



**THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT**



Fifth Session

Tuesday, 10th February, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 10th February, 2026

*The House met at the Senate Chamber,
Parliament Buildings at 2.32 p.m.*

[The Temporary Speaker (Sen. Mumma) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Temporary Speaker (Sen. Mumma): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted with the Temporary Speaker)

Serjeant-at-Arms, please, ring the Bell for five minutes.

(The Quorum Bell was rung)

The Temporary Speaker (Sen. Mumma): Hon. Senators, can we settle down? Clerk, you may read the Orders.

COMMUNICATIONS FROM THE CHAIR

WELCOME TO HON. SENATORS TO THE FIFTH SESSION OF THE THIRTEENTH PARLIAMENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, it is my pleasure and privilege to welcome you back from the recess. I believe that you have had the opportunity to spend time with your families and constituents over the Christmas and New Year festivities.

In accordance with Standing Order No.31(1), the Fifth Session begins today, 10th February, 2026 and will conclude on Thursday, 3rd December, 2026. Very shortly, the Senate Business Committee (SBC), once constituted, will consider the calendar for the Session, which will apportion the sitting days and recess in between the stated period. A notice of Motion and Motion on the proposed Senate Calendar will be scheduled in the Order Paper thereafter, for approval by the Senate.

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Hon. Senators, as we begin the Fifth Session, it is important to take stock of the activities and achievements in the Fourth Session. Five Senate Bills were considered by both Houses and assented to by His Excellency the President.

These Bills are-

- (1) The Persons with Disabilities Bill (Senate Bills No. 7 of 2023);
- (2) The County Public Finance Laws (Amendment) Bill (Senate Bills No. 39 of 2023);
- (3) The County Governments Additional Allocations Bill (Senate Bills No. 1 of 2025);
- (4) The County Governments Additional Allocations (No. 2) Bill (Senate Bills No. 8 of 2025); and,
- (5) The County Allocation of Revenue Bill (Senate Bills No. 9 of 2025).

Additionally, 29 Senate Bills were passed by the Senate and referred to the National Assembly and are at various stages of consideration in the National Assembly. A major hallmark of the business transacted in the Fourth Session was the consideration and subsequent approval of the Fourth Basis for Revenue Allocation among the county governments. This formula provided the framework for equitable distribution of nationally raised revenue and ensured that no county suffered a reduction in its allocation for subsequent allocation from the Third Basis. The Fourth Basis will be in force from financial year 2025/2026 to 2029/2030. Furthermore, Standing Committees considered and concluded 17 Petitions and 1,026 Statements. Twenty Cabinet Secretaries appeared before the Senate and responded to 93 Questions. While this represents commendable progress, we must continue to build on these gains by maintaining the same level of diligence and commitment in the Fifth session.

I urge the offices of Senate Majority and Minority Leaders to engage the National Assembly leadership with a view to expedite consideration of the said Bills by the National Assembly.

As hon. Senators are aware, in accordance with parliamentary practice, Motions that were not concluded by the end of Fourth Session have lapsed. In view of this, Senators wishing to pursue the Motions will have to file them afresh. Similarly, Questions that had not been responded to by the end of the Fourth Session also lapsed and Senators wishing to pursue them will be required to file the Questions afresh.

Hon. Senators, with respect to engagements with devolution stakeholders, the Senate participated in the Biennial Devolution Conference held from 12th to 15th August, 2025 in Homa Bay County. The participation of the Senate in this event reaffirmed the central role that the devolved governance structure plays in expanding opportunities across the country and the need to enhance openness and accountability in the management of public affairs.

In addition, the Senate also held its sittings in Busia County from 6th to 10th October, 2025, in line with Article 126(1) of the Constitution (*Senate Mashinani*). This event enhanced visibility, public engagement and appreciation of the Senate's work at the grassroots level. The Senate *Mashinani* programme continues to demonstrate that every part of our country deserves equal attention and opportunity for development. By engaging directly with local leadership and communities, the Senate gains invaluable insights into the unique challenges and aspirations of the people.

The lessons drawn from these engagements continue to shape the approach of the Senate in fulfilling its constitutional mandate. It is, therefore, imperative for the Senate to reflect on the outcomes of the aforesaid events, with a view to finding sustainable solutions to the challenges observed. In particular, I urge the relevant committees to follow up and ensure the full implementation of the resolutions passed pursuant to Standing Order No.228.

Allow me to take this opportunity to commend you for the tremendous work you did during the Fourth Session. We should now prepare ourselves for an intensive Session ahead, as we anticipate an increased workload with the approaching conclusion of the parliamentary term.

Hon. Senators, looking ahead and in accordance with Section 25 of the Public Finance Management Act, Parliament will shortly receive and consider the Budget Policy Statement, 2026 and thereafter the Division of Revenue and the County Allocation of Revenue Bills. This phase of the budget cycle calls for critical interrogation of the said financial instruments to ensure that resources are allocated equitably for the performance of national and county government functions.

Other legislative business before the Senate include 64 Bills, of which 18 are at the Committee stage, 42 are at the Second Reading and four are awaiting First Reading. Nineteen Petitions are pending before Standing Committees. The Senate will consider the reports thereon. Also, 452 Statements are pending before Standing Committees.

