



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Thursday, 1st October, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 1st October, 2026

*The House met at the Senate Chamber,
Parliament Buildings, at 2.33 p.m.*

[The Deputy Speaker (Sen. Kathuri) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Deputy Speaker (Sen. Kathuri): Clerk, do we have quorum?

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

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

(The Quorum Bell was rung)

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

Clerk, if we have Quorum, you can call the first Order.

(Loud consultations)

Order, Senators. I have a Communication to make.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM THE PARLIAMENT OF UKRAINE

Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, of a visiting delegation from the Parliament of Ukraine. The delegation is in the Senate to pay a courtesy call to the Speaker of the Senate, Rt. Hon. Amason Kingi, EGH, MP.

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I request each Member of the delegation to stand when called out, so that they may be acknowledged as per the Senate tradition.

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|-----------------------------------|---|--|
| (1) Hon. Oleksandr Korniienko, MP | - | First Deputy Speaker, Parliament of Ukraine |
| (2) H.E Yurii Tokar | - | Ambassador of Ukraine to Kenya |
| (3) Andrii Kaniuka | - | Counsellor to Deputy Speaker |
| (4) Oleksii Bobrovnykov | - | First Secretary, Head of Political Section, Embassy of Ukraine |
| (5) Dmytro Tereshchenko | - | Embassy of Ukraine |
| (6) Oleksandr Demianiuk | - | Embassy of Ukraine |
| (7) Serhii Romenskyi | - | Protocol Officer |
| (8) Oleksandr Zahorodnii | - | Protocol Officer |
| (9) Yeruslan Navrotskyi | - | Protocol Officer |
| (10) Cynthia Kinyua | - | Foreign Service Officer I, Ministry of Foreign Affairs, Parliamentary & County |

(Applause)

On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful and enriching visit.

I thank you.

Hon. Senators, from the team that met this delegation from Ukraine, first of all, I would like to welcome my counterpart from the Parliament of Ukraine, the First Deputy Speaker. Sen. Tabitha Mutinda, you may proceed to welcome them, as you also interacted with the delegation when they paid a courtesy call to the Speaker's Office.

Sen. Tabitha Mutinda: Thank you, Mr. Deputy Speaker, Sir. In the same spirit, I take this opportunity to welcome the First Deputy Speaker of the Parliament of Ukraine, the Ambassador of Ukraine and the delegation accompanying you. We had a very good engagement this afternoon where we underscored that such interactions bridge gaps, encourage peaceful discussions between our Parliaments and assist us in exploring how to address various gaps through legislation.

In the same spirit, we extend our sincere and heartfelt condolences to the families who have lost their loved ones during the war. We pray that the war will come to an end. We look forward to more bilateral discussions through our Ministry of Foreign and Diaspora Affairs. We assure you that our doors remain open for further discussions. You are in a most beautiful city. This is the only city with a national park within it. We encourage you to enjoy the nature that we pride ourselves in, especially the Big Five.

Thank you and feel welcome.

The Deputy Speaker (Sen. Kathuri): Next Order.

(Sen. Kavindu Muthama stood up in her place)

Order, Sen. Kavindu.

PETITION**SYSTEMIC CHALLENGES FACING VOCATIONAL
TRAINING CENTRES IN VIHIGA COUNTY**

The Deputy Speaker (Sen. Kathuri): Hon. Senators, Pursuant to Standing Order No.236(2)(b), I hereby report a Petition by Mr. Eliud O. Barasa concerning governance failures, financial irregularities, administrative mismanagement and systemic challenges facing VTCs in Vihiga County.

Hon. Senators, as you are aware, Article 119(1) of the Constitution states, and I quote-

“Every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.”

The salient issues raised in the Petition are as follows—

(a) That VTCs in Vihiga County are experiencing governance, financial, administrative and operational challenges that are affecting the quality and effectiveness of vocational training;

(b) That several VTCs face inadequate infrastructure, insufficient training equipment and instructional materials, and deteriorating learning environments;

(c) That there lacks transparency, accountability and prudent utilisation of funds allocated to VTCs and the county directorate responsible for TVET, including budget allocations, expenditure, procurement, disbursement and utilisation of funds from Financial Year 2021/2022 to Financial Year 2025/2026;

(Sen. Seki stood at the Bar)

Sen. Seki Lenku, just take your seat. Just get to the nearest seat because this is a long Petition.

(Sen. Seki sat in his place)

(d) That there is irregular remuneration, delayed salaries, poor working conditions and inadequate employment protection for support staff and Board of Management personnel;

(e) That there is administrative inefficiency, weak institutional oversight, inadequate implementation of policies and systemic governance failures affecting VTCs;

(f) That there are concerns of possible misuse of public institutional structures and involvement of trainees or stakeholders in activities that may compromise the neutrality, professionalism and integrity of public training institutions;

(g) That the Vihiga County Assembly had previously considered matters relating to VTCs and made recommendations. However, the County Executive has not provided a clear, transparent and publicly verifiable mechanism for tracking the implementation status of such recommendations, including any reasons for non-implementation, the offices responsible, and the timelines for implementation; and,

(h) That none of the issues in respect of which the petition is made are pending before any court of law or other constitutional or legal body.

Consequently, the petitioner prays that the Senate-

(a) Institutes a comprehensive inquiry into the governance, administration, financing and operational management of VTCs in Vihiga County;

(b) summons relevant county government officials, including officials in the Directorate of TVET, County Treasury and the County Public Service to respond to the matters raised;

(c) recommends an audit and review of funds allocated, disbursed and utilised for VTC operations, staffing, procurement, infrastructure and development in Vihiga County for the financial years 2021/2022 to 2025/2026;

(d) investigates allegations of financial opacity, administrative irregularities, labour-related concerns and misuse of institutional structures;

(e) Investigates governance and accountability concerns relating to VTCs in Vihiga County that may not have been adequately addressed at the County Assembly level and recommends policy, governance and institutional reforms necessary to strengthen accountability, transparency, operational efficiency and quality service delivery in VTCs in Vihiga County;

(f) recommends the protection of whistleblowers, petitioners, trainers, staff and stakeholders who have raised matters of public interest relating to the VTCs; and,

(g) makes any further recommendations that are necessary to protect public resources, restore public confidence and promote quality vocational training services in Vihiga County.

