



REPUBLIC OF KENYA

TWELFTH PARLIAMENT

THE SENATE

VOTES AND PROCEEDINGS

SPECIAL SITTING

TUESDAY, JANUARY 21, 2020 AT 2.30 P.M.

1. The Senate assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer said by the Speaker.
3. **COMMUNICATION FROM THE CHAIR ON THE RESOLUTION OF THE COUNTY ASSEMBLY OF KIAMBU ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HON. FERDINAND NDUNG'U WAITITU BABAYAO, GOVERNOR, KIAMBU COUNTY**

The Speaker conveyed the following Communication from the Chair: -

“Honourable Senators, Happy New Year.

It is my pleasure and privilege to welcome you back to the Senate for this special sitting. I believe that you have had an opportunity to spend quality time with your constituents and your families during the ongoing long recess and that you are re-energized and ready, as always, to conduct the business that is ahead of us.

Honourable Senators, on the request of the Senate Majority Leader and with the support of the requisite number of Senators, I appointed today, Tuesday, 21st January, 2020 as a day for a special sitting of the Senate vide Gazette Notice No. 118 dated 10th January, 2020. The business to be transacted at this sitting shall be –

- (a) hearing of the charges against Mr. Ferdinand Ndung'u Waititu Babayao, the Governor of Kiambu County; and
- (b) consideration of a request for the extension of the tenure of the *Ad hoc* Committee on Managed Equipment Services.

On the matter of the hearing of the charges against Mr. Ferdinand Ndung'u Waititu Babayao, the Governor of Kiambu County, by a letter dated 20th

December, 2019 (Ref: CAK/1/19/10(24) and received in my office on Monday, 23rd December, 2019, the Speaker of the County Assembly of Kiambu informed me that at its 127th and 128th sittings held on Thursday, 19th December, 2019, the County Assembly of Kiambu passed a Resolution to impeach the Governor of Kiambu County, Hon. Ferdinand Ndung'u Waititu Babayao, pursuant to the provisions of section 33(2) of the County Governments Act, 2012.

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

- (a) the Order Papers of the County Assembly of Kiambu for the 127th and 128th sittings both held on 19th December, 2019;
- (b) a Notice of Motion on the proposed removal of the Hon. Ferdinand Ndung'u Waititu Babayao from the office of County Governor of Kiambu, dated 2nd December, 2019; and
- (c) copies of documents containing the grounds and particulars on which the proposal for impeachment was made.

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

Honourable Senators, the letter of the Speaker of the County Assembly of Kiambu and the accompanying documents were received in my office on 23rd December, 2019, while the Senate was on its long recess, following the conclusion of the Third Session on 5th December, 2019.

Honourable Senators, as you may be aware, some concerns have been expressed as to the appropriate date on which the sitting of the Senate to hear the charges against the Governor of Kiambu County ought to have been held, with some commentators suggesting that, despite the Senate recess, a special sitting ought to have been convened and held within seven days of the date of receipt of the Resolution from the Speaker of the County Assembly of Kiambu, which would have worked to a special sitting being held on or before 30th December, 2019.

Owing to the importance of the impeachment process as a tool of oversight and for bringing to account public leaders and the Senate's central role in this process, it is important that I make a brief comment on this matter. The County Governments Act, 2012 and the Senate Standing Orders, do not appear to contemplate a situation where the Senate is convened for a special sitting when a Session has ended and while a new Session is yet to commence.

Provision is however made for the manner in which a special sitting is to be convened where the Senate stands adjourned during a Session. Standing order 30(1) of the Senate Standing Orders provides that whenever during a Session the Senate stands adjourned, whether or not a day has been appointed for the next meeting, the Speaker may, on the request of the Senate Majority Leader

or the Senate Minority Leader, and in each case with the support of at least fifteen Senators, appoint a day for a special sitting of the Senate.

