



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

AFTERNOON SITTING

TUESDAY, AUGUST 20, 2024 AT 2.00 PM

1. The Senate assembled at Two O'clock.
2. The proceedings were opened with a 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 out the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR ON THE NOMINEE FOR APPOINTMENT TO THE POSITION OF THE DIRECTOR GENERAL OF THE COMPETITION AUTHORITY**

The Speaker conveyed the following communication from the Chair-

“Honourable Senators,

Section 12(1) of the Competition Act provides for the position of the Director-General of the Competition Authority who shall be appointed by the Authority with the approval of Parliament.

Vide a letter, Ref. TNT/CONF/268/011”C” (78), dated 6th August, 2024, the Office of the Clerk received communication from His Excellency Dr. Musalia Mudavadi, EGH, the then Acting Cabinet Secretary of the National Treasury and Economic Planning, on the nominee for appointment to the position of the Director General of the Competition Authority of Kenya.

In the letter, the then Acting Cabinet Secretary indicated that, in exercise of the powers conferred by section 12 of the Competition Act, CAP 504, Mr. David Kibet Kemei had been nominated for appointment to the position of the Director-General of the Competition Authority and was, therefore seeking the approval of Parliament.

Honourable Senators,

The Act does not provide specific timelines within which Parliament is to consider the matter. However, section 8(1) of the Public Appointments (Parliamentary Approval) Act requires the Committee to undertake the exercise within twenty-eight (28) days from the date on which the notification of nomination was given in accordance with section 5.

Since the approval of Parliament is required and taking cognizance of the need to dispose of the matter expeditiously, I direct that the relevant committee of the Senate, namely the Standing Committee on Finance and Budget undertakes the approval hearing jointly with the equivalent committee of the National Assembly, namely the Departmental Committee on Finance and National Planning within the framework set out in the Public Appointment (Parliamentary Approval) Act as well as the Houses of Parliament (Joint Sittings) Rules.

I thank you.”

5. **HEARING AND DETERMINATION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA, THE GOVERNOR OF MERU COUNTY**

The Senate resumed its consideration of the matter of the proposed removal from Office, by impeachment, of Honourable Kawira Mwangaza, the Governor of Meru County –

Presentation of the case of the Governor of Meru County

Counsel for the Governor resumed the presentation of the case of the Governor, by leading the following witnesses in testifying before the Senate–

a) Mr. Dickson Munene Nkanata – County Executive Committee Member in charge of Legal Affairs, Public Service Management and Administration

The witness informed the Senate that –

- i.) the Governor was falsely accused of failing to appoint the Chairpersons of the Meru County Revenue Board, Meru Youth Service Board and Meru County Investment and Development Corporation, because the County Assembly of Meru had failed to approve or communicate its rejection of persons nominated to the said positions;

- ii.) the County Assembly of Meru had failed to approve or communicate its rejection of a report of a taskforce committee regarding the position of Chairperson of the Meru Microfinance Corporation;
- iii.) there was no law that mandated the County Assembly to dismiss the County Secretary and the Chief of Staff;
- iv.) the allegation against the Governor regarding the illegal dismissal of Dr. John Ntoiti, Paul Mwaki, Kenneth Mbae and Joseph Kithure was false as it was the former County Secretary that had sent the persons on compulsory leave and that the allegations had already been investigated and found to be unsubstantiated in a previous impeachment case before the Senate;
- v.) the Governor had not employed or recommended any persons for employment in the recent past and had refused deployment of additional personnel in her office; and
- vi.) the Governor played no role in authorising any payment of salaries and could also not interdict any employee of the county government as this was the mandate of the County Public Service Board.

The witness was cross-examined by Counsel for the County Assembly and re-examined by Counsel for the Governor.

