



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

SPECIAL SITTING

MONDAY, JUNE 30, 2025 AT 10.00 AM

1. The Senate assembled at Ten 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. **COMMUNICATION FROM THE CHAIR - CONVENING OF THE SPECIAL SITTING OF THE SENATE**

The Speaker conveyed the following Communication from the Chair:

“Honourable Senators,

I welcome you to this Special Sitting of the Senate. I regret to interrupt your recess, but this has been necessitated by urgent legislative business which requires to be dispensed with. On the request of the Senate Majority Leader vide letter Ref. No. SEN/MLS/CORR/24 dated 27th June, 2025 and with the support of the requisite number of Senators, I appointed today, Monday, 30th June, 2025, as a day for a Special Sitting of the Senate. The appointment was made vide Gazette Notice No. 8518 dated 27th June, 2025.

In the Gazette Notice, I indicated that the business to be transacted at this Special Sitting shall be–

- (i) consideration of the Report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bills No. 10 of 2025); and

- (ii) hearing of the Charges on the proposed removal from office, by impeachment, of Honourable Abdi Ibrahim Hassan, Governor of Isiolo County.

Honourable Senators,

In accordance with Standing Order 33 (5), the business specified in the Gazette Notice referred to above and as outlined in the Order Paper, shall be the only business before the Senate during the Special Sitting, following which the Senate shall stand adjourned until Tuesday, 8th July, 2025 at 2:30 p.m., pursuant to the Senate Calendar.

I thank you.”

5. **MESSAGE FROM THE COUNTY ASSEMBLY OF ISIOLO - APPROVAL OF A MOTION ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. ABDI IBRAHIM HASSAN, GOVERNOR OF ISIOLO COUNTY**

The Speaker conveyed the following Message from the County Assembly of Isiolo –

“Honourable Senators,

I wish to report to the Senate that I have, pursuant to Standing Order 48 (3), received a Message from the Speaker of the County Assembly of Isiolo regarding the passage by the County Assembly, of a Motion for removal from office, by way of impeachment of Honourable Abdi Ibrahim Hassan, Governor of Isiolo County, pursuant to Article 181 (1) (a), (b) and (c) of the Constitution as read together with section 33 of the County Governments Act and Standing Order 74 of the County Assembly of Isiolo.

The Message which was transmitted to the Senate via a letter dated Friday, 27th June, 2025, signed by the Speaker of the County Assembly of Isiolo was received in my office on the same date.

Honourable Senators,

In terms of Article 181 of the Constitution, Section 33(3)(a) of the County Governments Act and Standing Order 80(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.*”

Pursuant to Section 33 (3)(b) of the County Governments Act and Standing Order 80 (1)(a) of the Senate Standing Orders, I hereby proceed to read the charges against the Governor of Isiolo County, as contained in the Motion of Impeachment by the County Assembly of Isiolo –

Charge 1: Gross Violation of the Constitution and other laws

The particulars of this allegation are that the Governor grossly violated -

- (i) section 30(2)(k) of the County Governments Act by failing to deliver an annual state of the county address for the three years he has been in office.
- (ii) Articles 201(d) and (e) of the Constitution by employing a bloated workforce, including 36 advisors in the office of the Governor, 31 Chief Officers, yet the County has only six departments, and 2 Deputy County Secretaries whose positions are not recognized in law, thereby resulting in an excessive wage bill amounting to 46% of the annual revenue allocation, which far exceeds the 35% limit prescribed under section 25(1)(a) and (b) of the Public Finance Management (County Governments) Regulations, 2015.
- (iii) Articles 10 (2), 73, 232 and 235 of the Constitution and sections 59, 59(A), 60, and 62 of the County Governments Act, 2012 by disregarding the criteria for the establishment of offices within the county public service by illegally creating offices for advisors and deputy county secretaries without the involvement of the County Public Service Board.
- (iv) Articles 10(2), 185, and 201 of the Constitution by refusing to implement the recommendations and/or resolutions of the County Assembly requiring the Governor to control and manage the county public debt, thereby undermining the authority of the County Assembly and resulting in the unmitigated accrual of debt to unmanageable levels.
- (v) Articles 201(d) and (e) of the Constitution by failing to utilise bursary funds in accordance with the approved budget, resulting in a discrepancy of Kshs. 30,000,000.00, which cannot be accounted for.