Honourable Senators, in the absence of specific provision and taking into account our precedents in previous matters, the Senate leadership consulted appropriately and on the request of the Senate Majority Leader, applying standing order 30(1), with the necessary modifications, and standing order number 1, I appointed the present date as the date for this special sitting. I have directed the Procedure and Rules Committee to give careful consideration to this matter as they propose amendments to the Standing Orders.

In terms of the way forward, standing order 75(1)(b) of the Senate Standing Orders, gives the Senate two options on how to proceed with the matter. The Senate may –

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

In the present case, Honourable Senators will note that at Order No. 2, the Senate Majority Leader will give Notice of Motion for the establishment of a Special Committee and the Motion thereon is listed at Order No. 5. Should this Motion be carried, the Special Committee will be required, under section 33(4) of the County Governments Act, 2012, and standing order 75(2) of the Senate Standing Orders, to investigate the matter and to report to the Senate on whether it finds the particulars of the allegations against the Governor to have been substantiated.

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

It is noteworthy, and I wish to emphasize to all Honourable Senators, that when we come to the debate on the Motion to establish the Special Committee, the debate shall be limited to the substance of the Motion, namely, whether or not to conduct the impeachment trial by way of a Committee. It will not be a debate on the substance of the impeachment or its merits. In that debate therefore, no matters relating to the substance of the charges or the processes undertaken will be admissible.

Honourable Senators, I wish to emphasize that the Senate stands in the place of a trial court in this matter and is not itself, either as an institution or as individual Senators, party to the matter. Therefore, following the conclusion of this Communication, we will proceed immediately to the next Order, which will be the Reading of the Charges. Upon the reading of the charges, I also wish to draw your attention that it will not be possible to entertain any question or debate either on the substance of the charges or the processes so far undertaken or to be undertaken. These are all matters for the trial.

Honourable Senators, as has been stated on previous occasions, the hearing of charges for the proposed removal from office of a Governor is one of the most important functions of the Senate under the Constitution and I therefore urge that we exercise the highest level of responsibility on this matter.

I thank you.”

4. **NOTICE OF MOTION** - (The Senate Majority Leader)

THAT, AWARE that the Senate resolved to establish a select Committee comprising nine (9) Senators to investigate and establish the facts surrounding the leasing of the Medical Equipment, in the now 119 beneficiary hospitals country wide;

APPRECIATING, that the mandate of the Select Committee lapsed on Thursday, 26th December, 2019;

REGRETTING, that due to heavy workload and sheer magnitude of the assignment, the Committee is yet to table its report in the House and requires more time to conduct a further and thorough inquiry into the subject matter of its mandate;

NOW THEREFORE, the Senate resolves to renew the mandate of the committee by a further period of forty-five (45) days to enable it conclude its work and table its report in the House.

5. **NOTICE OF MOTION** - (The Senate Majority Leader)

THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 19th December, 2019, the County Assembly of Kiambu approved a Motion “to remove from office, by impeachment,” the Governor of Kiambu County;

AND FURTHER, WHEREAS by letter Ref. No. CAK/1/19/10 (24) dated 20th December, 2019, and received in the Office of the Speaker of the Senate on Monday, 23rd December, 2019, the Speaker of the County Assembly of Kiambu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

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

- 1) Sen. Cleophas Malalah, MP – Chairperson;
- 2) Sen. Susan Kihika, MP – Vice Chairperson;
- 3) Sen. (Arch.) Sylvia Kasanga, MP;
- 4) Sen. Mohamed Faki, MP;
- 5) Sen. Eric Okong’o Mogeni, SC, MP;
- 6) Sen. Fredrick Outa, MP;
- 7) Sen. (Eng.) Hargura Godana, MP;
- 8) Sen. Aaron Cheruiyot, MP;
- 9) Sen. Anuar Oloiptip, MP;
- 10) Sen. Mithika Linturi, MP; and
- 11) Sen. Iman Falhada, MP;

