



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 25, 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 Delegation from the Senate of the Kingdom of Lesotho

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation from the Senate of the Kingdom of Lesotho. The delegation comprises Honourable Senators and parliamentary staff who are attending a capacity building programme on Legislative Leadership and Governance at the Centre for Parliamentary Studies and Training (CPST).

Honourable Senators,

I request each Member of the delegation to stand when called out so that they may be acknowledged in the Senate tradition –

- | | | |
|----|----------------------------------|-------------------------------------|
| 1. | Hon. Sen. 'Khoabane Theko, MP | Chief Whip and Leader of Delegation |
| 2. | Hon. Sen. Dr. Thabiso Lebeso, MP | Member |
| 3. | Hon. Sen. Tumane Matela, MP | Member |
| 4. | Hon. Sen. 'Mamolapo Majara, MP | Member |
| 5. | Hon. Sen. 'Makholu Moshoeshe, MP | Member |
| 6. | Hon. Sen. 'Mawinnie Kanetsi, MP | Member |
| 7. | Hon. Sen. Seabata Motsamai, MP | Member |
| 8. | Adv. Tseliso Molise | Clerk of the Senate of Lesotho |
| 9. | Mr. Maduma Tsepane | Clerk Assistant |

On behalf of the Senate and on my own behalf, I extend a warm welcome and wish you a fruitful visit.

I thank you.”

b) Substantiation of Facts Alleged to be True by Sen. Okiya Omtatah, MP, while Contributing to a Motion of Recording the Thanks of the Senate on Kenya’s Attempt for the Position of the Chairperson of the African Union Commission (AUC), on Wednesday, 19th February, 2025

“Honourable Senators,

As you may recall, at the afternoon sitting of the Senate held on Wednesday, 20th February, 2025, the Senator for Vihiga County, Sen. Godfrey Osotsi, CBS, MP, rose on a point of order pursuant to Standing Order 105 (1) to require the Senator for Busia County, Sen. Okiya Omtatah, MP, to substantiate statements made in the course of debate. The utterances by Sen. Omtatah, MP were made while the Senator was contributing to the Motion of the thanks of the Senate on Kenya’s attempt for the position of the Chairperson of the African Union Commission (AUC).

In the point of order, Sen. Osotsi, MP stated as follows –

“I think it is important for us to be told more about this Janjaweed. My little knowledge about Janjaweed is that it is a terrorist group that operates in the Sahel region of Sudan, Chad and Yemen. Sen. Okiya Omtatah, whom I respect a lot and I know he has a lot of information, has said that they have opened an office in Kenya. I think this is a serious matter that even I, as a representative of the people, would like to know more about that.”

The Senator further stated that *“...Have these people opened an office in Kenya and what action can we take as representatives of the people?”*

“... If, indeed, they are in Kenya and I do not want to doubt what Sen. Omtatah is saying because he has always proven that whatever he says he has researched very well, I think I need to know more about that.”

From a reading of the Hansard, the statements that Sen. Omtatah, MP was required to substantiate were –

“...Here we are, that today, in Nairobi, we have the Janjaweed being allowed to open an office. This is a genocidal organ that tried to eliminate black people.”

“...It is now on record. It is a matter of public notoriety that the Janjaweed, which has now been given an office in Nairobi to operate from, has a history of trying to eliminate black people.”

“...the Executive behaves like it is a law upon itself. That is why the Janjaweed can be given an office in Nairobi at the whims of an individual and claim that the people of Kenya have welcomed the Janjaweed to come and run its genocidal government from Nairobi. It is extremely sad.”

Honourable Senators,

Standing Order 105 (1) states that –

“A Senator shall be responsible for the accuracy of any facts that the Senator alleges to be true and may be required to substantiate any such facts instantly.”

Further, Standing Order 105 (2) states that –

“If a Senator has sufficient reason to convince the Speaker that the Senator is unable to substantiate the allegations instantly, the Speaker shall require that such Senator substantiates the allegations not later than the next sitting day, failure to which the Senator shall be deemed to be disorderly within the meaning of Standing Order 121 (Disorderly conduct) unless the Senator withdraws the allegations and gives a suitable apology....”