Hon. Senators, from the foregoing, you will appreciate that the Fifth Session begins with a heavy agenda. This requires that we individually and collectively redouble our efforts, whether in plenary or in committees to conclude the business expeditiously. My office, together with the Senate leadership and the secretariat, remains at your disposal to facilitate you in the effective discharge of your duties.

Finally, as hon. Senators have noted, the only business in today's Order Paper is the approval of Senators to serve in the Senate Business Committee (SBC). In the event that the Motion is approved, the newly constituted SBC will meet at the rise of the Senate in Committee Room Four to deliberate on and schedule the business for the rest of the week.

I thank you and wish you a fruitful session.

(Several Senators walked into the Chamber)

Hon. Senators, you may proceed to your seats.

(Hon. Senators sat in their places)

[The Temporary Speaker (Sen. Mumma) left the Chair]

[The Speaker (Hon. Kingi) in the Chair]

The Speaker (Hon. Kingi): Senator for Kilifi, kindly take your seat.

(Sen. Madzayo sat in his place)

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INSTALLATION OF A NEW MULTI-MEDIA DIGITAL
CONGRESS SYSTEM IN THE SENATE CHAMBER

The Speaker (Hon. Kingi): Hon. Senators, you will recall that the Clerk, *vide* a letter dated 4th February, 2026 addressed to all Senators and copied to the Speaker, notified Senators of the installation of a new multi-media digital congress system to manage the various aspects of Senate proceedings in plenary.

The installation was undertaken in the course of the long recess and is currently at the final configuration stage. Once fully configured, the system is expected to address the issues that persisted with the previous outdated systems.

Hon. Senators, you may have observed that the new system incorporates built-in fingerprint scanners on the delegate units to facilitate biometric authentication. This offers a more secure and convenient sign-in mode than the key card that was previously in use.

In addition to facilitating sign-in, biometric authentication will be used to generate attendance reports. You will, therefore, be required to sign-in whenever you are present for your attendance to be recorded. For avoidance of doubt, should you attend a sitting and not sign-in to the system, you will be marked absent.

The secretariat has made the necessary arrangements for registration of fingerprints after this sitting and for the remainder of this week to enable all Senators to register before the default sign-in mode is set to biometrics on Tuesday, 17th February, 2026. In the meantime, key cards have been configured to enable sign-in.

Hon. Senators, in terms of basic operation of the system, several Senators were earlier today taken through the user interface of the delegate units. Allow me to highlight the specific functionality relating to microphone control.

Any Senator wishing to speak to a matter may press the physical speaking button located on the right-hand side of the delegate unit or the corresponding digital icon appearing at the bottom-centre of the touchscreen interface.

Hon. Senators, you may have noticed that the system, as presently configured, only incorporates the above speaking buttons and not an intervention button or icon. This issue will be resolved upon final configuration of the system.

In the meantime, and for purposes of orderliness, I request that any Senator wishing to rise on a point of order to draw my attention by raising their hand. The Senator will, thereafter, be accorded the opportunity to speak, in accordance with the provisions of the Standing Orders.

I thank you.

Next Order, Clerk.

NOTICE OF MOTION

APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE

The Speaker (Hon. Kingi): Proceed, the Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir.

I beg to give notice of the following Motion-

THAT, pursuant to Standing Orders No.190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee for the Fifth Session, in addition to the Speaker of the Senate, who pursuant to Standing Order No.190(1)(a), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip:

1. Sen. Ali Ibrahim Roba, EGH, MP	-	Member
2. Sen. Fatuma Adan Dullo, CBS, MP	-	Member
3. Sen. Wakili Hillary Kiprotich Sigei, CBS, MP	-	Member
4. Sen. Mohamed Mwinyihaji Faki, CBS, MP	-	Member
5. Sen. Veronica Maina, CBS, MP	-	Member
6. Sen. Shakila Abdalla Mohamed, MP	-	Member
7. Sen. Crystal Kegehi Asige, MP	-	Member

Thank you.

The Speaker (Hon. Kingi): Next Order.

MOTION

APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I beg to move the following Motion:

THAT, pursuant to Standing Orders No.190 and 199(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee for the Fifth Session, in addition to the Speaker of the Senate, who pursuant to Standing Order No.190(1)(a), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip:

1. Sen. Ali Ibrahim Roba, EGH, MP	-	Member
2. Sen. Fatuma Adan Dullo, CBS, MP	-	Member
3. Sen. Wakili Hillary Kiprotich Sigei, CBS, MP	-	Member
4. Sen. Mohamed Mwinyihaji Faki, CBS, MP	-	Member
5. Sen. Veronica Maina, CBS, MP	-	Member
6. Sen. Shakila Abdalla Mohamed, MP	-	Member
7. Sen. Crystal Kegehi Asige, MP	-	Member

Mr. Speaker, Sir, this is a rather routine exercise. At the beginning of each session, we nominate our colleagues to serve in the Senate Business Committee, the committee that schedules business to be prosecuted before this House.

I know this is the only order of business today as that very team - should our colleagues approve it this afternoon - will have to retreat and then draw up business for the remainder of the session beginning today. However, while doing that, allow me to join you in welcoming colleagues who have come back re-energized and invigorated, ready to take on the responsibilities given to us.