Hon. Senators, pursuant to Standing Order No.231(1), I commit the Petition to the Standing Committee on Education for consideration. In terms of Standing Order No.238(8)(a), the Committee is required, in not more than 60 calendar days from the time of reading the prayer, to table its report in the Senate for consideration.

I thank you.

*(The Petition was committed to the
Standing Committee on Education)*

Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we move to Statements under Standing Order No.53(1). We start with the Senator for Embu County, Sen. Alexander Munyi Mundigi.

PERSISTENT TRAFFIC CONGESTION AT THE EASTERN
BYPASS-THIKA ROAD INTERCHANGE

Sen. Munyi Mundigi: Thank you, Mr. Deputy Speaker. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on a matter of inter-county concern regarding the persistent traffic congestion at the Eastern Bypass-Thika Road Interchange in Ruiru.

The Eastern Bypass is a key component of the national road network, providing a critical link to motorists within the national metropolitan area and connecting Mombasa Road to Kiambu and other counties in the Central Kenya Region. However, persistent traffic congestion at the Eastern Bypass-Thika Road interchange in Ruiru has significantly impacted the smooth flow of traffic and increased travel time and fuel costs for motorists using the route.

In the Statement, the committee should address the following-

(1) The long-term plan by the Ministry of Roads and Transport to address the persistent traffic congestion at the Eastern Bypass, Thika Road Interchange in Ruiru, including the implementation timelines, estimated costs of the investigation and the cost of funding.

(2) Whether the plan is informed by traffic volume study and traffic forecasting to ensure that the proposed investigation adequately caters for current demand and projected future traffic volumes.

(3) The interim measures to address the traffic congestion at the interchange pending implementation of the long-term intervention.

Mr. Deputy Speaker, Sir, I have another one.

DEVELOPMENT OF SPORTS AND SPORTS
FACILITIES IN EMBU COUNTY

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on a matter of county-wide concern regarding the development of sport and sports facilities in Embu County.

In the Statement, the committee should address the following-

(1) The number of standard sporting grounds supported and maintained by the national Government in each of the counties.

(2) The plans by the national Government to establish additional standard sports grounds across the county, including information on the number of sporting grounds to be established, sub-counties where the sporting grounds will be established; criteria and considerations used to identify the benefiting sub-counties and the funds set aside for the extension of the plans in the 2026/2027 Financial Year.

(3) Whether the national Government could consider establishing at least one standard sporting grounds in each sub-county, particularly in Embu and other underserved counties, and if so, obtain information on the estimated cost and projected timelines for the initiative.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, let me make these two brief Communications, then we proceed with the Statements.

(Interruption of Statements)

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM RUBY CRAFT ADVENTIST SCHOOL IN HOMA BAY COUNTY

The Deputy Speaker (Sen. Kathuri): Hon. Senators, this is a visiting delegation of teachers and students from Ruby Craft Adventist School in Homa Bay County.

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of 10 teachers and 149 students from Ruby Craft Adventist School in Homa Bay County who are sitting in the public gallery. The delegation is visiting the Senate for an academic exposition.

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

Thank you.

VISITING DELEGATION FROM KITENGELA INTERNATIONAL SCHOOL IN KAJIADO COUNTY

Another one is a visiting delegation of teachers and students from Kitengela International School, Kajiado County.

Hon. Senators, I would like to acknowledge the presence of a visiting delegation of seven teachers and 108 students from Kitengela International School in Kajiado County who are sitting in the public gallery. The delegation is visiting the Senate for an academic exposition. On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

Thank you.

Senator representing Homa Bay County or any delegation from Homa Bay to welcome the students in under one minute, so that we can transact business that is ahead of us.

Sen. Beatrice Ogola, proceed.

Sen. Ogola: Mr. Deputy Speaker, Sir, I take this opportunity to welcome the visiting delegates from Homa Bay County. I recognise and appreciate the teachers. All of us are here because of the work of teachers. Teachers should know that they are highly considered and appreciated in this country. Along with the students that have accompanied you, feel appreciated and welcome to the Senate. We hope that the students that are here will live to the expectations of your school and the expectations of Homa Bay County as a whole. Always know that Homa Bay is a county of endless potentials.

We wish you well in your stay in the city, and come again given another chance. Thank you.

The Deputy Speaker (Sen. Kathuri): Let me also give one minute to your neighbour, the Senator for Kisii County, Sen. Onyonka.

Sen. Onyonka: Mr. Deputy Speaker, Sir, I wanted to reiterate what Her Excellency, the Senator from Homa Bay County has said that, if you look at the students who have come, they are ladies. I encourage them that they can see if they are good enough and work hard in school, they will just come to this House. I also welcome you; ensure that you work very hard, so that you will be the leaders of tomorrow.

Thank you.

The Deputy Speaker (Sen. Kathuri): Yes, Sen. Seki.

Sen. Seki: Thank you, Mr. Deputy Speaker, Sir. I also join you in welcoming the students from Kajiado County, Kitengela International School. This is a school that I am very dear to. Two of my children went through the school; one son finished in 2014 and the other one in 2021. I wish to tell the school administration, the teachers and the students that this is a very great school in our county.

In terms of performance, the school performs very well. One of my sons performed very well and went to Alliance High School while the girl went to Mary Hill. Thereafter, one is pursuing a degree at the United States International University (USIU) while the other one has completed his university studies and is now working as a consultant at SUNY.

You are in a great school and we look forward to seeing you also performing well just like your colleagues. We wish to see you coming here and be great people of this country. Teachers, thank you very much for the good work of producing good results in our county.

Thank you very much, Mr. Deputy Speaker, Sir, for this great time.

The Deputy Speaker (Sen. Kathuri): Thank you, *Itungati* Seki. I also confirm that it is a good school. My daughter also went to Kitengela International School.

(Sen. Maanzo spoke off record)

Who is asking the name? Sen. Maanzo?

