



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (FOURTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**AFTERNOON SITTING**

**WEDNESDAY, FEBRUARY 26, 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 Deputy Speaker.

3. **QUORUM OF THE SENATE**

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

4. **COMMUNICATION FROM THE CHAIR – VISITING DELEGATION FROM DAYSTAR UNIVERSITY**

The Deputy Speaker conveyed the following Communication from the Chair-

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s and Public Galleries this afternoon, eighty (80) students of Diplomacy and International Relations from Daystar University. The students are led by Dr. Sylvia Muriuki, a lecturer of Peace and International Relations and student leaders from the University. They are in the Senate for a one-day academic exposition.

Honourable Senators,

I request the lecturer and student leaders seated in the Speaker’s Gallery to stand when called out so that you may be acknowledged in the Senate tradition -

1. Dr. Sylvia Muriuki - Lecturer and Team Leader;

2. Mr. Luis Simiyu - Class Representative;
3. Ms. Consolata Gichuru - Class Representative;
4. Ms. Krystal Johari - Class Representative;
5. Ms. Chantelle Chizhwende - Class Representative;
6. Mr. Khalid Abdi - Class Representative; and
7. Ms. Sharon Gikundi - Class Representative;

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 LAID**

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

- i) Report of the Auditor General on Financial Statements of the County Executive of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- ii) Report of the Auditor General on Financial Statements of the County Assembly of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- iii) Report of the Auditor General on Financial Statements of the County Revenue Fund County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- iv) Report of the Auditor General on Financial Statements of the Receiver of Revenue - Revenue Statements - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- v) Report of the Auditor General on Financial Statements of Bungoma County Assembly Members’ and Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2024.
- vi) Report of the Auditor General on Financial Statements of Bungoma County Youth and Women Empowerment Fund for the year ended 30<sup>th</sup> June, 2024.
- vii) Report of the Auditor General on Financial Statements of Bungoma County Education Support Scheme for the year ended 30<sup>th</sup> June, 2024.
- viii) Report of the Auditor General on Financial Statements of Bungoma County Assembly Employee Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2024.

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- ix) Report of the Auditor General on Financial Statements of Bungoma County Disaster and Emergency Management Fund for the year ended 30<sup>th</sup> June, 2024.
- x) Report of the Auditor General on Financial Statements of Bungoma County Persons with Disabilities Empowerment Fund for the year ended 30<sup>th</sup> June, 2024.
- xi) Report of the Auditor General on Financial Statements of Bungoma County Trade Development Loans Fund for the year ended 30<sup>th</sup> June, 2024.
- xii) Report of the Auditor General on Financial Statements of Bungoma County Climate Change Fund for the year ended 30<sup>th</sup> June, 2024.
- xiii) Report of the Auditor General on Financial Statements of Bungoma Municipality for the year ended 30<sup>th</sup> June, 2024.
- xiv) Report of the Auditor General on Financial Statements of Bungoma County Referral Hospital for the year ended 30<sup>th</sup> June, 2024.
- xv) Report of the Auditor General on Financial Statements of Kimilili Municipality for the year ended 30<sup>th</sup> June, 2024.
- xvi) Report of the Auditor General on Financial Statements of Kimilili Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xvii) Report of the Auditor General on Financial Statements of Cheptais Level 4 Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xviii) Report of the Auditor General on Financial Statements of Sirisia Level 4 Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xix) Report of the Auditor General on Financial Statements of Webuye Level 4 Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xx) Report of the Auditor General on Financial Statements of Bokoli Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2022.
- xxi) Report of the Auditor General on Financial Statements of Bokoli Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2023.

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- xxii) Report of the Auditor General on Financial Statements of Bokoli Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xxiii) Report of the Auditor General on Financial Statements of Mt. Elgon Sub County Level 4 Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xxiv) Report of the Auditor General on Financial Statements of Bumula Sub County Level IV Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xxv) Report of the Auditor General on Financial Statements of Chwele Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xxvi) Report of the Auditor General on Financial Statements of Naitiri Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2022.
- xxvii) Report of the Auditor General on Financial Statements of Naitiri Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2023.
- xxviii) Report of the Auditor General on Financial Statements of Naitiri Sub County Hospital - County Government of Bungoma for the year ended 30<sup>th</sup> June, 2024.
- xxix) Report of the Auditor General on Financial Statements of Nzoia Water Services Company Limited for the year ended 30<sup>th</sup> June, 2024.
- xxx) Report of the Auditor General on Financial Statements of the County Executive of Busia for the year ended 30<sup>th</sup> June, 2024.
- xxxii) Report of the Auditor General on Financial Statements of the County Assembly of Busia for the year ended 30<sup>th</sup> June, 2024.
- xxxiii) Report of the Auditor General on Financial Statements of the County Revenue Fund - County Government of Busia for the year ended 30<sup>th</sup> June, 2024.
- xxxiv) Report of the Auditor General on Financial Statements of the County Revenue of Revenue - Revenue Statements - County Government of Busia for the year ended 30<sup>th</sup> June, 2024.
- xxxv) Report of the Auditor General on Financial Statements of the County Health Services Fund for the year ended 30<sup>th</sup> June, 2024.

