michael Maling'a
22. Sen. Mbogo George Ochilo Ayacko
23. Sen. Milgo Alice Chepkorir
24. Sen. Moi Gideon Kipsielei Towett
25. Sen. Mpaayei Philip Salau
26. Sen. Mwangi Paul Githiomi
27. Sen. Mwaruma Johnes Mwashushe
28. Sen. Isaack Mwaura
29. Sen. Mwinyi Haji Mohamed Faki
30. Sen. Nyamunga Rose Ogendo
31. Sen. Ole Kina Ledama
32. Sen. Onger Samson Kegengo
33. Sen. Orengo James
34. Sen. Outa Fredrick Otieno
35. Sen. Pareno Judith Ramaita
36. Sen. Poghision Samuel Losuron
37. Sen. Prengei Victor
38. Sen. Senata Mary Yiane
39. Sen. Wako Sitswila Amos
40. Sen. Waqo Naomi Jilo
41. Sen. Zani Agnes Philomena

Question Negatived.

13. **MOTION - ESTABLISHMENT OF A SELECT COMMITTEE TO INVESTIGATE THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF THE GOVERNOR OF KIRINYAGA COUNTY**

Motion made and Question proposed-

**THAT, WHEREAS**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act, 2012, and Standing Order 58 of the Kirinyaga County Assembly Standing Orders, on 9<sup>th</sup> June, 2020, the County Assembly of Kirinyaga approved a Motion to remove from office, by impeachment, Hon. Anne Mumbi Waiguru, the Governor of Kirinyaga County;

**AND FURTHER, WHEREAS** by letter Ref. Ref: CAK/SPK/SEN/1/001 dated 9<sup>th</sup> June, 2020, and received in the Office of the Speaker of the Senate on Wednesday, 10<sup>th</sup> June, 2020, the Speaker of the County Assembly of Kirinyaga informed the Speaker of the Senate of the approval of the Motion by the County Assembly and

further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

**AND WHEREAS**, pursuant to Section 33(3)(b) of the County Governments Act, 2012 and standing order 75(1)(b) of the Senate, the Senate may, by resolution, appoint a special committee comprising eleven of its Members to investigate the matter or investigate the matter in Plenary;

**NOW THEREFORE**, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 75(1)(b)(i), the Senate resolves to establish a special committee comprising –

- 1) Sen. Abshiro Halake, MP;
- 2) Sen. (Dr.) Michael Mbiti, MP;
- 3) Sen. Mwangi Paul Githiomi, MP;
- 4) Sen. Beth Mugo, EGH, MP;
- 5) Sen. Anuar Loitiptip , MP;
- 6) Sen. Philip Mpaayei, MP;
- 7) Sen. Cleophas Malalah, MP;
- 8) Sen. Beatrice Kwamboka, MP;
- 9) Sen. Stewart Madzayo, MP;
- 10) Sen. Judith Pareno, MP; and
- 11) Sen. Moses Kajwang', MP.

to investigate the proposed removal from office by impeachment of the Governor of Kirinyaga County and to report to the Senate within ten (10) days, pursuant to Standing Order 75(2), of its appointment, on whether it finds the particulars of the allegations to have been substantiated.

*(Deputy Majority Whip on behalf of the Senate Majority Leader)*

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

Before the Question was put and pursuant to Standing Order 79, the Speaker informed the Senate that the Motion does not affect counties.

The House proceeded to a Division;

The Speaker directed that roll call vote be taken pursuant to Standing Order 83 (1), and in line with the further Guidelines by the Speaker for Senate plenary and committee sittings during the Covid-19 pandemic situation dated April 17<sup>th</sup> 2020, and that the Division Bell be rung for one minute;

The names of the Tellers were announced;

1. Sen. Irungu Kang'ata – Ayes
2. Sen. Kipchumba Murkomen – Noes

After the expiry of one minute, the Speaker directed that the doors be locked and the bars drawn;

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

The results of the Division were as follows:-

AYES – 45      NOES – 14      ABSTENTIONS – 1

**AYES**

1. Sen. Adan Dullo Fatuma
2. Sen. Boy Issa Juma
3. Sen. Chebeni Mercy
4. Sen. Gona Christine Zawadi
5. Sen. Haji Farihiya Ali
6. Sen. Haji Mohamed Yusuf
7. Sen. Halake Abshiro Soka
8. Sen. Hargura Godana
9. Sen. Inimah Getrude Musuruve
10. Sen. Kajwang' Moses Otieno
11. Sen. Kamar Margaret Jepkoech
12. Sen. Kang'ata Irungu
13. Sen. Kasanga Sylvia Mueni
14. Sen. Khaniri George
15. Sen. Kilonzo Mutula Junior
16. Sen. Kirinyaga Ephraim Maina
17. Sen. Lelegwe Ltumbesi
18. Sen. Loiptip Anuar
19. Sen. Lokorio Petronila Were
20. Sen. Madzayo Stewart Mwachiru
21. Sen. Makori Beatrice Kwamboka
22. Sen. Malalah Cleophas Wakhungu
23. Sen. Masitsa Naomi Shiyonga
24. Sen. Mbito Michael Maling'a
25. Sen. Mbogo George Ochilo Ayacko
26. Sen. Milgo Alice Chepkorir
27. Sen. Mogeni Erick Okong'o
28. Sen. Moi Gideon Kipsielei Towett
29. Sen. Mpaayei Philip Salau
30. Sen. Mwangi Paul Githiomi
31. Sen. Mwaruma Johnes Mwashushe
32. Sen. Mwaura Isaack
33. Sen. Mwinyi Haji Mohamed Faki
34. Sen. Nyamunga Rose Ogendo
35. Sen. Ole Kina Ledama