Thereupon, Senators sought clarifications on the testimony, following which the witness was discharged.

b) Hon. Evans Mawira Kaaria – Member of the County Assembly of Meru

The witness took oath and informed the Senate that –

- i) he had previously moved an impeachment Motion against the Governor in November 2023. However, the Motion was moved out of fear of losing his position as the Majority Leader in the County Assembly and that he lost the position after expressing support for the Governor following the conclusion of that impeachment hearing;
- ii) the impeachment process was influenced by political leaders in Meru County, and that all political parties in the County Assembly were united to remove the Governor;
- iii) Members in the County Assembly who supported the impeachment Motion were facilitated by the County Assembly and received financial benefit in the form of Domestic Subsistence Allowances (DSA) while attending the impeachment proceedings in the Senate;
- iv) there were no efforts for reconciliation with the Governor by the County Assembly or the political class and that immediately after the decision

of the Senate on the previous impeachment, a majority of MCAs met severally and resolved to sabotage the working of the County Executive of Meru through the budget process and the introduction of a Petition in the County Assembly for the impeachment of all County Executive Committee Members (CECMs), Chief Officers (COs), the County Secretary and the Chief of Staff;

- v) the Governor made several attempts at reconciliation and had also reached out to him while he was the Majority Leader to assist in organising a meeting with all Members;
- vi) all Members who expressed support for the Governor were discharged from the Budget Committee, the Public Accounts Committee and the Committee on Implementation, which were among the key Committees of the County Assembly. Others were removed from the Speaker's Panel and from leadership positions in committees;
- vii) the membership of Speaker's Panel was expanded to eighteen and Members who supported the impeachment of the Governor were rewarded with the additional positions; and
- viii) Members who supported the Governor were also victimised, intimidated and were obstructed from executing their mandate through denial of entry into the County Assembly as well as exclusion from key meetings and training programmes.

The witness was cross-examined by Counsel for the County Assembly and re-examined by Counsel for the Governor.

Thereupon, Senators sought clarifications on the testimony, following which the witness was discharged.

c) Hon. Kawira Mwangaza – The Governor of Meru County.

The witness took oath and informed the Senate that-

- i) the Governor failed to appear before the County Assembly as summoned due to an existing court matter that was subject in the impeachment proceedings. As such, an appearance before the Assembly would have been considered contempt of court;
- ii) the Governor disputed the allegation of illegally revoking the appointment of CPA Virginia Kawira Miriti a secretary/CEO of the Meru County Public Service Board as her decision was informed by advice obtained from her legal team. The revocation not a dismissal as presented by the County Assembly, as Ms. Miriti had been offered other positions in the County Government;

- iii) the allegation that the Governor deliberately failed to approve or communicate the rejection of the nominees to the various semi-autonomous boards of the county government of Meru was false. There was correspondence showing that she sought approval of the nominees, which was denied by the County Assembly;
- iv) the allegations against the Governor of misleading the public, abuse of office through irregular payment to doctors, use of manual payroll or even employing a bloated workforce were false;
- v) the Governor maintained that she had not been incompetent or abused the office of governor, noting that she had limited executive power in disciplinary matters relating to employees;
- vi) the Governor had made considerable efforts to bridge gaps and foster peace with other leaders within the county and that she had strived to work harmoniously with everyone in Meru County. While she had succeeded in reconciling with some leaders, she had not yet managed to bring all of them together. Nonetheless, she remains committed to achieving this goal; and
- vii) given the circumstances, the Senate would find that none of the charges had been substantiated to the standard prescribed.

The witness was cross-examined by Counsel for the County Assembly and re-examined by Counsel for the Governor.

Thereupon, Senators sought clarifications on the testimony, following which the witness was discharged.

The Speaker thereafter invited counsel for the parties to make their closing statements –

a) Closing statements by the County Assembly

The Counsel for the County Assembly (Mr. Mwirigi Eric Muriuki and Mr. Mwangi Ndegwa) made their closing statements on behalf of the Assembly.

b) Closing statements by the Governor

The Counsel for the Governor (Mr. Elisha Ongoya) made his closing statements on behalf of the Governor.

Thereupon, the Senate proceeded to an in-camera session for thirty-five minutes, pursuant to Rule 27 of the Rules of Procedure for the hearing and determination on the proposed removal from office by impeachment of a governor in Plenary.

