



THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, MAY 27, 2025 AT 2.30 PM

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, directed that the Bell be rung for ten minutes, pursuant to Standing Order 40;

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

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

4. **COMMUNICATIONS FROM THE CHAIR**

The Speaker conveyed the following Communications from the Chair:

a) Visiting teachers and students from Tengecha Boys' High School in Kericho County

"Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Tengecha Boys' High School in Kericho County. The delegation comprises three (3) teachers and fifty-seven (57) students, who are in the Senate for a one-day academic exposition.

Honourable Senators,

In our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and, on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you."

b) Visiting delegation of legal officers from the Parliament of Ghana

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, a visiting delegation of Legal Officers from the Parliament of Ghana who are undertaking a benchmarking visit in collaboration with Legal Officers in the Directorate of Legal Services in the Senate.

Honourable Senators,

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

1. Ms. Doreen Asante - Assistant Director;
2. Ms. Mary Wendy Yeboah - Senior Legal Officer; and
3. Mr. Edwin Tuffour - Legal Officer

Honourable Senators,

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

I thank you.”

5. PAPERS

- i) The County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2024/2025.

(The Senate Majority Leader)

- ii) The Report of the Standing Committee on Finance and Budget on its consideration of the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2024/2025.

(The Vice-Chairperson, Standing Committee on Finance and Budget)

6. NOTICE OF MOTION - SUSPENSION OF THE MORNING SITTING OF THE SENATE ON WEDNESDAY, 28TH MAY, 2025

(The Senate Majority Leader)

THAT, notwithstanding the Resolution of the Senate made on 19th February, 2025, pursuant to Standing Order 32 on approval of the Senate Calendar (Regular Sessions) for the 4th Session 2025; and further

notwithstanding the provisions of Standing Order 34 (1), the Senate resolves to suspend its Morning Sitting on Wednesday 28th May, 2025.

7. **NOTICE OF MOTION - THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2024/2025**

(The Vice-Chairperson, Standing Committee on Finance and Budget)

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2024/2025 laid on the Table of the Senate on Tuesday, 27th May, 2025, and that pursuant to Section 17 (7) of the Public Finance Management Act, the Senate approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2024/2025.

8. **QUESTIONS AND STATEMENTS**

a) Statements pursuant to Standing Order 53 (1)

- i) The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale, MP) sought a Statement from the Standing Committee on Health regarding the employment of staff under the Social Health Authority (SHA).
- ii) Nominated Senator (Sen. George Mbugua, MP) sought a Statement from the Standing Committee on Trade, Industrialization and Tourism regarding the implementation status of the Extended Producer Responsibility (EPR) by manufacturers.
- iii) Nominated Senator (Sen. Tabitha Mutinda, MP) sought a Statement from the Standing Committee on Finance and Budget regarding the effective operationalization of the Victim Protection Trust Fund.
- iv) Request for a Statement by the Senator for Bungoma County (Sen. David Wafula, MP) from the Standing Committee on Roads, Transportation and Housing regarding the deplorable condition of the Bungoma – Mumias road was dropped in the absence of the Senator.

9. **MOTION - SUSPENSION OF THE MORNING SITTING OF THE SENATE ON WEDNESDAY, 28TH MAY, 2025**

Order read;

Motion made and Question proposed;

THAT, notwithstanding the Resolution of the Senate made on 19th February, 2025, pursuant to Standing Order 32 on approval of the Senate

Calendar (Regular Sessions) for the 4th Session 2025; and further notwithstanding the provisions of Standing Order 34 (1), the Senate resolves to suspend its Morning Sitting on Wednesday 28th May, 2025.

(The Senate Majority Leader)

And there being no Senators wishing to contribute;

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

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

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, notwithstanding the Resolution of the Senate made on 19th February, 2025, pursuant to Standing Order 32 on approval of the Senate Calendar (Regular Sessions) for the 4th Session 2025; and further notwithstanding the provisions of Standing Order 34 (1), the Senate resolves to suspend its Morning Sitting on Wednesday 28th May, 2025.

10. **MOTION - THE REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE COUNTY GOVERNMENTS (ADDITIONAL ALLOCATIONS) CASH DISBURSEMENT SCHEDULE FOR THE FINANCIAL YEAR 2024/2025**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the County Governments (Additional Allocations) Cash Disbursement Schedule for the Financial Year 2024/2025 laid on the Table of the Senate on Tuesday, 27th May, 2025, and that pursuant to Section 17 (7) of the Public Finance Management Act, the Senate approves the County Governments (Additional Allocations) Cash Disbursement Schedule for Financial Year 2024/2025.

(The Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And there being no more Senators wishing to contribute;

Mover replied;

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

And the Temporary Speaker (Sen. Hillary Wakili Sigei, MP), acceding to the request, deferred the putting of the Question to a later date.

11. **MOTION – REPORT OF THE STANDING COMMITTEE ON FINANCE AND BUDGET ON THE FOURTH BASIS FOR ALLOCATING THE SHARE OF NATIONAL REVENUE AMONG COUNTIES**

THAT, the Senate adopts the Report of the Standing Committee on Finance and Budget on the Fourth Basis for Allocating the Share of National Revenue Among the Counties, laid on the Table of the Senate on Thursday, 17th April, 2025, and that pursuant to Article 217(1) of the Constitution, approves the Fourth Basis for Allocating the Share of National Revenue Among the Counties for the Financial Years 2025/2026 to 2029/2030 as follows-

County Allocation = (Baseline Allocation Ratio*Ksh.387.425 billion) + {[(0.45*Population Index) + (0.35*Equal Share Index) + (0.12*Poverty Index) + (0.08*Geographical Size Index)] *Additional County Equal Share above the baseline}.

Where –

- i. Baseline =Ksh.387.425 billion being the equitable share for the Financial Year 2024/2025;*
- ii. Baseline Allocation Ratio = The allocation factor derived from each County's allocation for the Financial Year 2024/2025;*
- iii. The Population Index is based on the 2019 Kenya Population and Housing Census (KPHC);*
- iv. The Poverty Index is based on the 2022 Kenya Poverty Report by the Kenya National Bureau of Statistics (KNBS);*
- v. Geographical Size is capped at 10%.*

(The Chairperson, Standing Committee on Finance and Budget)

Order read.

Order deferred.

12. **MOTION - CONSIDERATION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON A PETITION TO THE SENATE BY MS. MERCY JEPCHIRCHIR REGARDING ALLEGED MEDICAL NEGLIGENCE AND STAFF INCOMPETENCE WHICH LED TO THE DEATH OF MS. ANNITA JEPKORIR AT THE MOI TEACHING AND REFERRAL HOSPITAL**

Order read;

Motion made and Question proposed;

THAT, the Senate adopts the Report of the Standing Committee on Health on a Petition to the Senate by Ms. Mercy Jepchirchir regarding alleged medical negligence and staff incompetence which led to the death of Ms. Annita Jepkorir at the Moi Teaching and Referral Hospital, laid on the Table of the Senate on Wednesday, 7th May, 2025.

(The Chairperson, Standing Committee on Health)

And the time being thirty minutes past Six O'clock, the Temporary Speaker (Sen. Veronica Maina, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

13. **SENATE ROSE** – at thirty minutes past six O'clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, May 28, 2025 at 2:30 pm*