Honourable Senators,

Various Senators rose to make comments on the point of order raised by Sen. Osotsi, MP, including –

- i. Sen. Eddy Oketch, MP, who further sought the intervention of the Speaker to require Sen. Omtatah, MP to give evidence that indeed the Janjaweed is based in Kenya or otherwise has an office in Nairobi;
- ii. Sen. (Dr.) Boni Khalwale, MP who gave information in support of Sen. Omtatah’s argument that the Janjaweed is a terrorist group that operates in the Sahel region of Africa; and

- iii. Sen. Samson Cherarkey, MP, who informed the Senate on how the Janjaweed came to be and its metamorphosis to the Rapid Support Forces (RSF).

Other Senators who made comments to the point of order, included Sen. John Kinyua, MP, Sen. John Methu, MP and Sen. Okongo Mogeni, CBS, SC, MP.

Honourable Senators,

Sen. Omtatah's response to the point of order by Sen. Osotsi, MP was to refer the Senate to a URL, <https://www.cfr.org//global-conflict-tracker//conflict-power-struggle-Sudan>, despite being directed severally by the Chair to submit the same as evidence for substantiation with the Clerks at the table. His argument was that he had provided a URL as evidence for substantiation to the point of order raised by Sen. Osotsi, MP.

Sen. Omtatah subsequently walked out of the Chamber while comments on the point of order by the other Senators referred to above were being made. However, although he had exited the Chamber, the Chair required Sen. Omtatah to submit evidence to the claim he made regarding the Janjaweed.

At the subsequent sitting held on Thursday, 20th February, 2025, the Chair by way of Communication from the Chair invited Sen. Omtatah, MP, to submit evidence in support of his claim referred to above. Sen. Omtatah, MP, maintained his argument that the URL he had uttered was sufficient substantiation pursuant to Standing Order 105.

That being the case, I undertook to review the material and give a ruling on the matter, as it was not practical to make a determination then.

Honourable Senators,

From the foregoing, two items stand out for substantiation with respect to the point of order by Sen. Godfrey Osotsi, MP –

- i. Who the Janjaweed group is in general; and
- ii. Whether the Janjaweed has a base of operation or an office in Kenya.

As you may recall, I have, on several occasions, issued Communications from the Chair stating that any document/evidence tabled by a Senator in the Senate as evidence for substantiation of any allegations made under Standing Order 105, must pass a certain threshold. The obligation on the Speaker in such matters is to review the document or evidence tabled, determine their admissibility, establish whether the documents, if admissible, provide evidence of the claims made, and to finally make a ruling whether, accordingly, the threshold under Standing Order 105 has been met.

In undertaking the foregoing assessment, the following are the parameters that guide the Speaker –

- i. Is the evidence tabled from a source which by parliamentary practice is official and admissible? and
- ii. If the answer to (a) is in the affirmative, does the evidence relate to and verify the claim that was made and for which substantiation was required?

Honourable Senators,

You will appreciate that media has evolved over time across different digital platforms in the field of ICT. It is therefore imperative for Parliament and specifically the Senate, to adapt to the changing technological times and where necessary, amend its rules to accommodate digital/electronic evidence.

Having reviewed the URL uttered by Sen. Omtatah, MP, I now turn to the parameters of admissibility that I have referred to. As regards the first parameter – which is whether the evidence tabled or submitted was from a source which, by parliamentary practice, is official and admissible – upon accessing the URL, <https://www.cfr.org/global-conflict-tracker/conflict-power-struggle-Sudan>, it directs you to an article under the heading “*Civil War in Sudan by the Center for Preventive Action*” published on the website of the Council on Foreign Relations (CFR) and dated 3rd October, 2024.

Upon review of the URL referred to above, it indicates that CFR is a ‘nonpartisan, independent national membership organization, think tank, educator, and publisher, including of Foreign Affairs. It generates policy-relevant ideas and analysis, convenes experts and policymakers, and promotes informed public discussion—all to have impact on the most consequential issues facing the United States and the world’. The website appears to be the official website for the CFR. There is no evidence to suggest the contrary and this document is accordingly admissible.