Charge 2: Abuse of Office

The particulars of this allegation are that the Governor engaged in acts and omissions that collectively and individually amount to abuse of office and gross violation of (among others) Articles 201 and 232 of the Constitution, sections 8, 9, 10, 11, 12, 13 (1) and 35 of the Leadership and Integrity Act, 2012, by –

- (i) appointing 36 advisors in the office of the Governor contrary to the Salaries and Remuneration Commission (SRC) Circular dated 29th July 2013, the Transition Authority Circular dated 6th September, 2013 and subsequent guidelines from the Intergovernmental

Relations Technical Committee, all of which limit the maximum number of advisors to 3;

- (ii) appointing 31 Chief Officers instead of eighteen (18), which are provided for in the County Executive staff establishment of July 2022, despite the County having only six departments;
- (iii) appointing Chief Officers under two-year contracts, thereby creating a climate of fear and uncertainty contrary to Article 73(1)(b) of the Constitution and failing to renew the contracts of County Executive Committee Members, significantly affecting the continuity of service delivery in the County; and
- (iv) appointing 2 Deputy County Secretaries to positions that are neither recognized in law nor provided for in the County Staff Establishment.

Charge 3: Gross Misconduct

The particulars of this allegation are that the Governor grossly violated Articles 10(2), 27, 28, 73, 75 and 232 of the Constitution, sections 3, 7, 8, 9, 11, 34 and 52 of the Leadership and Integrity Act, sections 9, 10 and 21(2) of the Public Officer Ethics Act, 2003, sections 2, 30(2) and 30(3) of the County Governments Act by engaging in acts which singularly and collectively amount to gross misconduct by –

- (i) making public statements against Sen. Fatuma Adan Dullo, MP, Senator for Isiolo County, which were considered disrespectful and sexist, thereby violating the principles of leadership and integrity and the right to dignity under the Constitution, and undermining the decorum expected of a public office by amounting to gender-based psychological violence, contrary to the values and responsibilities of the office of Governor;
- (ii) breaching public trust by making divisive, derogatory and discriminatory remarks against other clans residing in the County, thereby undermining public confidence in the integrity of his office and sowing discord in the community; and
- (iii) being continuously absent from the County and running its affairs remotely from Nairobi, thereby stalling service delivery.

Honourable Senators,

Annexed to the letter conveying the decision of the County Assembly were the following documents:

- (i) Copy of the Approved Notice of Motion “the Motion” dated 17th June, 2025 – laid on the Table of the Assembly on Wednesday, 18th

June 2025 (Morning Sitting) – Soft copy of the Notice of Motion and Exhibits contained in the accompanying flash disk;

- (ii) Copy of Exhibits – Laid on the table of the Assembly on Wednesday, 18th June, 2025 (Morning Sitting) – Video Exhibits contained in the accompanying flash disk;
- (iii) Order Papers for the Assembly Sittings of Wednesday, 18th June, 2025 (Morning Sitting), and Thursday, 26th June, 2025 (Afternoon Sitting) – Soft copy of the Order Papers are contained in the accompanying flash disk;
- (iv) Certified Hansard Reports for the Assembly Sitting of Wednesday, 18th June, 2025 (Morning Sitting) and Thursday, 26th June, 2025 (Afternoon Sitting) - Soft copy of the Hansard Reports are contained in the accompanying flash disk;
- (v) Copy of Letter dated 19th June, 2025 notifying the Governor of the Notice of Motion of removal from office, by impeachment - Scanned copy of the Letter is contained in the accompanying flash disk;
- (vi) Certified copy of a Form for verification of signatures for the Members in support of a Motion for Removal of the Isiolo County Governor by Impeachment dated 26th June, 2025 made pursuant to the provisions of Standing Order 65 (b) – a scanned copy of the form is contained in the accompanying flash disk;
- (vii) Certified Copy of the Roll Call Vote on the Motion of Impeachment of H.E. the Governor of Isiolo County held during the Assembly Sitting of Thursday, 26th June, 2025 – a soft copy of the scanned roll call vote are contained in the accompanying flash disk;
- (viii) Flash disk 32GB containing video annexures evidencing the particulars alleged in the Motion, as well as voice adverts on the public participation on the Motion run on various radio stations;
- (ix) Pictures and videos of the various public participation forums held on Tuesday, 24th June, 2025 contained in the accompanying flash disk;
- (x) Copy of a Public participation report dated 25th June 2025, and laid on the Table on Thursday, 26th June, 2025 (Afternoon Sitting) – a scanned copy of the report is contained in the accompanying flash disk;
- (xi) Written/ printed memoranda from the different Wards and regions submitted to the County Assembly during the public participation exercise on the Motion submitted both in support and against the Motion. The Memorandum include submissions received via email