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

8. **READING OF THE CHARGES ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE FERDINAND NDUNG’U WAITITU BABAYAO, GOVERNOR OF KIAMBU COUNTY.**

Pursuant to Standing Order 75(1) (a), the Speaker read to the Senate the charges against Honourable Ferdinand Ndung’u Waititu Babayao, Governor of Kiambu County –

“Honourable Senators, pursuant to section 33(3)(a) of the County Governments Act and standing order 75(1)(a) of the Senate Standing Orders, I hereby proceed to read the Charges against Hon. Ferdinand Ndung’u Waititu Babayao, the Governor of Kiambu County as contained in the Resolution passed by the County Assembly of Kiambu on 19th December, 2019. Honorable Senators, please note that this is a full recital of the charges as passed by the County Assembly.

- (1) Gross violation of the Constitution of Kenya 2010, the County Governments Act, 2012, the Public Finance Management Act, 2012 and the Public Procurement and Disposal Act, 2005-
 - i. Lack of accountability in the management of County resources by incurring unsustainable debts and other pending obligations to the tune of 4 Billion. These pending obligations were never disclosed in the County Fiscal Strategy Paper 2019 thus violating Article 201 (e) of the Constitution 2010 and Section 107 (2) (e) of the Public Finance Management Act, 2012. The County Executive under the leadership of the County Governor intentionally failed to draft the Medium Term Debt Management Strategy for the Financial Year 2018/2019 in contravention of section 123 of the Public Finance Management Act, 2012. This places Kiambu County in a highly precarious financial position as it may lead to protracted and costly court battles with the creditors and eventual auctioning of County assets.

- ii. Violation of Articles 176 (1) and 185 of the Constitution of Kenya, 2010 by disregarding the County Assembly as an arm of the County Government and further undermining its three cardinal roles of legislation, oversight and representation through systematic non-remittance of requisitioned funds in the Financial Year 2018/2019. The Governor diverted funds intended for use by the Assembly to projects where he would obtain personal benefits through irregular procurement. This systematic crippling of the Assembly operations compromises the independence of this Honourable House. This unwritten edict of the County Governor violates Article 6 and Article 10 of the Constitution of Kenya, 2010 that engenders the spirit of mutual respect, cooperation and consultation amongst all arms of governance.

Violation of Article 201 (a) and (d) of the Constitution of Kenya, 2010 that sets fundamental principles of public finance and further Section 5 and 130 (1) (b)(i) of the Public Finance Management Act, 2012;

Violation of the Constitution of Kenya, 2010 Articles 201 (a), (d) (e) on principles of public finance, Articles 227 (1) on procurement of goods and services and Public Procurement and Disposal Act, 2005 by failing to adhere to the stipulated dictates of the law in awarding Kshs. 2.1 Billion road tarmacking contracts against as approved total Roads, transport, Public Works and Utilities Budget of Kshs. 1.4 Billion in the Financial Year 2018/2019. The purpose of the irregular awards was not to provide public roads but was intended to enable the Governor obtain personal benefit through kickbacks.

This has exposed the County to huge losses through potential suits for breach of contract and/or pending bills. Further, it has exposed the County Assembly Members to ridicule in their wards where promises to repair/construct roads were made on promises from the Governor who had no intention of honoring the promises.

- iii. Failure to establish the County Budget & Economic Forum as stipulated in Section 137 of the Public Finance Management Act, 2012; as a result the County Governor has sabotaged public consultation as regards the preparation of the County Plans and Budgets ultimately violating the provisions of sections 87, 91 and 115 of the County Governments acts, 2012 as well as Article 10 and 201 (a) of the Constitution that demands involvement of the public in decision making. The failure was deliberate to create an atmosphere of chaos to facilitate the plunder and loss of public resources.

