



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (FOURTH SESSION)**

**THE SENATE**

**VOTES AND PROCEEDINGS**

**TUESDAY, JUNE 10, 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. **COMMUNICATION FROM THE CHAIR - VISITING TEACHERS AND STUDENTS FROM SEVENFORKS SCHOOL IN EMBU COUNTY**

The Speaker conveyed the following Communication from the Chair:

“Honourable Senators,

I would like to acknowledge the presence, in the Public Gallery this afternoon, of visiting teachers and students from Sevenforks School in Embu County. The delegation comprises one seventy-seven (177) students and nine (9) teachers, 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.”

5. **MESSAGES**

The Speaker conveyed the following Messages from the National Assembly:

**a) Decision of the National Assembly on the Senate Amendments to the Division of Revenue Bill (National Assembly Bills No. 10 of 2025)**

“Honourable Senators,

I wish to report to the Senate that I have, pursuant to Standing Order 46 (3) and (4), received the following Message from the Speaker of the National Assembly regarding the decision of the National Assembly on the Senate amendments to the Division of Revenue Bill (National Assembly Bills No.10 of 2025)

The Message, dated Wednesday, 4<sup>th</sup> June, 2025, was received in the Office of the Clerk of the Senate, the same date.

Pursuant to Standing Order 46(4), I now report the Message –

*“PURSUANT to the provisions of Standing Order 41(1) and 148(b) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly-*

*WHEREAS, on Wednesday, 9<sup>th</sup> April, 2025, the National Assembly passed the Division of Revenue Bill (National Assembly Bills No. 10 of 2025) without amendments and thereafter referred the Bill to the Senate for consideration in accordance with the provisions of Article 110(4) of the Constitution;*

*AND WHEREAS, on Wednesday, 28<sup>th</sup> May, 2025, the Senate considered and passed the said Bill with amendments and referred it back to the National Assembly for reconsideration in accordance with the provisions of Article 112(1)(b) of the Constitution;*

*FURTHER WHEREAS, on Tuesday, 3<sup>rd</sup> June, 2025, the National Assembly negated a Motion on consideration of the Senate amendments to the Division of Revenue Bill (National Assembly Bills No. 10 of 2025), thereby committing the Bill to a mediation committee in accordance with the provisions of Article 112(2)(b) of the Constitution;*

*NOW THEREFORE, in accordance with the provisions of Article 112 of the Constitution and Standing Orders 41(1) and 148(b) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of nine (9) Senators to a Mediation Committee to consider the Bill in accordance with the provisions of Article 113 of the Constitution.”*

Honourable Senators,

Consequent to the said decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution –

- (1) Hon. Samuel Atandi, MP;
- (2) Hon. Owen Baya, CBS, MP;
- (3) Hon. (Dr.) Robert Pukose, CBS, MP;
- (4) Hon. George Kariuki, CBS, MP;
- (5) Hon. Marianne Kitany, MP;
- (6) Hon. Christopher Aseka, MP;
- (7) Hon. Naisula Lesuuda, OGW, MP;
- (8) Hon. Leah Sankaire, MP; and
- (9) Hon. Zamzam Mohamed, MP.

Honourable Senators,

Pursuant to the provisions of Standing Order 166 (2) of the Senate, and in consultation with the Senate Majority Leader and Senate Minority Leader, I will, at an appropriate time, appoint Senators to the Mediation Committee.

I thank you.”

**b) Decision of the National Assembly on the Request for Withdrawal of the Public Transport (Motorcycle Regulation) Bill (Senate Bills No. 38 of 2023)**

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3), I received the following Message from the Speaker of the National Assembly regarding the decision of the National Assembly on the request for withdrawal of the Public Transport (Motorcycle Regulation) Bill (Senate Bills No. 38 of 2023). The request

The Message, dated Thursday, 5<sup>th</sup> June, 2025, was received in the Office of the Clerk of the Senate on the same date.