Honourable Senators,

The second parameter, which is - *does the evidence relate to and verify the claim that was made and for which substantiation was required*. The URL provided by Sen. Omtatah, MP, sought to substantiate on who the Janjaweed group is and whether the Janjaweed has an office in Kenya.

In the first instance, the information on the URL illustrates the conflict in Sudan and the players involved. It also highlights the various efforts at mediation and conflict resolution by players such as the United Nations (UN) and the Inter-Governmental Authority and Development (IGAD).

The article makes reference to atrocities committed by the Janjaweed militia in Darfur and other parts of Sudan. It also makes further reference that RSF was created or has its roots from the Janjaweed militia. To this extent, the information satisfies the point of order by Sen. Godfrey Osotsi on the need to “*know more*” about the Janjaweed.

Honourable Senators,

As regards the second part of Sen. Osotsi’s point of order, the article in the URL does not give any indication that the outfit has a base in Nairobi or has an office in Kenya as alleged by Sen. Omtatah. Sen. Omtatah needed to substantiate his claim by either giving a physical or postal address where the Janjaweed has established an office in Nairobi. This has neither been done by the Senator nor has it been indicated in the article submitted for substantiation.

Accordingly, I find, and rule that this claim by Sen. Omtatah that the Janjaweed has an office in Nairobi has not been substantiated. In accordance with my findings, and the failure to meet the threshold for substantiation pursuant to Standing Order 105 (2), I direct the Senator to withdraw the remarks he made on Wednesday, 19th February, 2025 and apologize.

Honourable Senators,

Related to the process of substantiation required of Sen. Omtatah, MP on this matter, having reviewed the Hansard record of the proceedings on Wednesday, 19th February, 2025 (Afternoon Sitting), the Senator made the following utterances –

“Mr. Deputy Speaker, Sir, it is shameful that you can stand there and read a sanitized version of events. Very many Senators contributed to that Motion and unless you give a correct record of what happened, I am not going to be invited into that murky bubble in which you want this House to exist. I will not.”

The Senator went further to state the following –

“Mr. Deputy Speaker, Sir, I think we should conduct proceedings in this House in mother tongue.”

Honourable Senators,

I find these statements to be extremely disrespectful and condescending to the Chair and to the House. Consequently, I direct the Senator to proceed and apologize to the House as this is a serious affront on the orderly conduct of proceedings and a risk to the dignity of the House. All Senators, without exception, must conduct themselves with respect and decorum.

I now invite the Senator to withdraw the remarks on the allegations made in the course of debate and apologize to the House on the disrespectful remarks. I caution, as provided for in Standing Order 105(2), that failure to withdraw and apologize will be deemed to be disorderly within the meaning of Standing Order 121.

I thank you.”

Thereupon, the Senator withdrew the claim and apologized.

b) Visiting Teachers and Students from Kapkisiara Girls’ High School in Kericho County

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Kapkisiara Girls’ High School in Kericho County. The delegation comprises eight (8) teachers and one hundred and three (103) 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.”

2. **PAPERS LAID**

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

- i) Report of the Auditor General on Financial Statements of Laikipia County Financing Locally-Led Climate Action Programme for the year ended 30th June, 2024.
- ii) Report of the Auditor General on Financial Statements of the County Executive of Kilifi for the year ended 30th June, 2024.
- iii) Report of the Auditor General on Financial Statements of the Kilifi County Assembly for the year ended 30th June, 2024.
- iv) Report of the Auditor General on Financial Statements of the County Revenue Fund – County Government of Kilifi for the year ended 30th June, 2024.