(2) Crimes under the National Law

The County Governor committed serious crimes under National Law in the following way-

- i. Violation of Article 40 of the Constitution of Kenya, 2010 on the protection of every person's right to property and Section 155 of the Land act, 2012 which bars unlawful acquisition and occupation of property through the forceful dispossession of Mrs Cecilia Njoki Mbugua, a widow of two prime plots of land within Thika Municipality. The two plots namely Thika Municipality/Block XI/877 and Thika Municipality/878 were part of the widow's inheritance from her deceased husband.

The County Governor promptly facilitated the irregular transfer of the said land totaling to 0.135 ha on the 2nd January 2018 to Mrs Esther Wamuyu Nyatu a common law wife of and mother of the children of the Governor. The Governor and his wife made admission to the Ombudsman of the irregular acquisition of the land. The Ombudsman is a constitutional body and its findings of fact implicate the Governor in impeachable conduct.

(3) Abuse of Office/Gross Misconduct

The County Governor exhibited gross misconduct in the following ways:

- i. Conflict of interest and contravention of the Public Procurement and Disposal Act, 2005 in influencing the award of lucrative tenders to companies associated with immediate family and close relatives.
- ii. Violation of the Section 74 of the County Governments Act, 2012 by usurping the Powers of the County Public Service Board to regulate the engagement of persons on contract, volunteers and casual workers in the County of Kiambu by directly creating directorates and hiring staff on casual basis as Directors and Assistant Directors, as well as Sub County Administrators and Ward Administrators. Further, to this, the County Governor has hired over 600 casuals without the involvement of the Public Service Board. Upon realizing that he had broken the law the Governor caused all the said staff to be fired exposing the County to risk of multiple suits and loss of public funds.
- iii. Violation of Article 226 (5) of the Constitution of Kenya, 2010 through the imprudent use of public funds in payment of staff without authorized staff establishment records as required under Section B5 (2) of the County Public Service Human Resource Manual. Examination of the Staff records and payroll by the Auditor General in 2017/2018 audit revealed that the County had employed 706 new employees yet there were no positions advertised in the newspapers declaring vacant positions.
- iv. Incurring unsustainable wage bill above the expected threshold of 35% in contravention of Regulation 25 (1) (b) of the Public Financial Management (County Government) Regulations, 2015.

The statement of receipts and payments on wages and benefit for public officers serving in Kiambu County Government for the Financial Year 2017/2018 was Kshs 5.9 Billion while the actual revenue collected during the year under review was Kshs 12.6 Billion, an indication that the percentage of wages and benefits of public officers to the total revenue was 47%.

The net effect of the above audited scenario is unsustainable bloated wage bill therefore revenue collected is used to finance wages instead of financing development projects that enhances service delivery and overall wellbeing of Kiambu County residents.

Honourable Senators, that marks the end of the recital of the charges.

I thank you.”

9. **MOTION – EXTENSION OF MANDATE OF AD-HOC COMMITTEE ON MANAGED MEDICAL EQUIPMENT SERVICES**

Order read;

Motion made and Question proposed -

THAT, AWARE that the Senate resolved to establish a select Committee comprising nine (9) Senators to investigate and establish the facts surrounding the leasing of the Medical Equipment, in the now 119 beneficiary hospitals country wide;

APPRECIATING, that the mandate of the Select Committee lapsed on Thursday, 26th December, 2019;

REGRETTING, that due to heavy workload and sheer magnitude of the assignment, the Committee is yet to table its report in the House and requires more time to conduct a further and thorough inquiry into the subject matter of its mandate;

NOW THEREFORE, the Senate resolves to renew the mandate of the committee by a further period of forty-five (45) days to enable it conclude its work and table its report in the House.

(The Senate Majority Leader)

There being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 79(1), the Speaker informed the House that the Motion did not affect counties.

Question put and agreed to.

