



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

VOTES AND PROCEEDINGS

MORNING SITTING

MONDAY, AUGUST 19, 2024 AT 9.00 AM

1. The Senate assembled at Nine 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 no Quorum after the expiry of the ten minutes, the Speaker directed that the Bell be rung for a further ten minutes;

And there being a Quorum after the expiry of the ten minutes;

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

4. **COMMUNICATION FROM THE CHAIR ON THE CONVENING OF SPECIAL SITTING OF THE SENATE**

The Speaker conveyed the following communication from the Chair: -

“Honourable Senators,

I have a communication to make relating to the business of the Senate scheduled for consideration during this Special Sitting.

On the request of the Senate Majority Leader vide letter Ref. *SEN/MLS/GKM/012/2024* dated 14th August, 2024, and with the requisite number of Senators, I appointed today, Monday, 19th August and tomorrow, Tuesday, 20th August, 2024, as days for Specialittings of the Senate.

Honourable Senators,

The Special Sittings, convened *vide* Gazette Notice No. 10123 dated 16th August, 2024, shall consider the following business –

- (a) the Joint Report of the National Assembly Departmental Committee on Administration and Internal Security and the Senate Standing Committee on National Security, Defence and Foreign Relations on the approval hearing for Mr. Douglas Kanja Kirocho, the nominee for appointment to the position of Inspector General of the National Police Service;
- (b) Motion on the alteration of Part IV of the Third Session of the Senate Calendar; and
- (c) hearing and determination on the charges for the proposed removal from office, by impeachment, of Hon. Kawira Mwangaza, the Governor of Meru County.

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 Sittings. At the conclusion of business tomorrow, the Senate shall stand adjourned until Tuesday, 3rd September, 2024 at 2:30 pm, in accordance with the Senate Calendar or as resolved otherwise.

Honourable Senators,

With regard to the hearing and determination on the proposed removal from office, by impeachment, of Hon. Kawira Mwangaza, a Programme has been prepared and appended to the Order Paper for today.

As it is the tradition, and in line with the schedule of activities for an impeachment hearing in Plenary, the Senate will hold a closed preparatory session to deliberate on the management of the investigation after conclusion of business listed at Orders No. 2 and 3 in today's Order Paper. The objective of the preparatory session is to ensure that the process is conducted seamlessly and concluded timeously, and in line with the requirements set out under the County Governments Act and the Senate Standing Orders.

During the pre-hearing, the parties, all members of the public and the media will be expected to withdraw from the Chamber and the galleries and that any form of broadcast from the Chamber shall cease forthwith. In accordance with the Hearing Programme for an Impeachment Hearing in Plenary, the open session will commence at 11.00 am.

I now direct the Clerk to call the next Order.

I thank you.”

5. **NOTICE OF MOTION - ALTERATION OF THE SENATE CALENDAR**
(The Senate Majority Leader)

THAT, notwithstanding the Resolution of the Senate made on 15th February, 2024 (approval of the Senate Calendar), pursuant to Standing Order 32 (4), the Senate resolves to extend the recess so as to resume Regular Sittings on Tuesday, 17th September, 2024, and that the Senate Calendar (Regular Sessions) for the Third Session, 2024, be altered accordingly.

6. **MOTION - ALTERATION OF THE SENATE CALENDAR**

Order read;

Motion made and Question proposed;

THAT, notwithstanding the Resolution of the Senate made on 15th February, 2024 (approval of the Senate Calendar), pursuant to Standing Order 32 (4), the Senate resolves to extend the recess so as to resume Regular Sittings on Tuesday, 17th September, 2024, and that the Senate Calendar (Regular Sessions) for the Third Session, 2024, be altered accordingly.

(The Senate Majority Leader)

And there being no Senator wishing to contribute;

Before the Question was put and pursuant to Standing Order 84(1), 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, notwithstanding the Resolution of the Senate made on 15th February, 2024 (approval of the Senate Calendar), pursuant to Standing Order 32 (4), the Senate resolves to extend the recess so as to resume Regular Sittings on Tuesday, 17th September, 2024, and that the Senate Calendar (Regular Sessions) for the Third Session, 2024, be altered accordingly.