Pursuant to Standing Order 46 (4), I now report the Message -

*“PURSUANT to the provisions of Standing Order 41(1) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –*

*WHEREAS, the Public Transport (Motorcycle Regulation) Bill (Senate Bills No. 38 of 2023) was published vide Kenya Gazette Supplement No. 158 of 1<sup>st</sup> September, 2023 as a Bill seeking to establish a legal framework to regulate the use of motorcycles (bodabodas) in the country by introducing new provisions for their registration, operation, and safety at the county level, passed by the Senate on 5<sup>th</sup> December 2024 and referred to the National Assembly for consideration in accordance with the provisions of Article 110 (4) of the Constitution;*

*AND WHEREAS, on 7<sup>th</sup> March, 2025, the Senate conveyed a request for withdrawal of the Public Transport (Motorcycle Regulation) Bill (Senate Bill No. 38 of 2023) from further consideration by the National Assembly;*

*FURTHER WHEREAS, on Wednesday, 28<sup>th</sup> May, 2025, the National Assembly considered the proposed withdrawal and rejected the Motion for discharge of the Second Reading of the Bill;*

*NOW THEREFORE, in accordance with the provisions of Standing Order 41 of the National Assembly Standing Orders, I hereby convey the decision of the National Assembly to the Senate, which is that the National Assembly shall proceed with the consideration of the Bill in accordance with the provisions of Article 110 of the Constitution.”*

Honourable Senators,

For your information, the request under reference was made by the Sponsor of the Bill, Sen. (Dr.) Boni Khalwale, CBS, MP, and conveyed to the National Assembly through my office.

I thank you.”

## 6. **STATEMENTS**

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

- i) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Health regarding the persistent shortage of essential medicines in health facilities across Turkana County.
- ii) The Senator for Turkana County (Sen. James Lomenen, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of Konoo Irrigation Scheme in Turkana County.
- iii) Nominated Senator (Sen. Karen Nyamu, MP) sought a Statement from the Standing Committee on Health regarding the unresolved cases of medical negligence in private hospitals.
- iv) The Senator for Migori County (Sen. Eddy Oketch, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the tragic death of Mr. Albert Omondi Ojwang, a resident of Migori County, under circumstances involving police brutality.

## 7. **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 notes 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, 17<sup>th</sup> 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) + (Ksh. 2 billion shared equally among the identified 11 counties) + {[ (0.45\*Population Index) + (0.35\*Equal Share Index) + (0.12\*Poverty Index) + (0.08\*Geographical Size Index)] \*Additional County Equitable Share above Ksh. 389.425 billion}.**

Where –

- i. *Baseline Allocation Ratio = The allocation factor derived from each County's allocation for the Financial Year 2024/2025;*
- ii. *The 11 identified counties are: - Elgeyo/Marakwet, Embu, Isiolo, Kirinyaga, Laikipia, Lamu, Nyamira, Samburu, Taita/Taveta, Tharaka-Nithi and Vihiga;*
- 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); and*
- v. *Geographical Size is capped at 10%.*

*(The Chairperson, Standing Committee on Finance and Budget - 03.06.2025)*

Amendment proposed;

THAT, the Motion be amended by—

deleting the words “County Allocation = (Baseline Allocation Ratio\*Ksh.387.425 billion) + (Ksh. 2 billion shared equally among the identified 11 counties) + {[ (0.45\*Population Index) + (0.35\*Equal Share Index) + (0.12\*Poverty Index) + (0.08\*Geographical Size Index)] \*Additional County Equitable Share above Ksh. 389.425 billion}.” appearing after the words “as follows-” and substituting thereof with the following words

“County Allocation = (Baseline Allocation Ratio\*Ksh.387.425 billion) + (Ksh. 4.46 billion shared equally among the identified 11 counties) + {[ (0.45\*Population Index) + (0.35\*Equal Share Index) + (0.12\*Poverty Index) + (0.08\*Geographical Size Index)] \*Additional County Equitable Share above Ksh. 391.89 billion}.”

*(Sen. Okong'o Mogeni, MP-05.06.2025)*

THAT, the Motion be amended by—

deleting the words “County Allocation = (Baseline Allocation Ratio\*Ksh.387.425 billion) + (Ksh. 2 billion shared equally among the identified 11 counties) + {[ (0.45\*Population Index) + (0.35\*Equal Share Index) + (0.12\*Poverty Index) + (0.08\*Geographical Size Index)] \*Additional County Equitable Share above Ksh. 389.425 billion}.” appearing after the words “as follows-” and substituting thereof with the following words

“County Allocation = (Baseline Allocation Ratio\*Ksh.387.425 billion) + (Ksh. 4.46 billion shared equally among the identified 11 counties) + {[ (0.45\*Population Index) + (0.35\*Equal Share Index) + (0.12\*Poverty Index) + (0.08\*Geographical Size Index)] \*Additional County Equitable Share above Ksh. 391.89 billion}.”

*(Sen. Okong’o Mogeni, MP - 05.06.2025)*

Debate on the proposed amendment interrupted on Thursday, 5<sup>th</sup> June, 2025, resumed;

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

8. **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, June 11, 2025 at 9:30 am*