RESOLVED ACCORDINGLY:

THAT, AWARE that the Senate resolved to establish a select Committee comprising nine (9) Senators to investigate and establish the facts surrounding the leasing of the Medical Equipment, in the now 119 beneficiary hospitals country wide;

APPRECIATING, that the mandate of the Select Committee lapsed on Thursday, 26th December, 2019;

REGRETTING, that due to heavy workload and sheer magnitude of the assignment, the Committee is yet to table its report in the House and requires more time to conduct a further and thorough inquiry into the subject matter of its mandate;

NOW THEREFORE, the Senate resolves to renew the mandate of the committee by a further period of forty-five (45) days to enable it conclude its work and table its report in the House.

10. **MOTION - ESTABLISHMENT OF A SELECT COMMITTEE TO INVESTIGATE THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF THE GOVERNOR OF KIAMBU 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, 2012, on 19th December, 2019, the County Assembly of Kiambu approved a Motion “to remove from office, by impeachment,” the Governor of Kiambu County;

AND FURTHER, WHEREAS by letter Ref. No. CAK/1/19/10 (24) dated 20th December, 2019, and received in the Office of the Speaker of the Senate on Monday, 23rd December, 2019, the Speaker of the County Assembly of Kiambu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

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

- 1) Sen. Cleophas Malalah, MP – Chairperson;
- 2) Sen. Susan Kihika, MP – Vice Chairperson;

- 3) Sen. (Arch.) Sylvia Kasanga, MP;
- 4) Sen. Mohamed Faki, MP;
- 5) Sen. Eric Okong’o Mogeni, SC, MP;
- 6) Sen. Fredrick Outa, MP;
- 7) Sen. (Eng.) Hargura Godana, MP;
- 8) Sen. Aaron Cheruiyot, MP;
- 9) Sen. Anuar Oloiptip, MP;
- 10) Sen. Mithika Linturi, MP; and
- 11) Sen. Iman Falhada, MP;

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

(The Senate Majority Leader)

Debate arising;

Rising in his place on a Point of Order pursuant to Standing Order 105(1), the Senate Minority Leader claimed to Move –

“THAT, the debate be now adjourned”

And the Speaker acceding to the claim,

Motion made and Question proposed;

THAT, the debate be now adjourned

(The Senate Minority Leader)

There being no Senator wishing to contribute;

Before the Question was put, and pursuant to Standing Order No. 79(1), the Speaker informed the House that the Motion did not affect counties.

Question put and agreed to.

11. **SUSPENSION OF THE SENATE**

Following the Motion for the adjournment of debate pursuant to Standing Order 105(1), the Speaker suspended proceedings for ten (10) minutes to allow for consultations.

12. **HOUSE RESUMED** – at thirty minutes past five O’clock. (The Speaker in the Chair)

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

THAT, WHEREAS, pursuant to Article 181 of the Constitution and section 33 of the County Governments Act, 2012, on 19th December, 2019, the County Assembly of Kiambu approved a Motion “to remove from office, by impeachment,” the Governor of Kiambu County;

AND FURTHER, WHEREAS by letter Ref. No. CAK/1/19/10 (24) dated 20th December, 2019, and received in the Office of the Speaker of the Senate on Monday, 23rd December, 2019, the Speaker of the County Assembly of Kiambu informed the Speaker of the Senate of the approval of the Motion by the County Assembly and further forwarded to the Speaker of the Senate, documents in evidence of the proceedings of the Assembly;

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

- 1) Sen. Cleophas Malalah, MP – Chairperson;
- 2) Sen. Susan Kihika, MP – Vice Chairperson;
- 3) Sen. (Arch.) Sylvia Kasanga, MP;
- 4) Sen. Mohamed Faki, MP;
- 5) Sen. Eric Okong’o Mogeni, SC, MP;
- 6) Sen. Fredrick Outa, MP;
- 7) Sen. (Eng.) Hargura Godana, MP;
- 8) Sen. Aaron Cheruiyot, MP;
- 9) Sen. Anuar Oloiptip, MP;
- 10) Sen. Mithika Linturi, MP; and
- 11) Sen. Iman Falhada, MP;

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

(The Senate Majority Leader)

Debate interrupted resumed;

Rising in his place on a Point of Order, the Senator for Nandi County (Sen. Samson Cherargey, MP) claimed to move that “the Mover be now called upon to reply” pursuant to Standing Order 104 (1).