Secondly, I would like to give my feedback on this system. While the tablets look very impressive, I must register concern on the quality of the sound. I do not know if I am the only one, but I find the sound to be of poor quality than what we previously had. The pictures also look very--- I know I am dark, but I had improved. Life has been very fair, but this is a different color. In fact, I cannot recognize Sen. Wakoli. I am only seeing a bald head on top of a black thing. Something needs to be done on the quality of cameras that we are using. Those are my quick comments on this matter.

Lastly is to comment on a topical issue arising from a presser that I watched yesterday from Mombasa where certain individuals arrogated themselves the responsibility of this House, which is our constitutional duty to summon any public servant. Anybody who interacts with public funds, we can summon them to this House at any time, at any period, day or night, in the pursuit of justice for the people of this Republic.

I was taken aback listening to that presser. In that presser, there were Members who have served in this House and know the procedures of this House. If you have a particular complaint about any individual, a particular committee, there are laid down procedures. We cannot be addressed from hotels in Mombasa by people who are purporting to be excellencies yet there is nothing excellent in their conduct.

I take great exception to being a member of the House that is now being castigated in public without due procedures being followed. What is the difference between what the Council of Governors (CoGs) is doing and the generalized accusations that are made about public servants in this country?

I believe that if those governors had legitimate and valid concerns about any procedural issue in this House, they would have written to you, Mr. Speaker, or to other agencies. To issue threats of non-appearance is completely unacceptable. In fact, I urge any committee that was scheduled to interact with any governor on matters involving public funds to proceed with full speed, so that if they are in violation and they fail to appear, the law follows its course.

We have since amended the law and we know what needs to happen when people do not honor summons of this House. I do not want to speak for too long on that issue, but I felt that it was rather unfortunate. In fact, I watched a clip of you, Mr. Speaker, this morning and you said something quite profound, that if as a governor you know there is nothing that you have done, why accept to be extorted? If you know that you are clean, your interactions with public funds have been nothing other than what is expected of you as a county administrator, then you just appear in the House and answer to questions. You do not need to lecture us and give us long stories.

Thank you, Mr. Speaker, Sir. I beg to move and request the Leader of Minority, Sen. Madzayo, to second this Motion.

The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Spika. Kwanza naunga mkono yote yaliyosemwa na Kiongozi wa Walio Wengi. Jambo la kwanza, nachukuwa nafasi hii kuwakaribisha ndugu zangu wote waliokuwa katika likizo ndefu ya krismasi na mwaka mpya, na January yote katika shughli zao za useneta katika Bunge hili letu.

Bw. Spika, ni jambo la kusikitisha kuona kwamba magavana walioko Kilifi, kaunti ninaotoka na kaunti ambayo wengine wetu tunaijuwa viliyvo--- Hivi karibuni ikitajwa Kilifi katika Kenya, watu wanafikiri mambo mengine yasiyoonyesha sura nzuri. Mojawapo ni hii ya hawa magavana waliokuwa huko katika kongamano lao. Waliyoyasema hayaambatani na vile tunavyowaheshimu kama magavana wetu. Hao wanaongoza katika kaunti zote arubaini na saba. Kwanza, kusema kwamba kuna maseneta fulani wanaowitzisha pesa, tunakemea vikali. Sisi sote tukiwa hapa kama maseneta tuko na imani na kamati zote ambazo ziko za Bunge la Seneti. Ni kamati tulizochagua na hawawezi wao kama magavana kutuchagulia ni nani ataketi katika kamati gani, ni nani anatakikana kuwaita watu fulani kuja mbele ya Kamati ya Seneti ili waweze kujibu maswali.

Ni kama ukiwa kortini kisha umwambie hakimu sitaki uwe hakimu, nataka hakimu mwengine. Lazima useme sababu. Vile vile, ukisema humtaki shahidi fulani, unamtaka shahidi Fulani. Ni kama hapa kuchagua kwamba humtaki Seneta fulani aketi mahali fulani au awe katika kamati fulani alafu aingie Seneta mwengine. Hilo ni jambo la kusikitisha sana kwa wale magavana kuchukuwa hatua kama hiyo. Ni kitendo ambacho tunakemea zaidi.

Bw. Spika, vile vile, la kumalizia ni kwamba kwa msimu huu, kutakuwa na kazi nyingi. Nataka kuwatachia kila la kheri Maseneta wote ambao wamefika na wale watafika katika juhudhi na kazi zao. Asante.

The Speaker (Ho. Kingi): Sen. Mo Fire, just take your seat. Hon. Senators, I will now proceed to propose the question.

Hon. Senators, this is a Procedural Motion. We need not spend a lot of time on it, debating on the names of your colleagues. With your concurrence, I may proceed to put the question.

(Loud consultations)

Hon. Senators, I know. I will allow comments on this Motion. If you try to be clever to circumvent that advice, I will rule you out of order. I will allow maybe four from the Minority Side and four from the Majority Side, each speaking for not more than three minutes.

Senator for Nandi.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I congratulate colleagues who have been elected to the Senate Business Committee (SBC) and appreciate that they have a heavy duty. Considering that this is the second to the final Fifth Session before we go to the general elections, I appeal to them, as the SBC, to ensure that we settle in as soon as practicably possible.