36. Sen. Onger Samson Kegengo
37. Sen. Orengo James
38. Sen. Outa Fredrick Otieno
39. Sen. Pareno Judith Ramaita
40. Sen. Poghision Samuel Losuron
41. Sen. Prengei Victor
42. Sen. Senata Mary Yiane
43. Sen. Wako Sitswila Amos
44. Sen. Waqo Naomi Jilo
45. Sen. Zani Agnes Philomena

**NOES**

1. Sen. Cherarkey Samson Kiprotich
2. Sen. Cheruiyot Aaron Kipkirui
3. Sen. Iman Falhada Dekow
4. Sen. Kibiru Charles Reubenson
5. Sen. Kihika Susan Wakarura
6. Sen. Langat Christopher Andrew
7. Sen. Linturi Franklin Mithika
8. Sen. Murkomen Onesimus Kipchumba
9. Sen. Nderitu John Kinyua
10. Sen. Ndwiga Peter Njeru
11. Sen. Omanga Millicent
12. Sen. Sakaja Johnson Arthur
13. Sen. Wambua Enoch Kiio
14. Sen. Wario Golich Juma

**ABSTENSION**

Sen. Mahamud Mohamed Maalim

Question agreed to

**RESOLVED ACCORDINGLY**

**THAT, WHEREAS**, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act, 2012, and Standing Order 58 of the Kirinyaga County Assembly Standing Orders, on 9<sup>th</sup> June, 2020, the County Assembly of Kirinyaga approved a Motion to remove from office, by impeachment, Hon. Anne Mumbi Waiguru, the Governor of Kirinyaga County;

**AND FURTHER, WHEREAS** by letter Ref. Ref: CAK/SPK/SEN/1/001 dated 9<sup>th</sup> June, 2020, and received in the Office of the Speaker of the Senate on Wednesday, 10<sup>th</sup> June, 2020, the Speaker of the County Assembly of Kirinyaga informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

**AND WHEREAS**, pursuant to Section 33(3)(b) of the County Governments Act, 2012 and standing order 75(1)(b) of the Senate, the Senate may, by resolution, appoint a special committee comprising eleven of its Members to investigate the matter or investigate the matter in Plenary;

**NOW THEREFORE**, pursuant to section 33(3)(b) of the County Governments Act, 2012 and standing order 75(1)(b)(i), the Senate resolves to establish a special committee comprising –

- 1) Sen. Abshiro Halake, MP;
- 2) Sen. (Dr.) Michael Mbito, MP;
- 3) Sen. Mwangi Paul Githiomi, MP;
- 4) Sen. Beth Mugo, EGH, MP;
- 5) Sen. Anuar Loitiptip , MP;
- 6) Sen. Philip Mpaayei, MP;
- 7) Sen. Cleophas Malalah, MP;
- 8) Sen. Beatrice Kwamboka, MP;
- 9) Sen. Stewart Madzayo, MP;
- 10) Sen. Judith Pareno, MP; and
- 11) Sen. Moses Kajwang', MP.

to investigate the proposed removal from office by impeachment of the Governor of Kirinyaga County and to report to the Senate within ten (10) days, pursuant to Standing Order 75(2), of its appointment, on whether it finds the particulars of the allegations to have been substantiated.

14. **MOTION - ALTERATION OF THE SENATE CALENDAR (REGULAR SESSIONS) FOR THE FOURTH SESSION**

Motion made and Question proposed-

**THAT**, notwithstanding the Senate Resolutions made on 27<sup>th</sup> February, 2020 (approval of Senate Calendar), 17<sup>th</sup> March, 2020, 14<sup>th</sup> April, 2020 and 2<sup>nd</sup> June, 2020 (alteration of the Senate Calendar), the Senate, pursuant to Standing Order 29 (4) and 31 (3) (b) now resolves to hold its Sittings on Tuesday, 23<sup>rd</sup> June, 2020 morning (starting from 10.00 am and ending at 12.30 pm) and afternoon and thereafter proceed on recess and resume Sittings on Tuesday, 7<sup>th</sup> July, 2020.

*(The Senate Majority Leader)*

There being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 79, the Speaker informed the Senate that the Motion does not affect counties.

Question put and agreed to.

**RESOLVED ACCORDINGLY**

**THAT**, notwithstanding the Senate Resolutions made on 27<sup>th</sup> February, 2020 (approval of Senate Calendar), 17<sup>th</sup> March, 2020, 14<sup>th</sup> April, 2020 and 2<sup>nd</sup> June,

2020 (alteration of the Senate Calendar), the Senate, pursuant to Standing Order 29 (4) and 31 (3) (b) now resolves to hold its Sittings on Tuesday, 23<sup>rd</sup> June, 2020 morning (starting from 10.00 am and ending at 12.30 pm) and afternoon and thereafter proceed on recess and resume Sittings on Tuesday, 7<sup>th</sup> July, 2020.

The Speaker pursuant to Standing Order 31(2) interrupted the proceedings at thirty eight Minutes past Six O'clock and adjourned the Senate without Question put.

15. **SENATE ROSE** - at thirty eight Minutes past Six O'clock.

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

*The Speaker will take the Chair on  
Tuesday, June 23, 2020 at 10:00 a.m.*

--x--