It is a good school. I appreciate that they are really shaping our sons and daughters in a very good way. All the best to the Kitengela International School and also the pupils from Homa Bay Adventist School.

(Resumption of Statements)

Next is a Statement from Sen. Essy Okenyuri.

SUPPORT TO WOMEN'S GROUPS IN RURAL AREAS
ENGAGED IN AGRICULTURAL ACTIVITIES

Sen. Okenyuri: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Agriculture, Livestock

and Fisheries on a matter of national concern regarding the support extended to women groups in rural areas engaged in agricultural activities as a means of livelihood.

Across the country, women have organised themselves into self-help groups and engage in diverse agricultural enterprises, including vegetable farming, dairy production and poultry keeping. Despite their determination and collective efforts, women continue to face challenges that undermine the productivity, profitability and sustainability of their agricultural enterprises.

In this Statement, the committee should address the following-

(1) Measures in place to facilitate access to affordable and quality agricultural inputs, including seeds, fertilisers, pesticides, animal feeds, veterinary services and other essential inputs required by women farmers;

(2) mechanisms in place to enhance access to affordable credit and Government financing programmes for women agricultural groups to acquire inputs and equipment to expand their enterprises;

(3) steps being taken to link women's agricultural groups to reliable and profitable markets, strengthen collective marketing and protect them from exploitation by middlemen; and,

(4) measures being undertaken to ensure that national agricultural programmes, subsidies and interventions are accessible to women at the grassroots, particularly those organised through self-help groups and similar formations.

Thank you.

The Deputy Speaker (Sen. Kathuri): The Statement for Sen. James Lomenen is deferred. He approached me requesting to read the Statement next week.

DELAYED COMPLETION OF FLAGSHIP INFRASTRUCTURAL PROJECTS IN TURKANA COUNTY

(Statement deferred)

Sen. Kavindu Muthama, proceed.

INCREASING STRAY DOGS MENACE IN SYOKIMAU

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir. I have two Statements.

I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Health on a matter of county-wide concern regarding the increasing menace of stray dogs and the risk of rabies attacks on residents of Syokimau, Machakos County.

Mr. Deputy Speaker, Sir, on Tuesday, 25th August, 2026, a young man pushing a motorcycle along Katani Road between the Veteran Hospital and Be Energy Petrol Station was attacked and bitten by a pack of three stray dogs, sustaining injuries and requiring hospital treatment, including anti-rabies vaccines. The incident highlights the

public health and safety risks posed by stray dogs, particularly the risk of rabies and the need for urgent measures to control their population and prevent further attacks.

In the Statement, the committee should address the following-

(1) The measures being taken by the County Government of Machakos to identify, vaccinate, collect and safely manage stray dogs in Syokimau and other parts of Machakos to safeguard residents.

(2) The number of reported dog bite cases and suspected rabies exposure in Machakos County over the last three years, including the number of persons who received anti-rabies treatment.

(3) The availability and accessibility of anti-rabies vaccines and treatment in public health facilities in the county, including measures to ensure timely and affordable access.

(4) The measures being taken to establish and enforce a comprehensive stray animal management programme, including sensitisation and the humane management of dangerous and unowned animals in accordance with the law.

Thank you, Hon. Deputy Speaker, Sir.

I will read the second one.

The Deputy Speaker (Sen. Kathuri): Go ahead.

TRAFFIC CONGESTION AT MLOLONGO WEIGHBRIDGE

Sen. Kavindu Muthama: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads, Transportation and Housing on a matter of inter-county concern regarding the persistent traffic congestion and road safety challenges occasioned by the current layout and operations of the Kenya National Highways Authority (KeNHA) weighbridge and exit at Mlolongo along Mombasa Road.

Mr. Deputy Speaker, Sir, the current arrangement has resulted in heavy commercial trucks merging with ordinary traffic while Public Service Vehicles (PSVs) stop near the exit points to pick and drop off passengers. Inadequate signage, abrupt lane changes and weak traffic management have worsened the situation, particularly during morning peak hours, causing significant delays and increased road safety risks for commuters travelling between Nairobi, Mlolongo and Kitengela.

In the Statement, the committee should address the following-

(1) The cause of the persistent congestion at the Mlolongo weighbridge and whether the current weighbridge and exit design adequately caters for the safe and efficient movement of heavy commercial vehicles, particularly public service vehicles and other road users.

(2) The measures being taken by KeNHA to manage heavy commercial vehicles, including strategies to prevent trucks from obstructing or queuing and spilling into the main Mombasa Road carriageway and to ensure orderly merging at the weighbridge exit.

(3) Availability, adequacy and location of designated pick-up and drop-off points for PSVs around the weighbridge, together with measures being taken to prevent PSV-related interference with traffic flow.

(4) The measures being taken to improve signage, lane markings, traffic management and road safety around the weighbridge and its exits, including the short-term and long-term interventions planned by KeNHA to ease congestion and improve traffic flow, particularly during peak hours.

Thank you.

The Deputy Speaker (Sen. Kathuri): Very well. The Statement by Sen. Samson Cherarkey is dropped.

WELFARE OF THE NATIONAL SOCCER TEAM
PLAYERS AND TECHNICAL STAFF

(Statement dropped)

We now move to the Statement under Standing Order No.57 (1).
Proceed, Majority Leader.

BUSINESS FOR THE WEEK COMMENCING
TUESDAY, 6TH OCTOBER, 2026

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, pursuant to Standing Order No.57(1), I hereby present the business for the week commencing 6th October, 2026. The status of legislative business is as follows-

(1) We have 63 Bills pending conclusion, of which 43 are at Second Reading, 19 are at Committee of the Whole and one (1) is awaiting First Reading. It is important to remind hon. Members that we have come to that juncture in our legislative calendar where their utmost cooperation is needed in such matters. Perhaps, what the Whips, together with the leadership will be doing is to select one of the days next week, either Tuesday or Wednesday, depending on the availability of Members, so that we can focus on concluding some of these Bills, particularly these ones in the Third Reading and see how far we can progress.