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- xxxv) Report of the Auditor General on Financial Statements of Busia County Agricultural Development Fund for the year ended 30<sup>th</sup> June, 2024.
- xxxvi) Report of the Auditor General on Financial Statements of Busia County (Public Officers) Revolving Fund for the year ended 30<sup>th</sup> June, 2024.
- xxxvii) Report of the Auditor General on Financial Statements of Busia County Assembly Revolving Fund for the year ended 30<sup>th</sup> June, 2024.
- xxxviii) Report of the Auditor General on Financial Statements of Busia County Emergency Fund for the year ended 30<sup>th</sup> June, 2024.
- xxxix) Report of the Auditor General on Financial Statements of Busia County Education Support Scheme for the year ended 30<sup>th</sup> June, 2024.
- xl) Report of the Auditor General on Financial Statements of Busia County Co-operative Enterprise Development Fund for the year ended 30<sup>th</sup> June, 2024.
- xli) Report of the Auditor General on Financial Statements of Busia County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2024.
- xlii) Report of the Auditor General on Financial Statements of Busia County Trade Development Revolving Fund for the year ended 30<sup>th</sup> June, 2024.
- xliii) Report of the Auditor General on Financial Statements of Busia County Climate Change Fund for the year ended 30<sup>th</sup> June, 2024.
- xliv) Report of the Auditor General on Financial Statements of Busia Water and Sewerage Services Company Limited for the year ended 30<sup>th</sup> June, 2024.

*(The Senate Majority Leader)*

**6. NOTICE OF MOTION – ESTABLISHMENT OF NATIONAL TEACHING AND REFERRAL HOSPITALS IN KENYA**

(Sen. Richard Onyonka, MP on behalf of Sen. Johnes Mwaruma, MP)

THAT, AWARE THAT Article 43 (1) (a) of the Constitution of Kenya provides that every person has the right to the highest attainable standard of health, including reproductive health care;

NOTING THAT in Kenya, we have five National Teaching and Referral hospitals with Kenyatta University Research and Teaching Hospital in

Kiambu County and Moi Teaching and Referral Hospital in Eldoret, Uasin Gishu County being the only ones outside Nairobi County;

CONCERNED THAT the bed capacity, medical equipment and human capital in these National Teaching and Referral hospitals are not sufficient to absorb all the patients seeking specialized treatment;

FURTHER CONCERNED THAT many Kenyans with critical health conditions travel long distances in order to access specialized services in Moi Teaching and Referral Hospital in Eldoret or Nairobi where the other four National Teaching and Referral hospitals are located, leading to high cost of travel, augmented disease and in some cases deaths along the way;

NOW THEREFORE the Senate urges-

1. The Ministry of Health to:
  - i. Establish National Teaching and Referral hospitals in the Coast, Eastern, North Eastern, Nyanza and Western regions; and
  - ii. Fully equip the National Teaching and Referral Hospitals with modern medical equipment, medical supplies and personnel; and

The County Governments to allocate more funds to their respective health dockets to adequately facilitate their County Level 5 and Level 6 hospitals in order to enhance provision of critical health services to reduce the demand for such services from the National Teaching and Referral Hospitals.

7. **NOTICE OF MOTION – ADJOURNMENT OF THE SENATE TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE NAMELY, THE KILLINGS OF KENYAN FISHERMEN AT NAPEIMUKAT IN TODONYANG AREA**

(Sen. James Lomenen, MP)

Rising in his place on a point of order, the Senator for Turkana County (Sen. James Lomenen, MP) sought leave to give notice of Motion pursuant to Standing Order 37 for the adjournment of the Senate to discuss a definite matter of Urgent National importance, namely, the Killings of Kenyan fishermen at Napeimukat in Todonyang area.