7. **BRIEFING ON THE RULES OF PROCEDURE FOR THE HEARING AND DETERMINATION OF THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA, THE GOVERNOR OF MERU COUNTY.**

The Speaker directed that the Senate proceeds to an *in-camera* session;

Thereupon, members of the public and media withdrew from the galleries;

Upon invitation by the Speaker, the Clerk briefed Senators on the Rules and Procedure for the hearing and determination of the proposed removal from office, by impeachment, of Honourable Kawira Mwangaza, the Governor of Meru County.

8. **OPEN SESSION RESUMED** – at Eleven O'clock.
9. **COMMUNICATION FROM THE CHAIR ON THE MANDATE OF THE SENATE, RULES OF PROCEDURE FOR THE HEARING AND DETERMINATION OF THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA, THE GOVERNOR OF MERU COUNTY.**

The Speaker conveyed the following communication from the Chair: -

“Honourable Senators, Ladies and Gentlemen,

Having dispensed with Orders No. 3 and 4 in today's Order Paper and the Pre-Hearing meeting of Senators, which was a closed session, it is now time to commence the proceedings on the proposed removal from office, by impeachment, of Honourable Kawira Mwangaza, the Governor of Meru County.

By a letter *Ref. No. MCA/RES/VOL.IV/79* dated Friday, 9th August, 2024, the Speaker of the Meru County Assembly informed the Speaker of the Senate that at a sitting of the Meru County Assembly held on Thursday, 8th August, 2024, the Meru County Assembly approved a Motion for the removal from office, by impeachment, of Honourable Kawira Mwangaza, the Governor of Meru County.

The Speaker of the County Assembly of Meru forwarded the following documents to the Senate, being the record of proceedings of the County Assembly and the evidence adduced in support of the impeachment Motion: -

- (i) Copy of Approved Notice of Motion "the Motion" dated 31st July, 2024 - Laid on the Table of the Assembly on Wednesday, 31st July, 2024 (Afternoon Sitting);
- (ii) Copy of Exhibits - Laid on the Table of the Assembly on Wednesday, 31st July, 2024 (Afternoon Sitting);
- (iii) Order Papers for the Assembly Sittings of Wednesday, 31st July, 2024 (Afternoon Sitting), Tuesday, 6th August, 2024 (Afternoon Sitting) and Thursday, 8th August, 2024 (Morning Sitting);
- (iv) Certified Hansard Reports for the Assembly Sittings of Wednesday, 31st July, 2024 (Afternoon Sitting), Tuesday, 6th August, 2024 (Afternoon Sitting) and Thursday, 8th August, 2024 (Morning Sitting);
- (v) Copy of Letter dated 31st July, 2024 Reference Number *MCA/GC/IVOL.I/24* inviting the Governor, Meru County to Respond to the Tabled Impeachment Motion;
- (vi) Affidavits of Service:
 - (a) Copy of Affidavit of Service by Mr. Benson Kinyua Ngure serving H.E the Governor, Meru County with an invitation Letter and copy

- of the laid Notice of Impeachment Motion on behalf of the Speaker, County Assembly of Meru;
- (b) Copy of Affidavit of Service by Mr. Joel Maitehia M'Rukunga serving H.E the Governor, Meru County with a copy of the laid Notice of Impeachment Motion on behalf of Hon. Zipporah Kinya; and
 - (c) Copy of Letter dated 6th August, 2024 Reference Number *MCA/GC/I/VOL.V26* forwarding to H. E. the Governor a copy of the laid Report on Public Participation on the Notice of Motion.
- (vii) Certified copy of a Form for Verification of signatures for Members in support of a Motion for Removal of the Meru County Governor by Impeachment dated 8th August, 2024 made Pursuant to the Provisions of Standing Order No. 65 (4);
 - (viii) Certified copy of the Roll Call Vote on the Motion for the Impeachment of H.E. Governor, Meru County held during the Assembly Sitting of Thursday, 8th August, 2024;
 - (ix) Documents Tabled During the Debate on the Motion for Removal of the Governor, Meru County by impeachment:
 - (a) Appointment Letter for one Matiri Kenneth Mutua dated 13th February, 2023, Reference Number *CGM/CPSB/APPT/VOL.3/2023(22)*;
 - (b) Copy of letter dated 6th August, 2024, Reference Number *CAM/GEN/VOL.VII/40*;
 - (c) Copy of letter dated 31st July, 2024, Reference Number *CGM/CS/CA.023/26 Vo1.3(390)*;
 - (d) Copy of letter dated 17th July, 2024, Reference Number *CAM/GEN/VOL.VII/39*;
 - (e) Copy of letter dated 15th July, 2024, Reference Number *CGM/CS/CA/VOL.3/023/382*;
 - (f) Copy of letter dated 31st August, 2023, Reference Number *CAM/GEN/VOL.VI/187*;
 - (g) Copy of letter dated 31st August, 2023, Reference Number *CAM/GEN/VOL.VI/188*;
 - (h) Copy of letter dated 20th July, 2023, Reference Number *CAM/GEN/VOL.VI/168*; and
 - (i) Copy of letter dated 18th June, 2023, Reference Number *CGM/CS/CA/VOL.I/023/17*.
 - (x) Evidence of Public Participation:
 - (a) Jhua technology 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 and TV stations;
 - (b) Pictures and videos of the various public participation fora held on Monday, 5th August, 2024 contained in the accompanying flash disk;