(Camera session)

6. **OPEN SESSION RESUMED** - at twelve minutes past Eleven O'clock.
7. **NOTICE OF MOTION - HEARING AND DETERMINATION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA, THE GOVERNOR OF MERU COUNTY.**

(The Senate Majority Leader)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on Thursday, 8th August, 2024, the Meru County Assembly approved a Motion to remove from office, by impeachment, Honourable Kawira Mwangaza, the Governor of Meru County;

AND FURTHER, WHEREAS by a letter Ref. MCA/RES/VOL.IV/79, dated 9th August, 2024, and received in the Office of the Speaker of the Senate on Friday, 9th August, 2024, the Speaker of the Meru County Assembly 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;

FURTHER WHEREAS, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 of the Senate, the Senate heard the County Assembly on the grounds for the proposed removal from office, by impeachment, of Honourable Kawira Mwangaza, the Governor of Meru County;

AND FURTHER, WHEREAS pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order No. 80, the Senate also heard the Honourable Kawira Mwangaza, on the grounds for her proposed removal from office, by impeachment, as the Governor of Meru County;

NOW THEREFORE, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80, the Senate resolves to remove from office, by impeachment, the Honourable Kawira Mwangaza, the Governor of Meru County, on the following charges-

Charge 1: Gross Violation of the Constitution and other laws

Charge 2: Gross Misconduct

Charge 3: Abuse of Office

8. **MOTION - HEARING AND DETERMINATION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA, THE GOVERNOR OF MERU COUNTY.**

Order read;

Motion made and Question proposed;

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on Thursday, 8th August, 2024, the Meru County Assembly approved a Motion to remove from office, by impeachment, Honourable Kawira Mwangaza, the Governor of Meru County;

AND FURTHER, WHEREAS by a letter Ref. MCA/RES/VOL.IV/79, dated 9th August, 2024, and received in the Office of the Speaker of the Senate on Friday, 9th August, 2024, the Speaker of the Meru County Assembly 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;

FURTHER WHEREAS, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 of the Senate, the Senate heard the County Assembly on the grounds for the proposed removal from office, by impeachment, of Honourable Kawira Mwangaza, the Governor of Meru County;

AND FURTHER, WHEREAS pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order No. 80, the Senate also heard the Honourable Kawira Mwangaza, on the grounds for her proposed removal from office, by impeachment, as the Governor of Meru County;

NOW THEREFORE, pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80, the Senate resolves to remove from office, by impeachment, the Honourable Kawira Mwangaza, the Governor of Meru County, on the following charges-

Charge 1: Gross Violation of the Constitution and other laws

Charge 2: Gross Misconduct

Charge 3: Abuse of Office

(The Senate Majority Leader)

Raising a point of order pursuant to Standing Order 111, the Senator for Nandi County (Sen. Samson Cherarkey, MP), claimed to move -

THAT, pursuant to Standing Order No. 111 (1), the Senate resolves to limit the allotted time for debate on the Motion to a maximum of three minutes per Senator.

(Sen. Samson Cherarkey, MP)

Debate arising;

And there being no other Senator wishing to contribute;

The Senate proceeded to a Division;

The 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 Speaker allowed four (4) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote as “**NO**”-

1. Sen. Madzayo Stewart Mwachiru, MP
2. Sen. Mogeni Erick Okong’o, MP
3. Sen. Olekina Ledama, MP
4. Sen. Osotsi Godfrey Atieno, MP