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We want the Chamber to be reconfigured properly in terms of sound, and ensure that the effectiveness and running of the House is kept. The SBC should also find out for us why it is that when we are on recess, demolitions and repairs must always happen.

I want to appeal to the SBC that under Articles 125, 124 of the Constitution, the reconstitution of committees, the invitation of witnesses before the Senate, must and should follow the Constitution. The SBC must assist us in rescheduling some of these reports, in ensuring that there is compliance in attendance of committee meetings.

Whenever we are outside there, many people question us on the role of the Senate. What is the Senate doing? Our greatest business, my colleague Senators, is to ensure all the funds and resources that we devolve to our counties should and must be accounted for. It is not a favour or privilege, but a constitutional obligation. Anybody who does not want to account for public money should resign from office.

It is a clear violation of Chapter Six and Article 10 on National Values and Principles of Good Governance. Any money given, especially to the governors, must and should be accounted for. In fact, I want to assure them that we will go harder as we demand for each and every shilling.

Mr. Speaker, Sir I thank you for taking the lead. I watched your speech today as you condoled with Sen. Mandago. You asked what was hard about coming to account to the Senate. If we gave you Kshs10 what is the problem with accounting?

I must celebrate you for providing leadership that this country needs. We will not sit with anybody, including the Council of Governors (CoG), who have turned to professional gossip. We will only sit and discuss how we can ensure that devolution works; we push for an increment to Kshs450 billion and ensure that those functions that have been clawed back are devolved---

Sen. Sifuna: Hon. Speaker, thank you for the opportunity. First, I support the names that have been proposed to join the SBC. It is a committee that I have served in. I served for two sessions, and I know the critical role that it plays in scheduling business for this House.

We wanted you to allow us brief comments, so that the country knows how committees of this House are constituted. The committees of this House are put together by the House itself, not by a busybody sitting somewhere and saying, "Sifuna cannot be a member of the Senate Business Committee." That mandate is securely on this House to determine who sits in which committees.

I was taken aghast, just like the Majority Leader and the others, to hear an entity that has no affiliation at all with the Senate--- We are not an appendage of the Council of Governors (CoG) for them to suggest that we should reconstitute some of our committees.

I want to give this House a background of all this drama that you are hearing. Hon. Speaker, we have a deadline of 31st of March, as the County Public Accounts Committee (CPAC), to consider all reports. We went to the extent of using resources of this House to publish a list and an invitation to all the county entities to come and appear before us, so that they can account for the money that we gave them.

Hon. Speaker, when people come before that committee, they are expected to be asked questions and they need to have the right answers. Would you believe it, a county entity comes to the Senate County Public Accounts Committee and tells us that the

money we have given them for building industrial parks, somebody took Kshs10 million from that kitty and went and held a *boda boda* event. Then they say we are embarrassing them.

Bungoma County came to the CPAC and told us that there was somebody who took Kshs4 million to finance a Christmas tree lighting, and we are expected to just paper over such issues.

Another one came and told us they spent Kshs5 million in Vihiga County for a house warming for the Speaker's house. Then they come and complain and say that we are embarrassing and harassing them.

Hon. Speaker, we have had governors who have appeared before our committees and they have shown up with respect. Nyandarua Governor came to the Committee the other day and he said he had an engagement at 12.00 p.m., and we released him early.

The Governor of Narok was before us today. He had come with very meticulous paperwork. You can follow annexures. He tells you this is where that annexure is, these are the photos. Some people come to that Committee and they do not even know their own documents. They run away from their documents.

The Governor of Tharaka-Nithi brought documents to us and when he was asked to read them, he said he had left his glasses at home and he could not read the documents. It was because his own documents are embarrassing.

So, hon. Speaker, I thank you and the Chairperson of the County Public Accounts Committee for standing firm, and I have made this call this morning. I have trust in all the 67 members of this House---

The Speaker (Hon. Kingi): You have two minutes, hon. Senator.

Sen. Sifuna: Just to wind up, all of us who are elected to this House have a responsibility to defend devolution in the counties. We all took the same oath. Even if another set of Senators is picked, there is no Senator here who will ignore a spending of Kshs4 million on a Christmas tree. It is not possible.

If one raids a County Industrial Aggregation Park (CIAP) account, we want these parks built and we give money for that. There is no Senator here who can hear that you have raided a CIAP account to go and celebrate with *boda boda*'s and then keep quiet.

I invite them. In fact, they should send us the names of the people they want to be on that County Public Accounts Committee, so that we see if there will be any difference because what they are doing with public money in the counties is what is causing this embarrassment. It is not us.

Mr. Speaker Sir, I thank you, the Chairperson of CPAC and the leadership of the Senate who came to our meeting this morning to reaffirm the confidence that they have in that Committee.

Sen. (Dr.) Khalwale: Thank you, Mr. Speaker, Sir. It is a privilege that we have come back a full house and we thank God.

I support this Motion knowing that the colleagues who are there are up to it, but allow me, through you, to request them, under your leadership, to expedite the peoples' agenda in that Senate Business Committee.

I have been at home for two months non-stop. Every morning my compound is full of school children who passed exams and cannot go to school because they have no

money. That is a serious peoples' agenda and when challenged, the Ministry of Education has told the country that almost 500,000 children are not accounted for.