- (c) Copy of Public Participation Report dated 6th August, 2024, and laid on the Table on Tuesday, 6th August, 2024 (Afternoon Sitting); and
 - (d) Written/printed memoranda from 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 memoranda inclusive of submissions received via email. Minutes, attendance registration sheets and registration forms for Memoranda of the public participation held on Tuesday, 13th December, 2022.
- (xi) Soft copy of the Third Edition Standing Orders of the County Assembly of Meru contained in an accompanying flash disk.

Pursuant to Section 33(3) (b) of the County Governments Act and Standing Order 80 (1) (a) of the Senate Standing Orders, at the sitting of the Senate held on Wednesday, 14th August, 2024, the charges against the Governor of Meru County, as contained in the Motion of Impeachment by the County Assembly of Meru were read to the assembled Senate.

Honourable Senators, Ladies and Gentlemen,

Allow me to remind you of the mandate of the Senate in relation to the proposed removal from office by impeachment, of a Governor as provided for under Article 181 of the Constitution as read together with Section 33 of the County Governments Act, 2012 and Standing Order 80 of the Senate Standing Orders. In particular, Article 181 of the Constitution states as follows: -

- (1) A county governor may be removed from office on any of the following grounds –*
- (a) gross violation of the Constitution or any other law;*
 - (b) where there are serious reasons for believing that the county governor has committed a crime under national or international law;*
 - (c) abuse of office or gross misconduct; or*
 - (d) physical or mental incapacity to perform the functions of office of county governor.*
- (2) Parliament shall enact legislation providing for the procedure of removal of a county governor on any of the grounds mentioned in clause (1).*

Section 33 of the County Governments Act, 2012, Senate Standing Order 80 and the Third Schedule to the Senate Standing Orders provide for the procedure to be followed in the hearing and determination on the proposed removal from office, by impeachment, of a Governor. Specifically, Section 33 (3) and Standing Order 80(1)(b) of the Senate provide that the Senate may, by resolution, appoint a Special Committee comprising eleven of its members to investigate the matter, or investigate the matter in plenary.

Honourable Senators will recall that at the sitting of the Senate held on Wednesday, 14th August, 2024, the Motion for the establishment of a Special Committee was defeated. This, therefore, paved the way for the default position, the hearing of the impeachment charges against the Governor of Meru County to be heard in Plenary.

Honourable Senators, Ladies and Gentlemen,

By way of a status update, pursuant to Rules 4(a) and 6 of the Rules of Procedure when considering the proposed removal of a governor in Plenary, the Senate invited the Governor to appear and be represented before the Senate during its investigation. The Senate further invited the Governor, if she so chooses to appear before the Senate, to file an answer to the Charges with the Office of the Clerk of the Senate by 5:00 pm on Saturday, 17th August, 2024, setting out –

- (i) the Governor's response to the particulars of the allegations;
- (ii) the mode of appearance before the Senate; whether in person, by advocate or in person and by advocate;
- (iii) the names and addresses of the persons to be called as witnesses, if any, and witness statements containing a summary of the evidence to be presented by such witnesses before the Senate; and
- (iv) any other evidence to be relied on.