- v) Report of the Auditor General on Financial Statements of the Receiver of Revenue - County Government of Kilifi for the year ended 30th June, 2024.
- vi) Report of the Auditor General on Financial Statements of the Kilifi County Assembly Members Mortgage and Car Loan Scheme Fund for the year ended 30th June, 2024.
- vii) Report of the Auditor General on Financial Statements of the Kilifi County Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2024.
- viii) Report of the Auditor General on Financial Statements of the Kilifi County Assembly (Staff) Mortgage Scheme Fund for the year ended 30th June, 2024.
- ix) Report of the Auditor General on Financial Statements of Kilifi County Emergency Fund for the year ended 30th June, 2024.
- x) Report of the Auditor General on Financial Statements of Kilifi County Microfinance (Wezeshu) Fund for the year ended 30th June, 2024.
- xi) Report of the Auditor General on Financial Statements of Kilifi County Ward Scholarship Fund for the year ended 30th June, 2024.
- xii) Report of the Auditor General on Financial Statements of the Municipality of Kilifi for the year ended 30th June, 2024.
- xiii) Report of the Auditor General on Financial Statements of the Municipality of Malindi for the year ended 30th June, 2024.
- xiv) Report of the Auditor General on Financial Statements of the Kilifi County Health Services Improvement Fund for the year ended 30th June, 2024.
- xv) Report of the Auditor General on Financial Statements of Kilifi County Referral Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xvi) Report of the Auditor General on Financial Statements of Mtwapa Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xvii) Report of the Auditor General on Financial Statements of Jibana Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.

- xviii) Report of the Auditor General on Financial Statements of Bamba Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xix) Report of the Auditor General on Financial Statements of Malindi Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xx) Report of the Auditor General on Financial Statements of Marafa Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xxi) Report of the Auditor General on Financial Statements of Mariakani Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xxii) Report of the Auditor General on Financial Statements of Gede Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xxiii) Report of the Auditor General on Financial Statements of Rabai Sub-County Level 4 Hospital – County Government of Kilifi for the year ended 30th June, 2024.
- xxiv) Report of the Auditor General on Financial Statements of Malindi Water and Sewerage Company Limited for the year ended 30th June, 2024.
- xxv) Report of the Auditor General on Financial Statements of Kilifi – Mariakani Water and Sewerage Company Limited for the year ended 30th June, 2024.
- xxvi) Report of the Auditor General on Financial Statements of Kilifi County Climate Change Fund for the year ended 30th June, 2023.
- xxvii) Report of the Auditor General on Financial Statements of Kilifi County Climate Change Fund for the year ended 30th June, 2024.
- xxviii) Report of the Auditor General on Financial Statements of the County Executive of Taita Taveta for the year ended 30th June, 2024.
- xxix) Report of the Auditor General on Financial Statements of the Taita Taveta County Assembly for the year ended 30th June, 2024.
- xxx) Report of the Auditor General on Financial Statements of the County Revenue Fund – Taita Taveta County Government for the year ended 30th June, 2024.

- xxxix) Report of the Auditor General on Financial Statements of the Receiver of Revenue - Taita Taveta County Government for the year ended 30th June, 2024.
- xxxii) Report of the Auditor General on Financial Statements of Taita Taveta County Assembly Members Car Loan and Mortgage Fund for the year ended 30th June, 2024.
- xxxiii) Report of the Auditor General on Financial Statements of Taita Taveta County Executive Staff Car Loan and Mortgage Revolving Fund for the year ended 30th June, 2024.
- xxxiv) Report of the Auditor General on Financial Statements of Taita Taveta County Assembly Staff Car Loan and Mortgage Fund for the year ended 30th June, 2024.
- xxxv) Report of the Auditor General on Financial Statements of Taita Taveta County Emergency Fund for the year ended 30th June, 2024.
- xxxvi) Report of the Auditor General on Financial Statements of Taita Taveta County Education Fund Board for the year ended 30th June, 2024.
- xxxvii) Report of the Auditor General on Financial Statements of Taita Taveta County Facilities Improvement Fund for the year ended 30th June, 2024.
- xxxviii) Report of the Auditor General on Financial Statements of Taita Taveta Investment and Development Corporation for the year ended 30th June, 2024.
- xxxix) Report of the Auditor General on Financial Statements of Taita Taveta Municipality for the year ended 30th June, 2024.
- xl) Report of the Auditor General on Financial Statements of Special Municipality of Mwatate for the year ended 30th June, 2024.
- xli) Report of the Auditor General on Financial Statements of Voi Municipality for the year ended 30th June, 2024.
- xlii) Report of the Auditor General on Financial Statements of Moi (Voi) County Referral Hospital – Taita Taveta County Government for the year ended 30th June, 2024.
- xliii) Report of the Auditor General on Financial Statements of Taveta Sub-County Hospital – Taita Taveta County Government for the year ended 30th June, 2024.
- xliv) Report of the Auditor General on Financial Statements of Wesu Sub-County Hospital – Taita Taveta County Government for the year ended 30th June, 2024.