And there being the requisite number of Senators rising in support of the claim;

Thereupon, the Deputy Speaker nominated fifteen minutes past four o'clock, as the time when the Motion would be moved.

8. QUESTIONS AND STATEMENTS

a) **Statement pursuant to Standing Order 52 (1)**

- (i) The Senator for Migori County (Sen. Eddy Oketch, MP) made a statement regarding the persistent delays in salary payments by the Kenya Agricultural and Livestock Research Organization (KALRO).

Thereupon the Senator highlighted several pressing issues affecting Kenya Agricultural and Livestock Research Organization (KALRO) employees. He stated that over the past year, employees have faced repeated delays in salary payments without any explanations or reassurances from KALRO. These delays have caused significant financial hardship, particularly for employees with financial obligations such as bank standing orders. Despite there being no outright failure to pay salaries, the inconvenience and stress caused by these delays have been substantial.

Furthermore, the Senator highlighted another significant concern on the non-implementation of annual salary increments that were due in the year 2024. This decision was made without any communication from the management, which further frustrated employees and negatively impacted staff morale. This is particularly concerning among scientists, who are critical to conducting research on the country's agricultural challenges. The lack of salary increments has undermined the motivation and commitment of these vital personnel.

The Senator emphasized that it is the responsibility of every employer, especially a government institution like KALRO, to ensure that employees are paid on time. This is not only a contractual obligation but also an ethical commitment that reflects an employer's duty of care.

To address these issues, the Senator called upon KALRO to take immediate action. Specifically, he called upon KALRO to reform its salary processing system to ensure timely payments moving forward. Additionally, the organization should implement the agreed-upon salary increments to restore morale and motivation among employees. Lastly, KALRO needs to review its communication practices to enhance transparency and accountability, ensuring that employees are informed and supported throughout any future challenges.

- (ii) The Senator for Kajiado County (Sen. Lenku Ole Kanar Seki, MP) made a statement regarding the demise of the late Mr. Samuel Kaetuai, a young police constable who died in the line of duty while serving in the Kenyan-led and United Nations-backed Multinational Security Support Mission to Haiti.

In the statement, the Senator expressed heartfelt condolences to the family and friends of the late Samuel Kaetuai, acknowledging his bravery and dedication to restoring peace in Haiti. Mr. Kaetuai tragically lost his life on

February 23, 2025, after being shot during a security operation in response to a distress call from resident of the Pont-Sondé area, who were suffering under the control of heavily armed gangs.

The Senator noted that Mr. Kaetuai's death marked the first casualty of the Kenyan-led Multinational Security Support mission since its deployment in June 2024, highlighting the extreme dangers faced by peacekeepers worldwide. He emphasized the urgent need for enhanced support and protection for those risking their lives for global peace and stability.

Furthermore, the Senator urged the Government to ensure the safe repatriation of Mr. Kaetuai's body and provide financial assistance to his bereaved family, who had lost their primary breadwinner. This, he emphasized, is a moral duty that demonstrates the nation's commitment to honouring the sacrifices made for the State.

In conclusion, the Senator saluted Mr. Kaetuai's service and wished his soul eternal peace.

In honour of the late Mr. Kaetuai the Deputy Speaker requested all Honourable Senators to stand in their places and observe a minute of silence.

*Thereupon, Senators stood in their places and observed a minute of silence.*

**b) Requests for Statements pursuant to Standing Order 53 (1)**

- i) The Senator for Embu County (Sen. Alexander Mundigi, MP) sought a Statement from the Standing Committee on Health regarding the administrative challenges affecting the operations of the Social Health Authority (SHA).
- ii) Nominated Senator (Sen. Esther Okenyuri, MP) sought a Statement from the Standing Committee on Health regarding allegations of child trafficking in government health facilities and informal clinics.
- iii) Nominated Senator (Sen. Hamida Kibwana, MP) sought a Statement from the Standing Committee on Health regarding the status of payment of liabilities of defunct National Health Insurance Fund (NHIF).
- iv) Nominated Senator (Sen. Hamida Kibwana, MP) sought a Statement from the Standing Committee on Health regarding the criteria used by the Social Health Authority (SHA) to empanel clinical officers.