Pursuant to Rules 4(b) and 7 of the Rules of Procedure when considering the proposed removal of a governor in Plenary, the Senate notified the County Assembly of the date for the commencement of the investigation and invited the County Assembly to designate Members of the County Assembly, who shall appear and be represented before the Senate during the investigation. The County Assembly was further invited, if it so chooses to appear before the Senate, to file with the Office of the Clerk of the Senate by 5:00 pm on Saturday, 17th August, 2024 setting out documentation –

- (i) designating the Members of the County Assembly, if any, who shall attend and represent the Assembly in the proceedings before the Senate;
- (ii) indicating the mode of appearance before the Senate; whether in person, by advocate, or in person and by advocate;
- (iii) indicating the names and addresses of the persons to be called as witnesses, if any, and witness statements containing a summary of the evidence to be presented by such witnesses before the Senate; and
- (iv) specifying any other evidence to be relied on.

Honourable Senators, Ladies and Gentlemen,

On Saturday, 17th August 2024, the Office of the Clerk of the Senate, received a response, Ref. No. *HKM-CAM/IM-24/CGA/2024-034*, to the Invitation to Appear issued to the Governor, dated 17th August 2024, from M/S Mutuma Gichuru & Associates Advocates, who indicated that the Governor had

appointed the firm to represent her in the proceedings before the Senate and that the Governor would also appear in person and by advocates. The letter also indicated, the list of counsel representing the Governor and the list of witnesses for the Governor.

Similarly, on 17th August 2024, the Office of the Clerk of the Senate received a response, Ref. No. 1/CAM-001/ab/24, to the Invitation to Appear issued to the County Assembly dated 17th August 2024, from M/S A&B Advocates LLP, indicating that the firm had been appointed to represent the County Assembly. The letter also indicated the advocates representing the County Assembly and the witnesses for the County Assembly.

Pursuant to Rule 8 of the Rules of Procedure when considering the proposed removal of a governor in Plenary, on Saturday, 17th August, 2024, the Clerk of the Senate furnished each party with the documentation filed by the other party in accordance with Rules 6 and 7 of the Rules of Procedure.

Honourable Senators, Ladies and Gentlemen,

The Hearing Programme which has been appended in today's Order Paper, details the various activities in the hearing and determination of the matter and the time allocated to each activity. It will be crucial that all the parties comply with the time allocated. The parties will be notified of the balance of time on each activity through the Clerks at the Table.

In summary, the Programme states that today, Monday, 19th August, 2024, after we have dispensed with preliminary matters, the Charges against the Governor, as submitted by the County Assembly, shall be read. The Governor will be given an opportunity to take a plea on the charges. This will be followed by an opening statement by the County Assembly and thereafter, by the Governor. After the conclusion of the opening statements, the presentation of the case of the County Assembly shall commence. After presentation of the case by the County Assembly, Honourable Senators will be given an opportunity to ask questions or seek clarifications from the County Assembly. This should take us up to the end of today's sitting.

At the Sitting scheduled for tomorrow, Tuesday, 20th August, 2024, the Governor will have an opportunity to present her case before the Senate. Honourable Senators will also be given an opportunity to ask questions or seek clarifications from the Governor, following which the closing statements by the parties will be made for a period not exceeding one hour each. The Senate shall then proceed to a debate prior to voting on each of the Charges. At this stage, a supplementary Order Paper will be issued to facilitate this debate.

In accordance with Section 33(7) of the County Governments Act, 2012 and Standing Order 80(6) of the Senate Standing Orders, the voting shall be by county delegations. The Governor shall cease to hold office if a majority of all county delegations of the Senate vote to uphold any impeachment charge. If, however, the vote in the Senate fails to result in the removal of the Governor,

pursuant to Standing Order 80(7), the Speaker of the Senate shall notify the Speaker of the Meru County Assembly accordingly.

Honourable Senators, Ladies and Gentlemen,

I now invite Counsel for the Meru County Assembly, to introduce the legal team of the County Assembly and the Members of the Meru County Assembly representing the County Assembly, by stating the full name and designation of each person.”

Thereupon, Mr. Ndegwa Njiru introduced himself as Lead Counsel for the County Assembly of Meru, and proceeded to introduce the following: -

- i) Mwangi Ndegwa - Advocate
- ii) Mwirigi Eric Muriuki - Advocate
- iii) Mwereru Boniface Mawira - Advocate
- iv) Antony Mwenda - Advocate
- v) Ngure Benson Kinyua - Advocate
- vi) Baptista Muriki Kanyaru - Advocate
- vii) Linda Nkirote Kithinji - Advocate
- viii) Hon. Zipporah Kinya - Member of County Assembly/
Witness
- ix) Hon. Aurelio Murangiri Kiramana - Member of County Assembly/
Witness
- x) Hon. Hyrene Kawira Kamenchu - Member of County Assembly/
Witness

“Honourable Senators, Ladies and Gentlemen,

I now similarly invite Counsel for the Governor to introduce the legal team representing the Governor and the Governor, by stating the full name and designation of each person.”