- xliv) Report of the Auditor General on Financial Statements of Mwatate Sub-County Hospital – Taita Taveta County Government for the year ended 30th June, 2024.
- xlvi) Report of the Auditor General on Financial Statements of TAVEVO Water and Sewerage Company Limited for the year ended 30th June, 2024.
- xlvii) Report of the Auditor General on Financial Statements of Financing Locally Led Climate Actions (FLLOCA) – IDA V 319 – KE (P173065) for the County Government of Taita Taveta for the year ended 30th June, 2024.

(The Senate Majority Leader)

3. **NOTICE OF MOTION - VARIATION OF THE RESOLUTION OF THE SENATE ON THE REPORT OF THE COMMITTEE OF POWERS AND PRIVILEGES ON THE CONDUCT OF SEN. GLORIA ORWOBA, MP**
(The Senate Majority Leader)

THAT AWARE THAT on 20th September 2023, the Senate adopted the Report of the Committee of Powers and Privileges on the conduct of Sen. Gloria Orwoba, MP, and resolved to suspend the Senator from the precincts of Parliament for the remainder of the Second Session of the Thirteenth Parliament which period amounted to seventy-nine (79) calendar days;

COGNIZANT THAT Sen. Orwoba subsequently sought judicial intervention, obtaining a court order that stayed the implementation of the Senate’s resolution until the matter was determined, and that the High Court, in its judgment delivered on 15th January 2025, dismissed the petition, thereby reinstating the suspension;

CONSIDERING THAT Sen. Orwoba has shown considerable level of remorse and that following the Communication by the Speaker on Wednesday, 12th February, 2025, on the implementation of the resolution of the Senate on the “*Report of the Committee of Powers and Privileges on the conduct of Sen. Gloria Orwoba, MP*”, the Senator was apologetic of her conduct;

NOW THEREFORE, pursuant to section 17(3)(d) and (g) of the Parliamentary Powers and Privileges Act, the Senate resolves to vary its resolution made on 20th September, 2023 suspending Sen. Orwoba from the Senate and precincts of Parliament for seventy-nine (79) calendar days and reduces the suspension period to thirty (30) calendar days, commencing 12th February, 2025 to 13th March 2025, after which the Senator shall be allowed back to the Senate and the precincts of Parliament, on the terms resolved by the Senate on 20th September, 2023.

4. **NOTICE OF MOTION - REPORT OF THE STANDING COMMITTEE ON EDUCATION ON A PETITION TO THE SENATE REGARDING THE DISCRIMINATION BY TEACHERS SERVICE COMMISSION (TSC) ON PAYMENT OF HARDSHIP AND ENHANCED HOUSE ALLOWANCES TO SOME TEACHERS IN KILIFI AND TAITA TAVETA COUNTIES**

(Chairperson, Standing Committee on Education)

THAT, the Senate adopts the Report of the Standing Committee on Education on a Petition to the Senate regarding the discrimination by Teachers Service Commission (TSC) on payment of hardship and enhanced house allowances to some teachers in Kilifi and Taita Taveta counties, laid on the Table of the Senate on Tuesday, 8th October, 2024.