- Minutes, Attendance registration sheets and registration forms for Memoranda of the public participation forum held on Tuesday, 24th June, 2025 is contained in the accompanying flash disk; and

- (xii) Soft copy of the Second Edition Standing Orders of the County Assembly of Isiolo contained in the accompanying flash disk.

Honourable Senators,

In terms of the way forward following the reading of the charges against the Governor, Standing Order 80 (1)(b) of the Senate, as read together with Section 33 (3)(b) of the County Governments Act, 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 will, at an appointed time during this sitting, give Notice of Motion for the establishment of a Special Committee. Should this Motion be carried, the Special Committee will be required, under Section 33(4) of the County Governments Act and Standing Order 80(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.

In the event that the Motion for the establishment of a Special Committee does not pass, the fall-back position is that the Senate shall proceed to investigate and consider the matter in Plenary. In this event, I will appoint the dates on which the Senate will sit in Plenary to hear and determine the charges against the Governor.

Honourable Senators,

I wish to emphasize, that when we come to the debate on the Motion for the establishment of the Special Committee, debate on the Motion shall be limited to the substance of the Motion, principally, *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 issues other than the Motion before the Senate.

In the meantime, and during the pendency of the impeachment process in the Senate, I wish to caution Honourable Senators to refrain from publicly

commenting on the merits or demerits of the impeachment Motion before the Senate. Doing so would amount to anticipation of debate, which is an infringement of Standing Order 99. Accordingly, it shall be out of order—within the meaning of Standing Order 122—for any Senator to make comments, whether written or spoken, relating to the conduct of the Governor or the impeachment process, outside the confines of the impeachment proceedings, as such comments may prejudice the fair and just outcome of the process.

Honourable Senators,

During this 13th Parliament, the Senate has dealt with seven impeachment proceedings – two of which were considered by Special Committees, and five by the Senate sitting in Plenary, including one involving a Deputy President. Notably, this is the third Governor proposed to be impeached during the current term of Parliament. It is important that we draw on the best practices established in previous proceedings as we deliberate on this matter.

The Senate will be sitting as a quasi-judicial body, conducting investigations into the alleged violations of the Constitution and the law, and subsequently make its determination on the matter. The impeachment hearing is not merely a procedural formality; it is a critical process that plays a crucial role in upholding the principles of democracy and good governance. It represents one of the Senate’s most significant oversight functions and core responsibilities.

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

I thank you.”

6. **NOTICE OF MOTION – ESTABLISHMENT OF A SPECIAL COMMITTEE TO INVESTIGATE THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. ABDI IBRAHIM HASSAN, GOVERNOR OF ISIOLO COUNTY**

(The Senate Majority Whip on behalf of the Senate Majority Leader)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on Thursday, 26th June, 2025, the County Assembly of Isiolo approved a Motion for the removal from office by impeachment, of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County;

AND FURTHER, WHEREAS by letter Ref. CA/RES/VOL.I/001, dated 26th June, 2025, and received in the Office of the Speaker of the Senate on 27th June, 2025, the Speaker of the County Assembly of Isiolo 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 and Standing Order 80(1)(b)(i) of the Senate, the Senate by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;

NOW THEREFORE, pursuant to Section 33(3) (b) of the County Governments Act and Standing Order 80(1) (b) (i), the Senate resolves to proceed on this matter by way of establishment of a special committee to investigate the proposed removal from office by impeachment of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County.