- v) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism concerning the heated verbal exchange and altercation between an employee of Kenya Airways (KQ) and a Nigerian passenger.
- vi) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Roads, Transportation and Housing regarding the construction and upgrade of the Lomut-Lokwamosing (B118) and the Nginyang' – Lokori-Lokichar (A10) roads in Turkana County.
- vii) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the havoc caused by the surging waters of Lake Turkana in Turkana County.
- viii) The Senator for Kajiado County (Sen. Seki Ole Kanar, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding alleged recruitment discrepancies in the 2023 Kenya Defence Forces (KDF) recruitment exercise.
- ix) Nominated Senator (Sen. Hamida Kibwana, MP) on behalf of Nominated Senator (Sen. Miraj Abdillahi, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the alleged theft of Kenya Revenue Authority (KRA) excise duty stamps.
- x) Nominated Senator (Sen. Hamida Kibwana, MP) on behalf of the Senator for Lamu County (Sen. Joseph Githuku, MP) sought a Statement from the Standing Committee on Education regarding the status of implementation of Early Childhood Development Education (ECDE) and Technical and Vocational Education and Training (TVET) in Lamu County.
- xi) Nominated Senator (Sen. Hamida Kibwana, MP) on behalf of the Senator for Lamu County (Sen. Joseph Githuku, MP) sought a Statement from the Standing Committee on Health regarding the operationalization of Kiongwe and Mikinduni dispensaries in Lamu County.
- xii) Nominated Senator (Sen. Betty Montet, MP) on behalf of the Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of compensation for victims of human-wildlife conflict in Taveta Taveta County.

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- xiii) Nominated Senator (Sen. Betty Montet, MP) on behalf of the Senator for Taita Taveta County (Sen. Johnes Mwaruma, MP) sought a Statement from the Standing Committee on Devolution and Intergovernmental Relations concerning the boundary alteration between Taita Taveta and Kajiado Counties.
- xiv) The Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Education regarding the delayed payment to facilitators of the 2024 Kenya Certificate of Secondary Education (KCSE) examinations.
- xv) The Senator for Kisii County (Sen. Richard Onyonka, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the status of pension schemes for former employees of the Kenya Pyrethrum Board (KPB), the Kenya Medical Research Institute (KEMRI), the Technical University of Kenya (TUK) and other state departments and corporations.
- xvi) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding concerns over alleged unfair labour practices, ethnic profiling and violations of labour laws at the China Square in Kisumu County.
- xvii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, MP) sought a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the stalled revival of Miwani Sugar Company and payment of outstanding salary arrears to its workers.
- xviii) Nominated Senator (Sen. Beatrice Ogolla, MP) on behalf of the Senator for Kitui County (Sen. Enoch Wambua, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the status of pending bills in Kitui County.
- xix) Nominated Senator (Sen. Beatrice Ogolla, MP) on behalf of the Senator for Kitui County (Sen. Enoch Wambua, MP) to seek a Statement from the Standing Committee on Health regarding the status of health facilities in Kitui County.
- xx) Nominated Senator (Sen. Beatrice Ogola, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding concerns of violation of the One-Third Rule on public servants' salaries.

9. **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 20<sup>th</sup> 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 15<sup>th</sup> 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, 12<sup>th</sup> 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 20<sup>th</sup> 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 12<sup>th</sup> February, 2025 to 13<sup>th</sup> 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 20<sup>th</sup> September, 2023.

*(The Senate Majority Leader – 25.02.2025)*

Debate interrupted on Tuesday, 25<sup>th</sup> February, 2025 resumed for Question to be put:

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

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

Question put and agreed to.

**RESOLVED ACCORDINGLY**

THAT AWARE THAT on 20<sup>th</sup> 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 15<sup>th</sup> January 2025, dismissed the petition, thereby reinstating the suspension;

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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 20<sup>th</sup> 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 12<sup>th</sup> February, 2025 to 13<sup>th</sup> 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 20<sup>th</sup> September, 2023.

10. **MOTION – ADJOURNMENT OF THE SENATE TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE NAMELY, THE KILLINGS OF KENYAN FISHERMEN AT NAPEIMUKAT IN TODONYANG AREA**

Motion made and Question proposed: -

THAT, pursuant to Standing Order 37, the Senate do now adjourn to discuss a definite matter of urgent National importance, namely, the Killings of Kenyan fishermen at Napeimukat in Todonyang area.

*(Sen. James Lomenen, MP)*

Debate arising;

And there being no other Senator wishing to contribute;

The Temporary Speaker (Sen. Wakili Sigei, MP) adjourned the Senate at three minutes past Five O'clock, without Question put, pursuant to the Standing Orders.

11. **SENATE ROSE** – at three minutes past Five O'clock.

**MEMORANDUM**

*The Speaker will take the Chair on  
Thursday, February 27, 2025 at 2:30 pm*