And the Speaker acceding to the claim;

Question put and agreed to.

Thereupon, the Mover replied;

Before the Question was put, and pursuant to Standing Order No. 79(1), the Speaker informed the House that the Motion did not affect counties and that voting will be by voice vote;

Question, **negatived**.

Pursuant to Standing Order 82, the Senate Majority Leader claimed for a Division;

And the Speaker having confirmed the requisite number in support of the Division pursuant to Standing Order 82(b);

The Speaker directed the House to a roll call voting pursuant to Standing Order 83 and that the Division Bell be rung for two minutes;

Upon the expiry of two minutes, the Speaker directed that the doors be locked and bars drawn;

The names of the Tellers were announced and directed to take seats at their designated places;

1. Sen. Samson Cherargey - Ayes
2. Sen. Naomi Masitsa - Noes

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

The results of the Division were as follows:

AYES - 16

NOES - 28

ABSTENTION - 0

AYES

- 1) Adan, Dullo Fatuma
- 2) Cherarkey, Samson Kiprotich
- 3) Cheruiyot, Aaron Kipkirui
- 4) Iman, Falhada Dekow
- 5) Kamar, Margaret Jepkoech
- 6) Kihika, Susan Wakarura
- 7) Langat, Christopher Andrew
- 8) Lelegwe, Ltumbesi
- 9) Linturi, Franklin Mithika
- 10) Loitiptip, Anuar
- 11) Mbiti, Michael Maling'a
- 12) Murkomen, Onesimus Kipchumba

- 13) Omanga, Millicent
- 14) Seneta, Mary Yiane
- 15) Waqo, Naomi Jilo
- 16) Wario, Golich Juma

NOES

- 1) Ali, Abdullahi Ibrahim
- 2) Haji, Farhiya Ali
- 3) Halake, Abshiro Soka
- 4) Inimah, Getrude Musuruve
- 5) Kajwang' Moses Otieno
- 6) Kang'ata, Irungu
- 7) Kibiru, Charles Reubenson
- 8) Kimani, Wamatangi Paul
- 9) Kirinyaga, Ephraim Mwangi Maina
- 10) Madzayo, Stewart Mwachiru
- 11) Makori, Beatrice Kwamboka
- 12) Malalah, Cleophas Wakhungu
- 13) Masitsa, Naomi Shiyonga
- 14) Mogeni, Erick Okong'o
- 15) Mugo, Beth Wambui
- 16) Mwangi, Paul Githiomi
- 17) Mwaura, Isaack
- 18) Mwinyi Haji, Mohamed Faki
- 19) Nderitu, John Kinyua
- 20) Nyamunga, Rose Ogendo
- 21) Ole Kina, Ledama
- 22) Ongeru, Samson Kegengo
- 23) Orengo, James
- 24) Outa, Frederick Otieno
- 25) Pareno, Judith Ramaita
- 26) Poghio, Samuel Losuron
- 27) Sakaja, Johnson Arthur
- 28) Wako, Sitswila Amos

Question, **negatived.**

Thereupon, the Speaker informed the Senate that the impeachment hearing on the proposed removal from office of the Governor of Kiambu County will be held in plenary pursuant to Standing Order 75 (b) (ii) on a date to be Gazetted after consultation with the House Leadership.

There being no other business, the Speaker adjourned the Senate at thirty two minutes past six O'clock without Question put pursuant to the Standing Orders.

14. **SENATE ROSE** - at thirty two minutes past six O'clock

M E M O R A N D U M

The Speaker will take the Chair on

Tuesday, February 11, 2019 at 2.30 p.m.

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