There are also certain Mediation Committee Reports, like the Cooperative Bill, Kenya Roads Board (Amendment) Bill, and so on and so forth, which we need to conclude.

(2) There are 29 Motions pending conclusion;

(3) There are 17 petitions pending conclusion, as well, by respective Standing Committees, out of which 14 are due for reporting. I hope that my colleague Senators will take time to respond to this as quickly as possible.

(4) There are 566 statements pursuant to Standing Order 53(1) before Standing Committees.

As Hon. Senators will note in today's Order Paper, at Orders Nos. 8 to 17, there are several items of business awaiting division. Of particular significance is Order No.16, which is the Consideration of the National Assembly Amendments to the County Governments Additional Allocations Bill (Senate Bills No.8 of 2026) awaiting division at the Committee of the Whole. This is one of those Bills I said are extremely urgent. It is

about sending additional resources to the counties and it has been with us in Third Reading for about three weeks to a month since we came back from recess.

I request the leadership and the Members that we dedicate a good time next week, preferably Tuesday. I propose Tuesday because I have realised we always have a good attendance on that day. We sometimes struggle to get the requisite delegations the rest of the days.

At the next meeting of the Senate, which is on Tuesday, 6th October, the tentative business for the day will include business not concluded from today's Order Paper, as well as business indicated in the Notice Paper.

The tentative business for the Morning Sitting on Wednesday, 7th October will include Questions to Cabinet Secretaries as approved by the Senate Business Committee, as well as Motions. The Questions will be to-

(i) The Cabinet Secretary, Cooperatives and Micro, Small and Medium Enterprises Development;

(ii) The Cabinet Secretary, Mining, Blue Economy and Maritime Affairs;

(iii) The Cabinet Secretary, Information, Communication and the Digital Economy; and

(iv) The Cabinet Secretary, Education.

They all have Questions from Members that they need to come and respond to on Wednesday, next week.

The business for the Afternoon Sitting will include business that will not have been concluded on Tuesday. There are various Bills, like I had mentioned. They are-

(i) The Sports (Amendment) Bill (Senate Bills No. 33 of 2024);

(ii) The Agriculture Produce (Minimum Guaranteed Returns) Bill (Senate Bills No. 17 of 2025);

(iii) The National Construction Authority (Amendment) Bill (Senate Bills No. 15 of 2025);

There are so many Bills that we need to conclude as well as Motions such as the one on Delinking Junior Secondary Schools from Primary Schools and the rest.

The projected business for Thursday, 8th October will include business not concluded from the Order Paper Wednesday, 7th October, 2026, and any other business scheduled by the Senate Business Committee.

In conclusion, as the Hon. Senators will recall, the Senate is scheduled to proceed on recess at the rise of the Senate on Thursday, 8th October, 2026, in accordance with the Senate Calendar. That is actually next week and it is the reason as to why we must conclude on these many businesses that are before us on Tuesday and Wednesday. I think it is a short recess, if I am not wrong. It is three weeks. That is not a very short one. We will come back for the final part before we break for Christmas. So we have a lot of business to do.

Remember the conversation we recently had about the Committee on Implementation. We have passed certain laws and they have been assented into law. The various committees are expected to bring a report on the businesses that they have transacted in the duration of time. That is listed in the business for next week.

It is important that our committees do follow up. They should write to the relevant agencies. For example, the Chairperson of the Committee on Finance and Budget is in the House, Sen. (Dr.) (Capt.) Ali Roba. We passed the Public Finance Management (Amendment) Bill, 2025 that delinked the county assembly accounts from those of the county executive but the National Treasury has refused to implement that up to now. The Members of the County Assemblies (MCAs) are still blackmailed by rogue governors. They are asked to sing a certain tune for their things to pass. It was the wisdom of this House, through the Committee of Sen. (Dr.) (Capt.) Ali Roba, that we did the Public Finance Management (Amendment) Bill, 2025.

As the Committee presents its report, it will be important that they present their oversight function. They should write to the National Treasury and demand answers. They should find out why it so difficult to delink the accounts of county assemblies from those of the county executive, for the county assemblies to enjoy full autonomy.

With those many remarks, that is the business for the week that is coming. I thank you and hereby lay the Statement on the Table of the Senate.

I thank you.

(Sen. Cheruiyot laid the document on the Table)

The Deputy Speaker (Sen. Kathuri): Very well. Are these Senators interested in making brief comments or they are queuing for Order No. 8?

Sen. Maanzo, what is your interest in this queue?

Sen. Maanzo: Mr. Deputy Speaker, Sir, owing to the urgency on business No.8, I thought it would be important we conclude with it, bearing in mind that it was adjourned yesterday for lack of quorum.

The Deputy Speaker (Sen. Kathuri): Are you suggesting that we go to business under Order No.8, then we come back to those who want to make comments on the Statements?

Sen. Maanzo: Yes, Mr. Deputy Speaker, Sir. I saw Hon. Wakili Sigei in the House. I moved the Motion, so I could probably reply on his behalf.

The Deputy Speaker (Sen. Kathuri): This Motion is open for debate. The Senate Majority Leader laughed when you said there is urgency with Order No.8. I do not know why he was laughing. Could he be wondering why there is urgency on this matter? Anyway, let us go to resumption of debate under Order No.8. Sen. Kavindu Muthama had a balance of 16 minutes. Clerk, read out the order.

Sen. Osotsi, do you have a point of order or you need clarification? What is out of order? Nobody is debating and nothing is happening.

POINT OF ORDER**IMPLEMENTATION OF THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) ACT,
2025 TO ALLOW FINANCIAL AUTONOMY OF COUNTY ASSEMBLIES**

Sen. Osotsi: Mr. Deputy Speaker, Sir, the Senate Majority Leader has raised a very important issue in his report. He has said that we passed a law that was to give the county assemblies autonomy. Yours truly was the sponsor of that Bill. The President assented that Bill but the National Treasury has not implemented it. I request that we ventilate on this is matter before we move to the next agenda.

The Deputy Speaker (Sen. Kathuri): I was the sponsor, but not the *sponyo*, is that so?