5. **NOTICE OF MOTION - REPORT OF THE STANDING COMMITTEE ON ENERGY ON ITS INQUIRY INTO THE LIQUEFIED PETROLEUM GAS (LPG) EXPLOSION IN MRADI AREA, EMBAKASI, NAIROBI CITY COUNTY**

(The Vice-Chairperson, Standing Committee on Energy)

THAT, the Senate adopts the Report of the Standing Committee on Energy on its inquiry into the Liquefied Petroleum Gas (LPG) explosion in Mradi Area, Embakasi, Nairobi City County, laid on the Table of the Senate on Thursday, 8th August, 2024.

6. **NOTICE OF MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO PERSONAL SECURITY CONCERNS RAISED BY HON. PHILOMENA KAPKORY, DEPUTY GOVERNOR, TRANS NZOIA COUNTY**

(Sen. (Dr.) Steve Lelegwe, MP 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 its inquiry into the allegations on personal security concerns raised by Hon. Philomena Kapkory, Deputy Governor, Trans Nzoia County laid on the Table of the Senate on Tuesday, 1st October, 2024.

7. **NOTICE OF MOTION - REPORTS OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES ARISING FROM A STATEMENT SOUGHT BY SEN. GODFREY OSOTSI, MP AND SEN. DAVID WAKOLI, MP**

(Sen. (Dr.) Steve Lelegwe, MP on behalf of the Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

THAT, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1st October, 2024.

8. QUESTIONS AND STATEMENTS**a) Statement pursuant to Standing Order 52 (1)**

Nominated Senator (Sen. Hamida Kibwana, MP) made a Statement regarding the landmark ruling by the High Court of Kenya in Constitutional Petition No. E045 of 2022, which declared Section 226 of the Penal Code unconstitutional, thereby decriminalizing attempted suicide in Kenya.

The Senator stated that the ruling reaffirmed the critical role of the Judiciary in safeguarding fundamental rights and advanced the dignity of individuals suffering from mental health conditions, who had, for a long time, been treated as criminals rather than patients in need of urgent care and support.

The Senator commended the petitioners in the case for pursuing the matter, whose end was the court ruling setting a precedent for a more compassionate and evidence-based approach to mental health in the country.

The Senator concluded with a call for amendments to the relevant laws to align them with global best practices; increased budgetary allocation for mental health; enhanced public awareness and destigmatization campaigns; establishment of mental health crisis response units across the country and the implementation of the Suicide Prevention Strategy (2021-2026).

b) Requests for Statements Pursuant to Standing Order 53 (1)

- i) The Senator for Elgeyo Marakwet County (Sen. William Kisang, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the removal of speed bumps and pavements along the Moiben Junction Road to Kabulyot Junction leading to Iten, in Uasin Gishu and Elgeyo Marakwet Counties respectively, during the Confederation of African (CAC) Road Cycling African Championship in October 2024.
- ii) The Senator for Narok County (Sen. Ledama Olekina, MP) sought a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the plight of wheat farmers in Narok County in relation to the influx of imported wheat in the country.

9. MOTION – CELEBRATING THE LIFE OF THE LATE LEONARD MAMBO MBOTELA

Order read;

Motion made and Question proposed;

THAT AWARE THAT the late Leonard Mambo Mbotela, a renowned media personality passed away on 7th February, 2025 at the age of 84;

COGNIZANT THAT he had an illustrious career in media spanning over 5 decades, and was one of the most influential voices in Kenyan radio, especially through his long running radio and television programme, “*Je Huu ni Ungwana?*”;

FURTHER COGNIZANT THAT his command of the Kiswahili language kept Kenyans informed on many topics while his exceptional football commentaries on radio brought joy to many people and popularized the sport at a time when live football on Television was rare;

APPRECIATING the lasting legacy that he leaves in the media industry and the high esteem in which he was held by colleagues and persons from all walks of life;

NOW THEREFORE the Senate expresses its deep sadness at the death of Mr. Mbotela, records its celebration and appreciation of his remarkable life, and extends its heartfelt sympathy and condolences to his family, friends and the nation.