7. **MOTION – CONSIDERATION OF THE REPORT OF THE MEDIATION COMMITTEE ON THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 10 OF 2025)**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bills No. 10 of 2025), laid on the table of the Senate on Friday, 27th June, 2025; and that, pursuant to Article 113(2) of the Constitution and Standing Order 167(3) of the Senate, approves the mediated version of the Bill.

(The Co-Chairperson, Mediation Committee – 27.06.2025)

Debate interrupted on Friday, 27th June, 2025 resumed on a Division;

Before the Question was put and pursuant to Standing Order 84 (2), the Speaker ruled that the matter affects Counties;

The Speaker directed that electronic voting be taken pursuant to Standing Order 86(2) and that the Division bell be rung for five minutes;

Upon the expiry of five minutes, the Speaker directed that the doors be locked and the bars be drawn and asked Senators to log-in for electronic voting;

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 eleven (11) Senators to record their votes verbally.

Thereupon, the following Senators recorded their votes as “Yes”:

1. Sen. Boy Issa Juma, MP
2. Sen. Kamau Joseph Githuku, MP
3. Sen. Mandago, Jackson Kiplagat, MP
4. Sen. Methu John Muhia, MP
5. Sen. Mwaruma Johnes Mwashushe, MP
6. Sen. Mwinyihaji Mohamed Faki, MP
7. Sen. Osotsi Godfrey Atieno, MP
8. Sen. Roba Ali Ibrahim, MP
9. Sen. Thang’wa Paul Karungo, MP
10. Sen. Wafula David Wakoli, MP
11. Sen. Wambua Enoch Kiio, MP

The results of the Division were as follows:-

AYES – 32

NOES - 0

ABSTENTION – 0

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Boy Issa Juma, MP – voted verbally
4. Sen. Ogolla Beatrice Akinyi, MP – voted on behalf of Homa Bay County delegation
5. Sen. Cherarkey Samson, MP
6. Sen. Chute Mohamed Said, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Kamau Joseph Githuku, MP – voted verbally
9. Sen. Kathuri Murungi, MP
10. Sen. Khalwale Boni, MP
11. Sen. Kisang William Kipkemoi, MP
12. Sen. Lelegwe Steve Ltumbesi, MP
13. Sen. Madzayo Stewart Mwachiru, MP
14. Sen. Mandago Jackson Kiplagat, MP – voted verbally
15. Sen. Methu John Muhia, MP – voted verbally
16. Sen. Mundigi Alexander Munyi, MP
17. Sen. Mungatana Danson Buya, MP
18. Sen. Murango James Kamau, MP
19. Sen. Muthama Agnes Kavindu, MP
20. Sen. Mwaruma Johnes Mwashushe, MP -voted verbally
21. Sen. Mwinyihaji, Mohamed Faki, MP – voted verbally
22. Sen. Nyutu Joe, MP
23. Sen. Oginga Oburu, MP
24. Sen. Oketch Eddy Gicheru, MP
25. Sen. Okoiti Andrew Omtatah, MP
26. Sen. Olekina Ledama, MP
27. Sen. Osotsi Godfrey Atieno, MP – voted verbally
28. Sen. Roba Ali Ibrahim, MP – voted verbally
29. Sen. Thang’wa Paul Karungo, MP – voted verbally

30. Sen. Wafula David Wakoli, MP - voted verbally
31. Sen. Wakili Hillary Kiprotich Sigei, MP
32. Sen. Wambua Enoch Kiio, MP – voted verbally

Question, agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate adopts the Report of the Mediation Committee on the Division of Revenue Bill (National Assembly Bills No. 10 of 2025), laid on the table of the Senate on Friday, 27th June, 2025; and that, pursuant to Article 113(2) of the Constitution and Standing Order 167(3) of the Senate, approves the mediated version of the Bill.