(Laughter)

Do you want us to say something about the Statement? I said we will come back to the Statements. That is what I directed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, what Sen. Osotsi is inviting you to do is something very important. The House does not speak in vain and we are not a stoic creation of the Constitution. We are alive to the challenges that our constituents and the people that we represent are going through in this House.

I have raised a very important matter and what Sen. Osotsi is asking you to do is that perhaps you need to provide guidance, either through the Committee or our colleagues can say one or two things about that issue. From that, we can get to know what is happening from their experiences. Traditionally, the Speaker has no eyes or ears. The Speaker has to be moved. Sen. Osotsi is therefore moving you, as the Speaker, to guide Sen. (Dr.) (Capt.) Ali Roba and provide direction on a very important matter.

Our county assemblies are suffering. They have been left wondering of what more needs to be done. The law has been passed, assented to yet Cabinet Secretary, Hon. Mbadi, has delayed implementing a very important exercise.

The Deputy Speaker (Sen. Kathuri): Sen. Maanzo had requested me to make some determination. That is why I had guided that we first look at Order No. 8, then we come back to comments on Statements.

The Chairperson of the Committee on Finance and Budget, Sen. (Dr.) (Capt.) Ali Roba, I do not know why you are being stormed like this from every side. Can you give a commitment on the matter raised by the Senate Majority Leader on the financial autonomy of county assemblies after the passage of the Public Finance Management (Amendment) Bill, 2025? What is happening?

Let me hear from the Senator of Vihiga County, then I will give you chance to give your commitment as a Committee.

Sen. Osotsi: Mr. Deputy Speaker, Sir, this is a very weighty matter. We spent hours processing that Bill. We went through every constitutional steps required to have the Bill passed. Most importantly, the President has also spoken about this matter and he

gave some undertaking to the MCAs and the nation about the need of the county assemblies' financial autonomy.

It is disheartening that a House of Parliament can pass a Bill, it is assented to and it becomes law just for an organ of the State or a department within the State to decide not to implement it. This is unacceptable. We should not be discussing this. We should just take action. This is an important matter because our MCAs continue to suffer.

This afternoon, I was in my office and a group of MCAs from my county came telling me that they had been selected to travel abroad but they would be going there without money. They came to ask me to support them and these are things we go through every weekend when we go home.

We came up with this law, so that we deal with that problem. The real issue here is: How can Parliament pass a piece of legislation and the implementers decide not to implement it at all, even after the President made some pronouncement in support of the same? I think this is unacceptable. While we ventilate on this, we would like you to issue a very firm ruling on this matter, so that such institutions, which ignore laws passed by this House, go through censure by this House.

The Cabinet Secretary for the National Treasury and Economic Planning, my good friend, Hon. Mbadi, is someone who understands this issue, having been a Member of Parliament for many years. We should not be struggling to have a piece of law passed by any of the Houses being implemented by one of our own, who is now a Cabinet Secretary.

The Deputy Speaker (Sen. Kathuri): This ventilating should not take more than three minutes for any Member that I give a chance.

Proceed Sen Onyonka.

Sen. Onyonka: Mr. Deputy Speaker, Sir, thank you.

Majority Leader, I am appreciative of the fact that this matter has been brought to this House again. I sit in the Committee on Finance and Budget and I am happy that my Chairperson is here. When this Bill was brought to the House, and I remember how passionate you are about it, Mr. Deputy Speaker, Sir, we were trying to cure something. That the capacity and capabilities of MCAs has been so emasculated because they are not able to operate. This happens even after they pass their budgets.

Governors use the the same narrative of the national Government that they do not have Exchequer releases even when this money is actually available in the County Revenue Fund (CRF). I emphasise what exactly our colleagues have said here. Can we make sure that whatever we have done does not go to zero? I would like to ask my Chairperson, that his engagement should be, can we actually get the Cabinet Secretary to come to our committee, so that he can tell us why he thinks this law is unnecessary?

Because we have passed it, MCAs are not able to move. Some of the Speakers are not even able to pay their allowances. The only little bird which whispers to me sometimes is that many of these governors have actually spent the money that was sent to their accounts, which are supposed to be their county accounts. They are waiting for Exchequer releases to replenish which is why they are refusing to work with the law that we passed here.

I would hope that my Chairperson, who is here, will request the Cabinet Secretary to come, so that we can interrogate and ask him why the money is not autonomously going to the county assemblies.

Thank you, Mr. Deputy Speaker, Sir for the one minute.

Sen. Ogola: Mr. Deputy Speaker, Sir, I also express my disappointment with the fact that this law cannot be actualised. The county assemblies, just as Parliament, need to have autonomy of spending and designing their activities. Are we saying that a Cabinet Secretary would not implement what Parliament has passed? Are we saying that there is somebody else above us that would refuse to implement a law that has been passed?

We have 47 county governments, just as we have the one national Government. We are reducing the county assemblies to a level where they have to depend on the county executives and they can only implement their activities at the whims of the county governors. It is unfortunate. I plead that we should not allow this to happen. Otherwise, the county assemblies will always be begging at the offices of the governors to actualise their oversight. That works against the separation of powers.

That is my comment and I am indeed very disappointed.

Sen. Abbas: Thank you, Honourable Deputy Speaker, Sir. It is a very unfortunate situation because you were the mover of this Bill and it came under my committee and everybody was passionate about this.

The problem still exists as Sen. Ogola rightly said. County assemblies must become autonomous from the executive. They have failed to execute their oversight just because they are not resourced. At any one given time, when they question the executive, they are denied money. They cannot even say how much money they have. They do not even know how much they get. The Bill is there, it has passed here, and there is no reason to keep that money.

As rightly requested by one of my committee members, I will make a follow-up and ask the Cabinet Secretary for National Treasury and Economic Planning why those funds have not been released to the county directly. The new budget is almost coming up and we need all the county assemblies to be autonomous. The most important thing is that counties have failed to do oversight because they are not independent. That money actually should be released as fast as possible.