(Sen. Mwinyihaji Faki, MP on behalf of Sen. Danson Mungatana, MP)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied;

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 AWARE THAT the late Leonard Mambo Mbotela, a renowned media personality passed away on 7th February, 2025 at the age of 84;

COGNIZANT THAT he had an illustrious career in media spanning over 5 decades, and was one of the most influential voices in Kenyan radio, especially through his long running radio and television programme, “*Je Huu ni Ungwana?*”;

FURTHER COGNIZANT THAT his command of the Kiswahili language kept Kenyans informed on many topics while his exceptional football commentaries on radio brought joy to many people and popularized the sport at a time when live football on Television was rare;

APPRECIATING the lasting legacy that he leaves in the media industry and the high esteem in which he was held by colleagues and persons from all walks of life;

NOW THEREFORE the Senate expresses its deep sadness at the death of Mr. Mbotela, records its celebration and appreciation of his remarkable life, and extends its heartfelt sympathy and condolences to his family, friends and the nation.

10. **MOTION – VARIATION OF THE RESOLUTION OF THE SENATE ON THE REPORT OF THE COMMITTEE OF POWERS AND PRIVILEGES ON THE CONDUCT OF SEN. GLORIA ORWOBA, MP**

Order read;

Motion made and Question proposed;

THAT AWARE THAT on 20th September 2023, the Senate adopted the Report of the Committee of Powers and Privileges on the conduct of Sen. Gloria Orwoba, MP, and resolved to suspend the Senator from the precincts of Parliament for the remainder of the Second Session of the Thirteenth Parliament which period amounted to seventy-nine (79) calendar days;

COGNIZANT THAT Sen. Orwoba subsequently sought judicial intervention, obtaining a court order that stayed the implementation of the Senate's resolution until the matter was determined, and that the High Court, in its judgment delivered on 15th January 2025, dismissed the petition, thereby reinstating the suspension;

CONSIDERING THAT Sen. Orwoba has shown considerable level of remorse and that following the Communication by the Speaker on Wednesday, 12th February, 2025, on the implementation of the resolution of the Senate on the "*Report of the Committee of Powers and Privileges on the conduct of Sen. Gloria Orwoba, MP*", the Senator was apologetic of her conduct;

NOW THEREFORE, pursuant to section 17(3)(d) and (g) of the Parliamentary Powers and Privileges Act, the Senate resolves to vary its resolution made on 20th September, 2023 suspending Sen. Orwoba from the Senate and precincts of Parliament for seventy-nine (79) calendar days and reduces the suspension period to thirty (30) calendar days, commencing 12th February, 2025 to 13th March 2025, after which the Senator shall be allowed back to the Senate and the precincts of Parliament, on the terms resolved by the Senate on 20th September, 2023.

(The Senate Majority Leader)

Debate arising;

And there being no other Senator wishing to contribute;

Mover replied;

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

And the Temporary Speaker (Sen. Abdul Haji, MP), acceding to the request, appointed Wednesday, 26th February, 2025 as the day when the Question shall be put.

11. **THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILLS NO. 36 OF 2024)**

(The Senate Majority Leader)

(Second Reading)

***(Resumption of debate interrupted on Thursday, 28th November, 2024)
(Division)***

Order deferred.

12. **THE ENVIRONMENT LAWS (AMENDMENT) BILL (SENATE BILLS NO. 23 OF 2024)**

(Sen. Abdul Haji, MP)

(Second Reading)

***(Resumption of debate interrupted on Thursday, 13th February, 2025)
(Division)***

Order deferred.

13. **THE COUNTY CIVIC EDUCATION BILL (SENATE BILLS NO. 4 OF 2024)**

(Sen. Esther Okenyuri, MP)

(Second Reading)

***(Resumption of debate interrupted on Thursday, 13th February, 2025)
(Division)***

Order deferred.

14. **MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the Conflict of Interest Bill (National Assembly Bills No. 12 of 2023), laid on the table of the Senate on Thursday, 5th December, 2024 and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

(Vice-Chairperson, Mediation Committee)

Debate arising;

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.

15. **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
Wednesday, February 26, 2025 at 9.30 a.m.*

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