The results of the Division were as follows: -

AYES - 31

NOES - 9

ABSTENTION - 1

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Boy Issa Juma, MP
3. Sen. Mwinzagu Raphael Chimera, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chesang Allan Kiprotich, MP
7. Sen. Chute Mohamed Said, MP
8. Sen. Haji Abdul Mohammed, MP
9. Sen. Kamau Joseph Githuku, MP
10. Sen. Kathuri Murungi, MP
11. Sen. Keroche Tabitha Karanja, MP
12. Sen. Kipkiror William Cheptumo, MP
13. Sen. Lelegwe Steve Ltumbesi, MP
14. Sen. Mandago Jackson Kiplagat, MP
15. Sen. Methu John Muhia, MP
16. Sen. Mbugua George Mungai, MP
17. Sen. Mundigi Alexander Munyi, MP
18. Sen. Mungatana Danson Buya, MP
19. Sen. Murango James Kamau, MP
20. Sen. Mwenda Gataya Mo Fire, MP
21. Sen. Nderitu John Kinyua, MP
22. Sen. Ngugi Joe Joseph Nyutu, MP
23. Sen. Recha Julius Murgor, MP
24. Sen. Seki Lenku Ole Kanar, MP
25. Sen. Mutinda Maureen Tabitha, MP
26. Sen. Nyamu Karen Njeri, MP
27. Sen. Maina Veronica Waheti, MP

28. Sen. Wafula David Wakoli, MP
29. Sen. Wakili Hillary Kiprotich Sigei, MP
30. Sen. Korir Joyce Chepkoech, MP
31. Sen. Wamatinga Wahome, MP

NOES

1. Sen. Ekomwa James Lomenen, MP
2. Sen. Madzayo Stewart Mwachiru, MP – voted verbally
3. Sen. Mogeni Erick Okong’o, MP – voted verbally
4. Sen. Mwinyihaji Mohamed Faki, MP
5. Sen. Olekina Ledama, MP – voted verbally
6. Sen. Orwoba Gloria Magoma, MP
7. Sen. Osotsi Godfrey Atieno, MP – voted verbally
8. Sen. Omar Mariam Sheikh, MP
9. Sen. Tobiko Peris Pesi, MP

ABSTENTION

1. Sen. Abdulrahman Miraj Abdullahi

Question, **agreed to.**

Debate interrupted resumed;

And there being no other Senator wishing to contribute;

Mover replied.

Pursuant to Standing Order 80 (4) (b) the Governor was given an opportunity to be heard before the vote on the charges was taken;

Before the Question was put and pursuant to Standing Order 84(1) the Speaker ruled that the matter affects counties and voting would be by Delegations;

The Speaker directed that a vote would be taken on each charge separately;

The Speaker directed that electronic voting be taken pursuant to Standing Order 86 and that the division bell be rung for five minutes;

After the expiry of five minutes, the Speaker directed that the doors be closed and the bar be drawn and Senators asked to log-in for electronic voting;

Charge 1: Gross Violation of the Constitution and other Laws

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

Before the result of the Division was announced and pursuant to provisions of Standing Order 86 (5), the Speaker allowed fifteen (15) Senators to record their vote verbally.

Thereupon, the following Senators recorded their votes verbally-

YES

1. Sen. Adan Dullo Fatuma, MP

ABSTENTION

1. Sen. Boy Issa Juma, MP
2. Sen. Ekomwa James Lomenen, MP
3. Sen. Kajwang' Moses Otieno, MP
4. Sen. Khalwale Boni, MP
5. Sen. Maanzo Daniel Kitonga, MP
6. Sen. Madzayo Stewart Mwachiru, MP
7. Sen. Mogeni Erick Okong'o, MP
8. Sen. Muthama Agnes Kavindu, MP
9. Sen. Mwaruma Johnes Mwashushe, MP
10. Sen. Mwinyihaji Mohamed Faki, MP
11. Sen. Oketch Eddy Gicheru, MP
12. Sen. Okoiti Andrew Omtatah, MP
13. Sen. Olekina Ledama, MP
14. Sen. Wambua Enoch Kiio, MP

The results of the Division were as follows: -

AYES - 26**NOES - 0****ABSTENTION - 14****AYES**

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Cherarkey Samson, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chesang Allan Kiprotich, MP
6. Sen. Chute Mohamed Said, 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. Kipkiror William Cheptumo, MP
12. Sen. Lelegwe Steve Ltumbesi, MP
13. Sen. Mandago Jackson Kiplagat, MP
14. Sen. Methu John Muhia, MP
15. Sen. Mundigi Alexander Munyi, MP

16. Sen. Mungatana Danson Buya, MP
17. Sen. Murango James Kamau, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Ngugi Joe Joseph Nyutu, MP,
21. Sen. Recha Julius Murgor, MP
22. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP

ABSTENTION

1. Sen. Boy Issa Juma, MP – voted verbally
2. Sen. Ekomwa James Lomenen, MP – voted verbally
3. Sen. Kajwang’ Moses Otieno, MP – voted verbally
4. Sen. Khalwale Boni, MP – voted verbally
5. Sen. Maanzo Daniel Kitonga, MP – voted verbally
6. Sen. Madzayo Stewart Mwachiru, MP – voted verbally
7. Sen. Mogeni Erick Okong’o, MP – voted verbally
8. Sen. Muthama Agnes Kavindu, MP – voted verbally
9. Sen. Mwaruma Johnes Mwashushe, MP – voted verbally
10. Sen. Mwinyihaji Mohamed Faki, MP – voted verbally
11. Sen. Oketch Eddy Gicheru, MP – voted verbally
12. Sen. Okoiti Andrew Omtatah, MP – voted verbally
13. Sen. Olekina Ledama, MP – voted verbally
14. Sen. Wambua Enoch Kiio, MP – voted verbally

Question, **agreed to.**

Charge 2: Gross Misconduct

The 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 Speaker allowed eighteen (18) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote verbally-

YES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP

NOES

1. Sen. Ekomwa James Lomenen, MP
2. Sen. Onyonka Richard Momoima, MP

ABSTENTION

1. Sen. Boy Issa Juma, MP
2. Sen. Ekomwa James Lomenen, MP
3. Sen. Kajwang' Moses Otieno, MP
4. Sen. Khalwale Boni, MP
5. Sen. Maanzo Daniel Kitonga, MP
6. Sen. Madzayo Stewart Mwachiru, MP
7. Sen. Mogeni Erick Okong'o, MP
8. Sen. Muthama Agnes Kavindu, MP
9. Sen. Mwaruma Johnes Mwashushe, MP
10. Sen. Mwinyihaji Mohamed Faki, MP
11. Sen. Okoiti Andrew Omtatah, MP
12. Sen. Olekina Ledama, MP
13. Sen. Osotsi Godfrey Atieno, MP
14. Sen. Wambua Enoch Kiio, MP

The results of the Division were as follows: -

AYES – 26**NOES – 2****ABSTENTION – 14****AYES**

1. Sen. Abass Sheikh Mohamed, MP – voted verbally
2. Sen. Adan Dullo Fatuma, MP – voted verbally
3. Sen. Cherarkey Samson, MP
4. Sen. Cheruiyot Aaron Kipkirui, MP
5. Sen. Chesang Allan Kiprotich, MP
6. Sen. Chute Mohamed Said, 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. Kipkiror William Cheptumo, MP
12. Sen. Lelegwe Steve Ltumbesi, MP
13. Sen. Mandago Jackson Kiplagat, MP
14. Sen. Methu John Muhia, MP
15. Sen. Mundigi Alexander Munyi, MP
16. Sen. Mungatana Danson Buya, MP
17. Sen. Murango James Kamau, MP
18. Sen. Mwenda Gataya Mo Fire, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Ngugi Joe Joseph Nyutu, MP
21. Sen. Recha Julius Murgor, MP

22. Sen. Omar Mariam Sheikh, MP – voted on behalf of Mandera County Delegation
23. Sen. Seki Lenku Ole Kanar, MP
24. Sen. Wafula David Wakoli, MP
25. Sen. Wakili Hillary Kiprotich Sigei, MP
26. Sen. Wamatinga Wahome, MP