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir, for the opportunity to comment on this. I am really disappointed because MCAs are elected just as Senators and Members of the National Assembly but they have no say on what happens in the assemblies. If they do not sing the songs of the governors, then they cannot even implement anything in their wards.

If this law has been passed, I do not see why the National Treasury and Economic Planning cannot implement it. Are they reducing this House to zero and to nothing, that whatever laws we pass here are nothing and they cannot be implemented?

*(Applause as Senator Wambua
entered the Chamber donned in a sash)*

Congratulations for that. Let him be cheered.

When most governors are implementing projects, even in the counties, they do not use the elected MCAs. They use their own coordinators yet, MCAs are elected. County Executive Committee Members (CECMs) in their counties have more power than the MCAs. They have more say yet, the MCAs are elected.

This law should be implemented with immediate effect. We have very good laws in this country, and majority of these laws are never implemented.

We keep on complaining about this and that are not being done, and some people think that there is no law about it. We have the best laws in this country. However, implementing them is an issue. That is why we should also have a committee of implementation that can follow up every law that has been passed, make sure that it has been implemented and is working, and that it is helping the people of this country.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Lenku Ole Kanar, please proceed.

Sen. Seki: Thank you, Mr. Deputy Speaker, Sir. I also want to add my voice on this issue of county autonomy. This is coming at the right time. However, we need to say that we are disappointed. The National Assembly and the Senate pass a law, it gets assented to, then the Executive fails to implement the directives of the law. It is important that we give directions from your seat, that the Cabinet Secretary and the Principal Secretary (PS) of the National Treasury and Economic Planning to explain in writing or even come to this House and explain why this law has not been implemented.

County assemblies need to have that autonomy, be free, and have their allocation freed. They need to allocate their monies and funds, budgets and appropriate well. We thought it was necessary for them to come out of the trap of the county executives. The National Treasury and Economic Planning is having a problem in implementing the law. It is important that we summon the Principal Secretary and the Cabinet Secretary to this House and ensure that this implementation has been done to the letter, to the last point.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Nderitu John Kinyua, please proceed.

Sen Kinyua: Asante, Bw. Naibu Spika, kwa kunipa fursa hii.

Hatupitishi sheria tu kwa kuzipitisha. Ila, tunapitisha sheria ambazo zinapaswa kufuatwa. Ikiwa Seneti hii impetisha sheria kusema ya kwamba gatuji zetu, hasa mabunge ya kaunti yawe huru kutokana na gavana, inapaswa kufuatiliwa. Inapaswa kufuatiliwa na wizara zote ama mtu yeyote kwa sababu sheria ni kama msumeno unaokata pande zote mbili. Kamati ya Seneti ya Fedha na Bajeti ambayo inaongozwa na Sen. (Dr.) (Capt.) Ali Roba, imekuwa ikiongeza hela wakati gatuji zetu zinakuja na kutuambia kwamba hizo hela hazitoshi, hasa za wabunge wetu wa kaunti. *The National Treasury* inapaswa kuwa inafuatilia.

Kwa hivyo, ningetaka kupendekeza, kwa sababu una uwezo kisheria kuamuru Waziri wa Hazina ya Kitaifa na Mipangilio ya Uchumi awache kuzembea katika kazi yake, kwa sababu tayari tumepitisha sheria. Sisi tumefanya kazi yetu. Wizara ambayo inahusika ndiyo inafaa kuwajibika na kufanya kazi yake kwa sababu, hawa Members of County Assembly (MCAs) wanabaki wakifuata gavana kwa sababu hawana uwezo, ila sisi tulitaka kuwapa uhuru ili wajitegemee.

Nashukuru kwa kunipa fursa hii.

Bw. Naibu Spika, tenda jambo.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Wambua Enoch Kiio, Chief of the Burning Spear (CBS). Congratulations for the award.

Sen. Wambua: I thank you, Mr. Deputy Speaker, Sir. I would like to also thank my colleagues as well for applauding me for wearing this Order.

For the avoidance of doubt, because I can see Sen. (Dr.) Ali is wondering why I am wearing this and he is not, this recognition came way back in the year 2022. However, this is the day that I got the instruments. This award is not just spoken about, it is demonstrated; a demonstration that we have this title. I thank the leadership of the House, led by your office, the Office of the Speaker, for nominating me for this award. I thank you and God bless you.

Mr. Deputy Speaker, Sir, allow me to say two or three things about the autonomy of the county assemblies. I keep saying that the same article of the Constitution, the same sentence that establishes county executives is the same article of the Constitution in the same sentence that establishes county assemblies. The Constitution is very clear that there shall be county governments and the two arms of the county governments will be the executive and the assemblies. None of this is superior to the other. So, when we speak about the autonomy of the county assemblies, we should never speak about the autonomy of the county assemblies in reference to the autonomy of the county executives because none of them is superior to the other.

That is the same argument that I have been trying to get the Chairperson of the Senate Standing Committee on Finance and Budget, Sen. (Dr.) (Capt.) Ali Roba, to appreciate; that, you can never tell Kenyans that the national Government is allocating money to county governments. That can never happen. It is the work of Parliament to allocate monies to both levels of government, the national Government and the county governments.

Mr. Deputy Speaker, Sir, this Senate and the National Assembly should never legislate in vain. The minute we begin to create an impression that there are resolutions or laws that we can pass here, and then leave it to the discretion of somebody in an executive office to decide whether to implement or not to, that is the time that, if we get there, then Parliament should just shut down and go home.

Mr. Deputy Speaker, Sir, you remember, and I am happy that you are here seated on the Chair today, and Sen. Kinyua is here, we have fought, even in this House, for a resolution to pay.

(Sen. Wambua's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Were you not aware that the maximum is three minutes?

Sen. Wambua: Mr. Deputy Speaker, Sir, I was not aware of that.

The Deputy Speaker (Sen. Kathuri): Give him one minute to conclude his thoughts. When I heard you say you have three things to say, I wondered how you would do that in under three minutes.

Sen. Wambua: Mr. Deputy Speaker, Sir, I am sorry, I was not aware.

The Deputy Speaker (Sen. Kathuri): You have one more minute, please.