Mr. Speaker, Sir, we cannot be proud of this country if we, as leadership, are not ensuring that our children progress in school. That a statement was made from a responsible office, that people should take their children to school even with the old primary school uniform or civilian clothes, is to assume that the only reason they are not going to school is uniform. They are not going to school because they do not have money, books and for many reasons. We have to think about children of parents like what your parents were before you became who you are. We are messing our country.

Mr. Speaker, Sir, while at home also, we were visited by a spectre, in quiet villages where there are no tear gases and police land cruisers. We were visited and shootings were taking place because they want to internally displace the people of Ikolomani because we sit on gold. They have gone further and are proposing to construct a General Service Unit (GSU) Camp in Ikolomani. I beg the Government. You are now setting up the country for instability because of gold mining in Kakamega County. The gold in Kakamega is several times more worth in terms of return than the oil in Turkana. The oil in Turkana will bring Kshs142 billion, but the gold in Ikolomani has been reported to be Kshs685 billion---

(Sen. (Dr.) Khalwale's microphone was switched off)

The Speaker (Hon. Kingi): Sen. Boni, your time is up. I know we have come from a very long recess and we may be rusty. The rule on relevance applies. If you heard your colleagues, they were addressing the Motion as drafted. However, approximately 90 per cent of your contribution is irrelevant to this Motion. So, in my opinion, I do not need to give you an extra minute.

Sen. Wambua, please, proceed.

Sen. Wambua: Thank you, Mr. Speaker, Sir. I would like to also join you and the leadership of the House - the Majority and the Minority - to welcome our colleagues back after a long recess and thank God for good health and the gift of life.

Mr. Speaker, Sir, I am in support of the Motion to establish the Senate Business Committee. As has been said by my colleagues, it is my expectation, legitimately so, that this Committee shall give priority to matters that affect the common *mwananchi*, the ordinary citizen. One of the greatest businesses of the House is to prioritise our business, to ensure that there is business on the Floor.

Mr. Speaker, Sir, before this Committee is set up, there is already a threat to the functions of a committee. An amorphous body that is alien to the Senate is proposing potential persons that are supposed to appear before committees of Parliament and telling them not to appear before the Senate.

I would like to go on record with my colleagues and say that the Council of Governors does not – and I repeat, does not – appear before the Senate oversight committees. It is individual governors who appear. Accountability is personal, it is not corporate.

I am surprised and thought the Secretary General (SG) of the Orange Democratic Movement (ODM) was going to put his Member to order, because I know the

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Chairperson of that Council is a Member of ODM. I thought the SG was going to put his Member to order; that he cannot be so rough and demonstrate such levels of impunity as to incite his colleagues to subvert and suspend the Constitution. The appearance of governors before Senate oversight committees is a constitutional requirement. There is a constitutional deadline to it. By the 31st of March every year, the Senate's County Public Accounts Committee (CPAC) and County Public Investments and Special Funds Committee (CPISFC) must have considered the reports of the Auditor-General for every county.

I take this opportunity to thank the governors of Narok and Ki---

(Sen. Wambua's microphone was switched off)

The Speaker (Hon. Kingi): Please, add him one minute.

Sen. Wambua: Thank you, Mr. Speaker, Sir. I would like to thank the governors of Kitui and Narok counties; that even in the presence of that illegitimate directive from the CoG, they understood, and still understand, that accountability is personal, and appeared before the Senate's County Public Accounts Committee for the Narok Governor and the Senate's County Public Investments and Special Funds Committee for the Governor of Kitui County, and responded to audit queries. That is the way it should be. Any governor that has been invited to appear before the Senate oversight committees and decides not to appear because the CoG has issued that directive, will carry their own cross.

Lastly, Mr. Speaker, Sir, as a leader of this House, together with you and other leaders---

(Sen. Wambua's microphone was switched off)

The Speaker (Hon. Kingi): Sen. Mungatana, please proceed.

Sen. Mungatana, MGH: I thank you, Mr. Speaker, Sir, for giving me the opportunity to talk to this Motion.

First of all, I wish to support the names of our colleagues who are going to serve in the Senate Business Committee. I believe that they will deliver on the mandate that we have bestowed upon them.

Mr. Speaker, Sir, the first issue I wanted to bring to your attention is that the machines that are here are not working well. I have been forced to move from where I am to another place. Let the SBC and relevant committees look at it again.

Secondly, the SBC that we are constituting today must find a way in which we can deal with these corrupt governors. Corruption is fighting back. These people who are talking like they are now, are hiding corruption. How do you explain a situation where a person who does not own a company, produce agriculture or own even a factory, is a millionaire or a billionaire? They just became rich after they became governors in this country.

Mr. Speaker, Sir, I would like to use the Floor of this House to tell the Ethics and Anti-Corruption Commission (EACC) that they have let us down. These people are always reported by the Senate's County Public Accounts Committee. Reports are brought

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and we see these people walking free, like they have gotten so much confidence and are laughing at us.

Mr. Speaker, Sir, the EACC needs to start asserting itself. The Directorate of Criminal Investigations (DCI) needs to start dealing with these corrupt governors. If we do not deal with them, they will subvert the Constitution and bring the country down. It is not even the national Government that will bring the country down, it is the governors who are going to bring this country down.