8. **MOTION – ESTABLISHMENT OF A SPECIAL COMMITTEE TO INVESTIGATE THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. ABDI IBRAHIM HASSAN, GOVERNOR OF ISIOLO COUNTY**

Order read;

Motion made;

THAT, WHEREAS, pursuant to Article 181 of the Constitution and Section 33 of the County Governments Act, on Thursday, 26th June, 2025, the County Assembly of Isiolo approved a Motion for the removal from office by impeachment, of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County;

AND FURTHER, WHEREAS by letter Ref. CA/RES/VOL.I/001, dated 26th June, 2025, and received in the Office of the Speaker of the Senate on 27th June, 2025, the Speaker of the County Assembly of Isiolo 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 and Standing Order 80(1)(b)(i) of the Senate, the Senate by resolution, may appoint a special committee comprising eleven of its Members to investigate the matter;

NOW THEREFORE, pursuant to Section 33(3) (b) of the County Governments Act and Standing Order 80(1) (b) (i), the Senate resolves to proceed on this matter by way of establishment of a special committee to investigate the proposed removal from office by impeachment of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County.

(The Senate Majority Whip)

And there being no Senator to second the Motion;

Motion deemed withdrawn pursuant to Standing Order 70 (1).

9. **COMMUNICATION FROM THE CHAIR - EFFECT OF THE OUTCOME ON THE MOTION FOR THE ESTABLISHMENT OF A SPECIAL COMMITTEE TO INVESTIGATE AND REPORT ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE ABDI IBRAHIM HASSAN, GOVERNOR OF ISIOLO COUNTY**

The Speaker conveyed the following Communication from the Chair:

“Honourable Senators,

As you may have noticed, the Senate Majority Whip moved the Motion at Order No. 9 on today’s Order Paper, for the establishment of a Special Committee to investigate the proposed removal from office by impeachment of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County. The Motion failed to be seconded and therefore deemed to have been withdrawn pursuant to Standing Order 70 (1) of the Senate Standing Orders.

Honourable Senators,

As I communicated earlier by way of Message, on the resolution of the Isiolo County Assembly, made on Thursday, 26th June, 2025, for the removal from office, by impeachment of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County, Section 33(3)(a) of the County Governments Act and Standing Order 80(1)(b) of the Senate, provide that the Senate may-

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

The Motion having been deemed withdrawn the route of a Special Committee is abandoned and that now implies that the Senate will investigate the proposed removal from office, by impeachment of Hon. Abdi Ibrahim Hassan, Governor of Isiolo County in Plenary, pursuant to Section 33(3)(a) of the County Governments Act and Standing Order 80(1)(b)(ii).

Honourable Senators,

At its meeting held today, Monday, 30th June, 2025, the Senate Business Committee considered the provisional dates for this investigation in the event that the matter was to be investigated in Plenary. In line with the schedule of activities for an impeachment hearing in Plenary, I hereby give the following directions –

- a. The Clerk to issue Invitations to Appear to the Parties on, Tuesday, 1st July, 2025;
- b. The Parties to file their responses with the Office of the Clerk of the Senate by Friday, 4th July, 2025, by 5:00 p.m.;
- c. The Clerk to circulate documents received from the Parties, including the Plenary Hearing Programme, to all Honourable Senators by Close of Business on Monday, 7th July, 2025, by 5:00 p.m.; and
- d. The Senate shall then investigate the matter in Plenary on Tuesday, 8th July and on Wednesday, 9th July, 2025.

The Senate is accordingly guided.

I thank you.”

And there being no other business on the Order Paper, the Speaker adjourned the Senate at three minutes past Eleven O'clock without Question put, pursuant to the Standing Orders.

10. **SENATE ROSE** – at three minutes past Eleven O'clock

MEMORANDUM

The Speaker will take the Chair on
Tuesday, July 8th 2025 at 2:30 pm

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