Sen. Wambua: Thank you. We passed a resolution in this House on the one-off payment to former councillors. That is a matter that was canvassed seriously by this Senate. We passed that resolution. The National Assembly, led by now the person who is the Head of the National Treasury today, pushed the same agenda and passed it. However, he has refused to implement that. I would like to call upon you to use the authority vested in you by the Constitution of this country, to demand that whatever resolution is passed by this House, whatever law is passed and assented to by the President, must be implemented. There is no discretion. I mean, these are decisions taken by the House and they must be implemented.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Dullo Adan Fatuma.

Sen. Dullo: Mr. Deputy Speaker, Sir, I would like to join my colleagues in contributing to this crucial matter. Over the years, we have had the Committee on Implementation taking up matters that were resolved by this House. I do not know why Senators did not follow up on that decision of having an Implementation Committee. If we had one, these matters should have been moved to conclusion.

Moving to the issue of independence of county assemblies, for devolution to work, county assemblies must be independent. I do not want to impute improper motives but I know governors do not want county assemblies to be independent because they still want to micromanage them and do not want to be oversighted. Currently, in some counties, their money is misused by governors because some Speakers are appointed by governors. If we are serious as a House and also as a country as far as the independence of county assemblies is concerned---

Mr. Deputy Speaker, Sir, some MCAs do not even get salaries while some do not get their mileage allowances. Something has to be done. Sen. (Dr.) (Capt.) Ali Roba and team should summon the Cabinet Secretary in charge of the National Treasury and Economic Planning, so that this decision is implemented.

I thank you.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Wakili Hillary Kiprotich Sigei, Senior Counsel.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I am not yet there but I am on track to getting the coronation. However, on the flipside, I also got the award earlier. We just do not want to compete with Sen. Wambua by donning the attire and insignia that we got in the morning. Therefore, there is no harm if you congratulate me on that aspect.

Mr. Deputy Speaker, Sir, let me add my voice to this particular conversation that is going on.

We pass laws and those who are supposed to implement them have got no choice. The fact that this House has legislated particularly on an issue that affects devolution like this one, the Cabinet Secretary does not have a choice on whether to implement the provisions of that law or not. I believe there is more than just the delay in implementation because of what we would look at.

I want to pick the words used by Sen. Dullo that the control of county assemblies is by certain governors in order to make sure that they run assemblies under instructions

of those who are under them. The only option that we have as a House is that once we passed the law, we have got the mandate to summon the Cabinet Secretary in order to make sure that he takes responsibility for implementation of the provisions of that law, so that county assemblies become independent.

One of the most critical roles of a county assembly is to check on the governor but a number of them do not do primary oversight that they are supposed to do. However, it is not all lost unlike when they are not independent. There are certain county assemblies that will be independent and conduct appropriate oversight for purposes of ensuring that services to the people by both county assemblies as well as executives are subjected to appropriate oversight.

Therefore, I call upon this House, of course, through the Chairperson of the relevant committee, Hon. (Dr.) (Capt.) Ali Roba, as well as your Office, Mr. Deputy Speaker, Sir, to facilitate summons to the Cabinet Secretary to come and explain to this House why he has made that illegal decision not to implement a law that was passed by this House.

Secondly, if we allow such options to be taken by those in office, we will be creating anarchy and there will be a breakdown of the rule of law. If the public is aware that there is a law that was passed by the Senate to facilitate independence of county assemblies but a certain individual sitting in an office opts not to implement, we are going to be---

(Sen. Wakili Sigei's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): You have 30 seconds to conclude.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, just to complete the statement that if we create the impression that this House can pass laws but a Cabinet Secretary sitting in some high tower office decides not to implement because of selfish interests or simply decides not to implement, we will be creating anarchy in the country and there will be a complete breakdown of the rule of law. The only time that a law can be stopped from being operationalised is when there is a decision or pronouncement from a court of law to the effect that that law is either in vain or was not properly enacted. Otherwise once a law is passed, it must be implemented.

I thank you.

The Deputy Speaker (Sen. Kathuri): Fair enough. Before I allow Sen. (Dr.) (Capt.) Ali Roba to make his commitment and give a way forward as the Chairperson, let me say this. You are aware that I was the sponsor of this Bill and I witnessed it being assented to by the President on 13th August, 2025, during the Devolution Conference in Homa Bay. It is now one year and two months since.

In the last financial year, they said they will wait for the new Financial Year 2026/2027, so that they align their budgets properly in order to give county assemblies that autonomy. As Members have said, these and many other resolutions made by this House should be followed up by Chairpersons of committees in the absence of an implementation committee.

County assemblies are really suffering. As you make your commitment to either write to or summon the Cabinet Secretary, you should state to him whatever you feel should be done.

Chairperson of the Committee on Budget and Finance, please, give us your commitment and a clear way forward with timelines.

Sen. (Dr.) (Capt.) Ali Roba: Mr. Deputy Speaker, Sir, the Senate of the Republic of Kenya did its due responsibility of making sure that the Bill was duly processed. All stakeholders were engaged and the Bill was passed and assented to. Now it is an Act of Parliament. The onus is upon Cabinet Secretaries and State Departments involved to make sure that once an Act of Parliament comes into being, they are supposed to do what they are required to.

I do not wish to politicise this issue but it is important for me to say exactly as it ought to be said. The President of the Republic of Kenya has made pronouncements and commitments on camera several times on issues of autonomy of county assemblies. A Bill was initiated, went through the due process and became law. However, you will find a Cabinet Secretary in the same Government, who has been hearing the President of the Republic of Kenya making a commitment to county assemblies and the nation, but does not pick up the issue and in time to make sure that it is implemented. Is it safe to say that some members of the Executive are failing the President?

When Cabinet Secretaries ignore laws that have an angle to a presidential directive or commitment and laws are not implemented to the letter, that failure makes the Government look bad and that is what is happening right now.