NOES

1. Sen. Ekomwa James Lomenen, MP – voted verbally
2. Sen. Onyonka Richard Momoima, MP – voted verbally

ABSTENTION

1. Sen. Boy Issa Juma, MP – voted verbally
2. Sen. Ekomwa James Lomenen, MP – voted verbally
3. Sen. Kajwang' Moses Otieno, MP – voted verbally
4. Sen. Khalwale Boni, MP – voted verbally
5. Sen. Maanzo Daniel Kitonga, MP – voted verbally
6. Sen. Madzayo Stewart Mwachiru, MP – voted verbally
7. Sen. Mogeni Erick Okong'o, MP – voted verbally
8. Sen. Muthama Agnes Kavindu, MP – voted verbally
9. Sen. Mwaruma Johnes Mwashushe, MP – voted verbally
10. Sen. Mwinyihaji Mohamed Faki, MP – voted verbally
11. Sen. Okoiti Andrew Omtatah, MP – voted verbally
12. Sen. Olekina Ledama, MP – voted verbally
13. Sen. Osotsi Godfrey Atieno, MP – voted verbally
14. Sen. Wambua Enoch Kiio, MP – voted verbally

Question – **agreed to.**

Charge 3: Abuse of Office

The 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 Speaker allowed fifteen (15) Senators to record their vote verbally.

Thereupon, the following Senators recorded their vote verbally-

YES

1. Sen. Adan Dullo Fatuma, MP

ABSTENTION

1. Sen. Boy Issa Juma, MP
2. Sen. Kajwang' Moses Otieno, MP
3. Sen. Khalwale Boni, MP
4. Sen. Maanzo Daniel Kitonga, MP
5. Sen. Madzayo Stewart Mwachiru, MP

6. Sen. Mogeni Erick Okong'o, MP
7. Sen. Muthama Agnes Kavindu, MP
8. Sen. Mwinyihaji Mohamed Faki, MP
9. Sen. Oketch Eddy Gicheru, MP
10. Sen. Okoiti Andrew Omtatah, MP
11. Sen. Olekina Ledama, MP
12. Sen. Onyonka Richard Momoima, MP
13. Sen. Osotsi Godfrey Atieno, MP
14. Sen. Wambua Enoch Kiio, MP

The results of the Division were as follows: -

AYES - 27

NOES - 1

ABSTENTION - 14

AYES

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

NOES

1. Sen. Mwaruma Johnes Mwashushe, MP

ABSTENTION

1. Sen. Boy Issa Juma, MP – voted verbally
2. Sen. Kajwang’ Moses Otieno, MP – voted verbally
3. Sen. Khalwale Boni, MP – voted verbally
4. Sen. Maanzo Daniel Kitonga, MP – voted verbally
5. Sen. Madzayo Stewart Mwachiru, MP – voted verbally
6. Sen. Mogeni Erick Okong’o, MP – voted verbally
7. Sen. Muthama Agnes Kavindu, MP – voted verbally
8. Sen. Mwinyihaji Mohamed Faki, MP – voted verbally
9. Sen. Oketch Eddy Gicheru, MP – voted verbally
10. Sen. Okoiti Andrew Omtatah, MP – voted verbally
11. Sen. Olekina Ledama, MP – voted verbally
12. Sen. Onyonka Richard Momoima, MP – voted verbally
13. Sen. Osotsi Godfrey Atieno, MP – voted verbally
14. Sen. Wambua Enoch Kiio, MP – voted verbally

Question – **agreed to.**

9. **COMMUNICATION FROM THE CHAIR ON THE EFFECT OF THE VOTE TO REMOVE FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA THE GOVERNOR OF MERU COUNTY.**

The Speaker conveyed the following Communication from the Chair: -

“Honourable Senators,

The result of the divisions indicate that the Senate has upheld the following impeachment charge(s):-

- Charge 1: Gross violation of the Constitution and any other law
- Charge 2: Gross Misconduct
- Charge 3: Abuse of Office

Honourable Senators,

Pursuant to Article 181 of the Constitution, Section 33 of the County Governments Act and Standing Order 80 (6) of the Senate Standing Orders, the Senate has resolved to remove from office by impeachment, Honourable Kawira Mwangaza, the Governor of Meru County and the Governor accordingly ceases to hold office.

I thank you.”

And there being no other business on the Order paper, the Speaker adjourned the Senate at nine minutes past One O’clock without Question put, pursuant to the Standing Orders.

10. SENATE ROSE - at nine minutes past One O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Tuesday, September 17, 2024 at 2.30 p.m.*