Mr. Speaker, Sir, my prayer is that the SBC will find a way to bring the Director of the EACC, as well as the Director of Public Prosecutions to tell us how far they have gone with the past recommendations that have been brought before them.

Mr. Speaker, Sir, the EACC sits in the County Public Accounts Committee (CPAC). I am not a Member of CPAC, but when I attend, I see them present. They receive allowances and thereafter reports are taken before them. They have live information, but governors are not arrested.

The Speaker (Hon. Kingi): You have one minute, hon. Senator.

Sen. Mungatana, MGH: Mr. Speaker, Sir, when the Senator for Tana River County is speaking, I am not speaking as Dr. Danson Mungatana; I am speaking as an elected Senator of the Republic of Kenya. When one is called before the CPAC, it is not because those Members are ordinary people. They are office holders.

Governors must stop thinking that they are small gods. They are elected just like us, in fact, from the same counties. Why do they imagine themselves to be small gods? Is it simply because they are addressed as “His Excellency”? What happened to these people? Some of them were sitting in this House. Can one truly stand by a statement that says they should not account for the money the Senate is sending to their counties?

Mr. Speaker, Sir, we must bring them to order. I pray that the Senate Business Committee (SBC) will support---

The Speaker (Hon. Kingi): You are off record, hon. Senator.

Sen. Eddy proceed.

Sen. Oketch Gicheru: Mr. Speaker, Sir, I thank you for this opportunity and for your remarks, which clearly indicated the non-adversarial relationship that ought to exist between this House and the devolved units that we support.

From the onset, I rise to support the Motion before the House. These are some of the most important Members of this House, men and women of valour, whom I believe will do a commendable job in ensuring that this House serves the people effectively. Even as they undertake this role, I urge them, in their capacity as the SBC, to prioritise issues concerning devolution in this session. More particularly, as we approach the campaign season, they must give priority to county audit reports.

I can assure you that the level of graft we are witnessing in counties is alarming and must be addressed by this House. I wish to see more reports from the CPAC and the CPISFC debated in this House, and where necessary, forwarded to the EACC, the Office of the Director of Public Prosecutions (ODPP) and the Directorate of Criminal Investigations (DCI).

Mr. Speaker, Sir, since 19th January, 2026, the CPISFC, where I sit, has been considering numerous reports from counties. The problems we are encountering are deeply worrying. In Migori County, we had a Water Service Provider (WSP) operating

without paying Kshs25 million to employees for the last two years. We had municipalities operating without any form of independence.

In Nyamira County, a report was presented to us showing that Kshs32 million had been spent, yet water was not provided. The entire two-year budget was consumed by what was termed a feasibility study. In Wajir County, whose Governor was chairing the Council of Governors (CoG), reports of an entity in the county had not been presented for three years.

Mr. Speaker, Sir, add me one minute to say that I feel ashamed to associate with the Chairperson of the CoG---

The Speaker (Hon. Kingi): Okay. You have one more minute.

Sen. Oketch Gicheru: Mr. Speaker, Sir, I am ashamed that the Governor of Wajir County, who is a Member of the Orange Democratic Movement (ODM) party and the Chairperson of the CoG, can start killing devolution for which the late Hon. Raila Amolo Odinga lived, fought and died for. We now have Members of ODM in that Council, a corporate body that is not constitutional, using public funds which ought to be directed towards ensuring that children go to school.

Mr. Speaker, Sir, since corruption is fighting back, as a House, we must fight back ten times harder.

I support the Motion. I thank you.

The Speaker (Hon. Kingi): Sen. Wafula.

Sen. Wafula: Thank you, Hon. Speaker, for this opportunity. I welcome colleagues into this new year. I wish to join in appreciating and congratulating those who have been nominated to the SBC. I look forward to pushing the agenda of the House and of the people, and to making the lives of Kenyans under devolution better.

Hon. Speaker, I join Members in condemning and castigating the self-proclaimed prophets of devolution who have decided to bake their own cake at the expense of poor Kenyans in the villages. I joined the CPAC when my Governor was invited. Many grey areas were raised and they were murmuring and stammering, not knowing which direction to take.

Hon. Speaker, in that same Committee, they went ahead to procure insurance cover for workers of Bungoma through companies called Britam and some broker. Our patients, who are county workers, suffered for several months without services. The Governor assured us that a new insurance company, Jubilee Insurance, had been brought on board, yet when you go to the ground, the same company is not delivering to the people of Bungoma. When asked, they fail to appreciate that Kenyans pay taxes and the Senate exists to represent and serve the people.

A matter was also raised during that Committee about Early Childhood Development Education (ECDE) classrooms. Contractors were awarded contracts for construction of several classrooms, yet when you go down to Bungoma, in Mechimeru, Tongaren Milima, Bumula, Kabuchai and Kanduyi, the classes are not in order. Children are sitting on the floor. Window glasses are missing, ceiling boards are absent and roofs are leaking. Millions of taxpayers' money cannot be accounted for and they have the audacity to lecture us and tell us what to do.

Hon. Speaker, time is up for Kenyans to know that as much as we want the national Government to be accountable, we must first fix our local devolution

programmes if we aspire to be like Malaysia. We cannot aspire to be like Singapore when children are starving and yawning, and their money is being misappropriated. We cannot reach where the President wants us to go if Vocational Training Centres (VTCs) lack capitation, tools and materials, while others enjoy riding in flags courtesy of our hard work in the Senate.