Thereupon, Mr. Elisha Ongoya introduced himself as Lead Counsel for the Governor, and proceeded to introduce the following: -

- i) Elias Mutuma - Legal Counsel
- ii) Bridah Kimathi - Legal Counsel
- iii) Robert Mutembei - Legal Counsel
- iv) Edgar Busiega - Legal Counsel
- v) Collins Mwenda - Legal Counsel
- vi) Brian Lee Maingi - Legal Assistant
- vii) Michelle Makandi - Legal Assistant
- viii) Sylvia Njoki - Legal Assistant
- ix) Victor Koome - Legal Assistant
- x) Noble Wandera - Legal Assistant
- xi) Hon. Kawira Mwangaza - the Governor/ Witness
- xii) Ibrahim Mutwiri Kirimi - Witness
- xiii) Dickson Munene Nkanata - Witness

- xiv) Hon. Evans Mawira Kaaria - Member of County Assembly/
Witness
- xv) Hon. Fridah Naito Gitobu - Member of County Assembly/
Witness
- xvi) Hon. Jacob Mwirigi Muthuri - Member of County Assembly/
Witness

“Honourable Senators, Ladies and Gentlemen,

On behalf of the Senate, I welcome the County Assembly’s team, the Governor’s team, members of the public and the media to the Senate and to these proceedings.

Finally, I now invite the Clerk to read the Charges against Honourable Kawira Mwangaza, the Governor of Meru County.

I thank you.”

10. **RECITAL OF THE CHARGES ON THE PROPOSED REMOVAL FROM OFFICE, BY IMPEACHMENT, OF HONOURABLE KAWIRA MWANGAZA, THE GOVERNOR OF MERU COUNTY.**

The Speaker directed the Clerk to read to Honourable Kawira Mwangaza, the Governor of Meru County, the particulars of the allegations against her as presented by the County Assembly of Meru.

Upon invitation by the Clerk, the Governor proceeded to take the stand;

Thereupon, pursuant to Rule 16 of the Rules of Procedure for the hearing and determination of the proposed removal from office by impeachment of a Governor in Plenary (Part 1), the Clerk proceeded to read out the particulars of the allegations as follows: -

“Honourable Kawira Mwangaza, the Governor of Meru County, the charges against you as received from the County Assembly of Meru are as follows, and I quote —

1. Charge 1: Gross Violation of the Constitution and other Laws

The Governor has grossly violated (among others) —

- a) Articles 10 (2), 27, 41, 47, 73, 232, 235, 236, and 251 of the Constitution
- b) sections 10, 15, 19 and 24 of the Public Officer Ethics Act, 2003
- c) sections 3, 7, 8, 9, 10, 11, 13 (1) (b), (f), 21, 29 and 52 of the Leadership and Integrity Act, 2012
- d) sections 2, 30(3), 45, 55, 58, 59, 59A, 63, 64, 65 and 69 of the County Governments Act, 2012,

- e) section 4 of the Public Appointments (County Assemblies Approval) Act,
- f) section 4 of the Fair Administrative Action Act,
- g) section 6 of the Meru County Investment and Development Corporation Act,
- h) section 9 (7)(b) of the Meru County Revenue Board Act,
- i) section 10(6) of the Meru County Investment and Development Corporation Act, and
- j) section 19 of the Meru County Water and Sanitation Services Act, by engagement, connivance and/or complicity in the following:
 - i) Illegally revoking the appointment of CPA Virginia Kawira Miriti as Secretary/CEO of the Meru County Public Service Board, without a vote of not less than 75% of all the members of the County Assembly and in usurpation of the powers of the County Assembly contrary to sections 58(4) & (5) and 59A of the County Governments Act.
 - ii) Failing to appoint the Chairpersons of the Meru County Revenue Board, Meru Microfinance Corporation, Meru Youth Service Board, and Meru County Investment and Development Corporation Board as required by law thus failing to operationalize the said Boards, and/or illegally appointing the said Chairpersons without vetting and approval by the County Assembly contrary to section 4 of the Public Appointments (County Assemblies Approval) Act. The respective Secretariats of the said Boards continue to draw and expend public funds without duly appointed Board members to exercise a supervisory role over the Boards' Secretariats in order to ensure accountability in the spending of funds, thus jeopardizing service delivery.
 - iii) Refusing to implement the recommendations and/or resolutions of the County Assembly requiring the Governor to
 -
 - (a) to dismiss the County Secretary, Dr. Kiambi Atheru Thambura, and the Chief of Staff, Mr. Harrison Gatobu Nchamba Mbithi from office for gross violation of the Constitution and other laws; and
 - (b) blatantly ignoring or failing to submit a report to the County Assembly on the implementation of the said recommendations within sixty (60) days as required in the Report of the County Assembly dated 23rd December 2023, contrary to Article 183(3) of the Constitution.
 - iv) Illegally dismissing Dr Ntoiti (CEO of County Revenue Board), Paul Mwaki (CEO of Liquor Board), Kenneth Kimathi Mbae (Managing Director of Meru Microfinance Corporation) and Joseph Kithure Mberia (CEO, MEWASS) in the usurpation of the powers of the appointing authorities contrary to section 9 (7)(b) of the Meru County Revenue Board Act and section 10(6) of the Meru County Investment and Development Corporation