I tell my Governor in Bungoma that time is up. He should either shape up or ship out.

The Speaker (Hon. Kingi): Sen. Osotsi.

Sen. Osotsi: Thank you, Mr. Speaker, Sir. I support the Members who have been nominated to the SBC. They are competent and I am sure they will deliver their mandate.

Mr. Speaker, Sir, you are aware that the two Committees, CPAC and CPISFC, have been working extremely hard for the last one month. Some have done two meetings in a day in order to catch up with the deadline of 31st March. I request you, as the Chairperson of the SBC, to give the reports generated from this engagement priority. If possible, the last two weeks before the close of March, we need to spend our quality time examining the audited reports of all our counties. This will ensure that the issues Members are raising, which are contained in those reports, can be discussed in detail.

Mr. Speaker, Sir, as Chair of the CPISFC, I am very disappointed by the statement that came from the CoG in Kilifi, purporting that our engagement with county governors amounts to harassment, intimidation and extortion.

Mr. Speaker, Sir, I thank you for coming out strongly to condemn that statement. That is precisely what the Senate should do. We have also resolved, as a Committee, that any governor who fails to appear before us will be surcharged for the expenses of the Committee, including the costs incurred by our partners, the Controller of Budget (CoB), the National Treasury, and the EACC, who sit among us.

We are going to recommend to this House on stoppage of funds because you cannot have your cake and eat it. You cannot expect us to appropriate money to your counties, but you do not want accountability. If you do not want accountability, then you should not get funds.

Thirdly, we have proposed that we will proceed and process the reports of the Auditor-General and make our recommendations about those counties. We are very firm on that and that is what we will do and bring the report here.

Mr. Speaker Sir, some of us are being threatened by our own county governors. My governor appeared before the County Public Accounts Committee (CPAC) where I am not even a Member and the issue of Kshs5 million spent on housewarming came up. When they went---

(Sen. Osotsi's microphone was switched off)

The Speaker (Hon. Kingi): Hon. Senator, you have one minute.

Sen. Osotsi: When they went to the ground, they held a political rally where County Executive Committee Members (CECMs) stood up and said they were going to beat up the Senator. I have no business with what happens in the CPAC and I am also not the one who raised the issue of Kshs5 million. However, they are saying that they will beat me up and kill me.

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Mr. Speaker, Sir, it is high time we had a Motion. I want to encourage the committee that we will appoint today to bring a Motion to name some governors for their conduct against the Senate, including the Chairperson of the Council of Governors (CoG) who ironically wants to become a Senator. How can he become a Senator when he is condemning the Senate? We also have the Chairperson of the Health Committee of the CoG who is notorious for not appearing before our committees. He also wants to become a Senator.

We need to come out strongly, as a Senate, to condemn this attempt to try---

(Sen. Osotsi's microphone was switched off)

The Speaker (Hon. Kingi): Proceed, Sen. Thang'wa.

Sen. Thang'wa: Mr. Speaker, Sir, as I rise to support this Motion. I must say that we thank God that we are back. For some of us being here is a miracle because of what we encountered during the recess. That is chaos, teargas, guns and all that. However, we are happy that we are back.

Mr. Speaker, Sir, I would like to congratulate Members of the SBC. I request that they should prioritise any business that concerns counties. Any Motion that concerns a certain governor and their county should be given priority.

I would also like to suggest this. Since we invite Cabinet Secretaries to appear before this Senate and stand over there and we ask them questions, why can we not invite governors? We should also have governors coming and standing there, especially the Chairperson of the CoG. He should come and explain to the country whatever he said, which is unfairly castigating this Senate. After watching that governor speak, I asked myself, what was easier to say? Was it easier for him to say that they would no longer come to the Senate or they would no longer give bribes? It would have been easier to say that they would no longer give money, but they would come. They said that they do not want to come to the Senate because they know what they have done; they know that they are corrupt and they have stolen.

Mr. Speaker, it is up to this Senate to show governors that this is a constitutional forum and that they should appear before us and answer the questions. For those who have stolen, of course we should show them where they are supposed to be.

Mr. Speaker, Sir, I support.

The Speaker (Hon. Kingi): Sen. Beatrice, you have the Floor.

Sen. Ogola: Thank you, Mr. Speaker, Sir, for the chance. I rise to support the Motion before us. I would like to say that hon. Senators who have been proposed to be Members of the SBC are equal to the task.

It is also important that everybody in this country knows that governors are the actual enemies of devolution. We even have governors who want to decide when to come to the Senate or our committees and when not to. The duty we have here is not a choice; it is a constitutional duty just as governors also have.

When we debate about funds that should go to the counties, we always sit here even up to midnight. At that point, governors are always keen on what the Senate is doing. We need to tell governors that they cannot have their cake and eat it.

There are times we have seen the National Treasury affirming that all disbursements have been given to the counties, yet we see counties where workers go for over two months without pay. Do governors expect us to be quiet over that?

Your excellency governors - if that is how you want us to refer to you - you must appear before the Senate committees because the Senate has work to do. We want governors to do their work as expected and when they do it, the Senate committees must also oversight the counties. There are counties that are going to be auctioned and Kenyans should not expect the Senate to be quiet over some of those issues.