Act, a result of which the County Government of Meru has been slapped with costs and damages amounting to Kshs. 4 million by the Employment and Labour Relations Court.

2. Charge 2: Gross Misconduct

The Governor has engaged in gross misconduct by deliberately and knowingly misleading the public by giving false information that Kshs. 86,000,000.00 had been raised through the Paybill number 247247 Account Number 0400163917899 established after the murder of Daniel Muthiani alias Sniper while the correct position is that only Kshs. 286,516.00 was raised thus violating the moral and ethical requirements expected of State Officers, contrary to section 19 of the Public Officer Ethics Act and section 29 of the Leadership and Integrity Act.

3. Charge 3: Abuse of Office

The Governor has engaged in acts and omissions which singularly and collectively amount to abuse of office and gross violation of (among others) Articles 10, 73, 201, 226 (5), and 232 of the Constitution, sections 8, 12, 13 (1) and 35 of the Leadership and Integrity Act, 2012, and sections 45 (2) and 46 of the Anti-Corruption and Economic Crimes Act by the following:

- a) The irregular payment of emergency call allowances to 161 doctors and medical officers using the wrong rates leading to excessive payment of Kshs. 74,340,000, contrary to sections 45 (2) and 46 of the Anti-Corruption and Economic Crimes Act, sections 11 and 15 of the Public Officer Ethics Act and section 12 (1) of the Leadership and Integrity Act;
- b) Use of manual payroll to pay personnel emoluments amounting to Kshs. 102.94 million (3.1% of Personnel Emoluments costs) contrary to Section 6.7.6 of the County Financial Accounting and Reporting Manual;
- c) Employing a bloated workforce, of at least 111 personal staff in the office of the Governor, thus contributing to an increase in the wage bill by more than Kshs. 500 million, and an excessive wage Bill that is 49% of the annual revenue allocation far beyond the 35% limit set by section 25(1)(a) and (b) of the Public Finance Management (County Governments) Regulations, 2015; and
- d) Paying Kiambi Christus Manyara, a Public Communication Officer in the office of the Governor his full salary and benefits while in remand and despite being accused of murder contrary to section 4.2 of the Public Service Commission Discipline Manual for the Public Service.”

Taking of plea:

The Clerk of the Senate invited the Governor to plead to the particulars of the allegations as read;

Thereupon, the Governor pleaded 'Not Guilty' to the charges.

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

Pursuant to Rules 17 and 18 of the Rules of Procedure for Hearing and Determination of the Proposed Removal from Office by Impeachment of a Governor, in Plenary, the Speaker invited the parties to make their opening statements for not more than thirty minutes each.

a) Opening statements by the County Assembly

Counsel for the County Assembly, Mr. Ndegwa Njiru and Mr. Mwereru Boniface Mawira, made opening statements on behalf of the County Assembly.

b) Opening statements by the Governor

Counsel for the Governor, Mr. Elisha Ongoya and Mr. Elias Mutuma, made opening statements on behalf of the Governor.

And the business for the morning session having been concluded in accordance with the Hearing Programme, the Speaker adjourned the Senate at forty-nine minutes past Twelve O'clock without Question put.

12. **SENATE ROSE** – at forty-nine minutes past Twelve O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Monday, August 19, 2024 at 2.30 p.m.*