Mr. Speaker, Sir, governors must appear before us and we encourage all committees---

Sen. Sifuna: On a point of order, Mr. Speaker, Sir. Did I hear it right? How is it possible to auction a county? That is very dire! I wish Sen. Ogola can shed some light on the county that is under threat of auction.

Sen. Ogola: Mr. Speaker, Sir, there are counties that are not able to pay salaries and, therefore, get loans from banks. Those are commercial loans. If counties do not pay those loans, what do banks do? Soon we will see counties being auctioned. We are waiting to see those counties that will be auctioned as I have said.

Mr. Speaker, Sir, all we are saying is that as per Article 96 of the Constitution, the Senate has a duty to perform. For governors who do not want to be oversighted, kindly step aside and let Kenyans who can do that---

(Sen. Ogola's microphone was switched off)

The Speaker (Hon. Kingi): Proceed, Sen. Mundigi.

Sen. Munyi Mundigi: Asante Bw. Spika kwa kunipa nafasi kuchangia Hoja kuhusu Maseneta waliopendekezwa katuongoza jinsi Seneti itakavyokuwa ikifanya kazi katika kipindi hiki.

Pili, napinga kitendo cha magavana waliokutana juzi na kusema kuwa hatufai kuwaita katika Seneti. Ni juzi tu tulishughulikia suala la ugavi wa pesa. Usiku na mchana walishinda wakisema kuwa pesa ni kidogo. Wakati tunawapa pesa, inafaa kufanya kazi kule mashinani kwa sababu ya *devolution*.

Wanaitwa na kamati za Seneti ili kujibu maswali kwa sababu ni sisi Maseneta tunawapa pesa. Kuna Auditor-General ambaye anawaitisha vitu fulani. Wakishindwa kujibu anaandika barua. Kwa hivyo, Bw. Spika, naunga mkono kuwa magavana wote wanafaa kuja kujibu maswali wakiitwa. Hii ni kwa sababu tunafanya kazi ya ugatuza. Nawafahamisha pia, ikiwa Cabinet Secretaries huja hapa siku ya Jumatano kujibu maswali, magavana ambao tumewatetea wakapata pesa ya ugatuza ni akina nani, wasusie kuulizwa maswali ambayo yametoka kwa Auditor-General?

Bw. Spika, naunga mkono. Ombi langu ni kwamba, ikiwezekana, CPAC igawanywe katika Kamati ndogo nne ili ziweze kuangalia kwa utaratibu vile pesa za ugatuza zinafanya kazi. Hii ni kwa sababu Kamati hiyo ina kazi nyingi za kuangalia makaratasni kwa mda mchache.

Hata tukisema tunaenda Singapore au kwingineko, itakuwa vigumu kwa sababu magavana wana shida zao. Nashangaaa sana na Gavana wa Tharaka-Nithi. Alisema kwamba akiitwa atakuja tena. Angesema kuwa hatakuja ili ajionee cha mtema kuni.

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Ningeomba hii Seneti, ikae chini iangalie vile gavana akishamaliza muda wake uongozini, anaweza kukaa nje miaka tano kabla kuchanguliwa tena kama Seneta ili mambo yaliyofanyika akiwa gavana yaangaliwe.

Bw. Spika, naunga hayo yote mkono. Magavana lazima wakubali kujibu maswali yote.

Asante Bw. Spika.

The Speaker (Hon. Kingi): Sen. Omtatah, proceed.

Sen. Okiya Omtatah: Mr. Speaker, Sir, thank you for the opportunity to address this House. I stand to support this Motion.

I am a bit disturbed by the kind of picture I am reflecting out there. I look different on the screen than I do in the mirror. Whoever is responsible for that needs to shake up and fix that image. It is a very bad image of me. I have never seen anything like this.

(Laughter)

Mr. Speaker, Sir, as I support the Motion, I think the people selected to the Committee are equal to the task.

As for the question of the governors saying that they do not want to appear before the Senate, that is a question of the rule of law. We are not going to allow the rule of the jungle to take over. By law, they are required to appear and if they have any issues, the law gives them remedies they can pursue.

I remind them that if they look at the pecking order, Senators are very high up from governors. Therefore, it is very painful for a junior fellow to say that he is going to disobey appearing before somebody he reports to. Whoever made that statement might have made it in error.

We retain that the law requires them to appear; they should appear and explain themselves. Those with grievances can seek relief under the same law.

Mr. Speaker, Sir, with those few remarks, I support the Motion on the Floor. Thank you.

The Speaker (Hon. Kingi): May the Mover proceed to reply if he is present. Hon. Senators, if not, then I will proceed to put the question.

(Sen. Munyi Mundigi stood in his place)

Sen. Mundigi, kindly take your seat.

Clerk, before I put the question, do we have the requisite quorum?

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

The Speaker (Hon. Kingi): Clerk, do we have quorum? Okay, Hon. Senators, I will now proceed to put the question.

(Question put and agreed to)

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ADJOURNMENT

The Speaker (Hon. Kingi): Hon. Senators, rise. There being no other business on the Order Paper, the Senate stands adjourned until tomorrow, Wednesday, 11th February 2026 at 9.30 a.m.

Thank you.

The Senate rose at 4.01 p.m.