I was fortunate enough to have served as a governor for two terms. Allow me to say this. Sincerely speaking, take the example of my county and Mandera County Assembly. The 10 years that I was the Governor, Mandera County Assembly's activities were discussed from Nairobi to Mandera in every sitting because the County Assembly was vibrant in putting checks and balances on the executive and making sure that everything they did was known. The opaqueness with which some county assemblies, including mine and the county governments are operating in right now is so much such that the role of county assemblies has been forgotten in the eyes of the public. This leaves a lot to be said in terms of the governance of the counties because the vibrancy of the county assemblies is what brings out the functional responsibilities of the executive in terms of what the county assemblies do.

As to whether the county assemblies have gone to bed with the executive or whether the executive is exerting pressure on the basis that they hold the purse, necessitating the autonomy of the county assemblies and the Bill that was passed to be effected as expeditiously as possible; sincerely speaking - and saying this from my heart as a person who was part of the family that started devolution and also being the first lot of governors; what I see is the slow death of devolution and the local oversight at the grassroots level of county assemblies. This is as a result of weak institutions and the fact that they are left at the mercy of the governors to make decisions.

Mr. Deputy Speaker, Sir, as discussed by my colleague Senators in the House, I undertake as the Chairperson of the Senate Standing Committee on Finance and Budget, that I will call upon the Cabinet Secretary John Mbadi to explain to us why he was unable

to implement a law that is an Act of Parliament. Why he is making the President look bad? That is the issue that we need to talk about because the President has met the MCAs severally. He has also spoken at the State House and other functions that we will make sure that the county assemblies are autonomous, they are able to do their job and they are not at the mercy of the governors to do what they are required to do.

Failure to implement the law reflects very badly on the Government and in an election year like now, the onus is upon Hon. Mbadi to make sure that he makes good the promises that the President has made since he has the law in his hands. Therefore, I undertake, as the Chairperson of the Senate Standing Committee on Finance and Budget, to call the Cabinet Secretary and have him share with us why this failure has occurred under his watch.

Mr. Speaker, Sir, I submit. Thank you.

The Deputy Speaker (Sen. Kathuri): As a matter of urgency, in the next two weeks, we should get results. Fourteen days are enough. This is a top urgent matter in this Senate because we have spent almost 50 minutes discussing about the failure of the Cabinet Secretary to implement a decision of this House.

I also task the Senate Majority Leader in this matter, so that you can touch buttons. You will coordinate the Senate and the Executive. You work with him so that this can be implemented.

(Several hon. Senators spoke off record)

No, this is not the animal kingdom, it is leadership. He is the Leader of the Majority Side.

Next Order.

MOTION

APPROVAL FOR APPOINTMENT OF A FEMALE NON-MEMBER OF THE PARLIAMENTARY SERVICE COMMISSION

THAT, taking into consideration the recommendations of the Standing Committee on Justice, Legal Affairs and Human Rights in its Report on the vetting of Hon. Fatuma Ibrahim Ali, the nominee for the appointment to the position of female non-member of the Parliamentary Service Commission, laid on the Table of the Senate on Tuesday, 29th September, 2026, and pursuant to the provisions of Article 127(2)(d) of the Constitution and Section 9(2) of the Parliamentary Service Act, and Standing Orders No.77(3), the Senate approves the appointment of Hon. Fatuma Ibrahim Ali as a member of the Parliamentary Service Commission.

(Sen. Maanzo on 30.9.2026 - Afternoon Sitting)

(Resumption of debate interrupted on 30.9.2026 - Afternoon Sitting)

[The Deputy Speaker (Sen. Kathuri) left the Chair]

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

The Temporary Speaker (Sen. Abdul Haji): Majority Leader, you can proceed.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Temporary Speaker, Sir. This is a very important exercise that we are doing concerning the constitution of the Parliamentary Service Commission (PSC), a very important institution in the operations of this Parliament. I am glad that today as we speak, our commissioners have found time to be in the House. I do not know whether it is because of the closure of the Strait of Hormuz because it is rare to find them here. Nonetheless, I appreciate that Sen. Omogeni is in the House. Sen. Joyce Korir, the Vice-Chairperson of the Commission was here. Maybe she is in the Members Lounge because this is an important conversation we are having.

We are coming to the penultimate days of this session of Parliament and we are filling this position to represent us, our interests and our challenges. The PSC is a very important creature. Unfortunately, the way the drafters of our Constitution designed it disenfranchises us, the Senate.

Number one, by making the Chairperson to be the Speaker of the National Assembly and ensuring that the Speaker of the counterpart House, the Senate, is not a member of that body, the drafters of this Constitution did us a good one. This is because, the only other representative of this House apart from our Members if you were to look at it from the technical level is our Clerk but our Clerk is staff. Even when they sit in that meeting - and I say this from experience because I have served in the Commission - he sits there as a member of staff and there are certain things he cannot say on behalf of the House. He, therefore, has to rely on the wisdom of the voice of the representatives from the House of the Senate.

Mr. Temporary Speaker, Sir, structurally again, we are equally under-represented. Over the last three sessions of the PSC, the Senate by standard has three Members while the National Assembly has four out of the seven. That leaves us in a very precarious position because when it comes to aligning matters in the Commission between the two Houses, one of the Houses is underrepresented. Remember, the Chairperson is a voting member. The Clerk does not vote. He is only a secretary. When there are issues, the presiding person who is the Chairperson will only see things from the perspective of the National Assembly.

Therefore, out of the other representatives, the Senate is left with three out of five for a start. It is only these two Members and this is what I am driving at with this point, the male and the female representative of members of the public, who sometimes stand in the gap and try to assist institutions such as the Senate. However, Sen. Osotsi, we have never had these interviews to the point where we succeed to nominate a Senator. Most of the times, all the representatives are former Members of the National Assembly.

Mr. Temporary Speaker, Sir, if you think about the lady Commissioner who is being replaced, Rachel Ameso, she was a Member of the National Assembly. The Hon. Fatuma that we are replacing her with today, was also a Member of the National Assembly. Even previously, it was the people who have served in the National Assembly. We have never had the opportunity to have our colleagues and this is something.

The Temporary Speaker (Sen. Abdul Haji): Yes, Senior Counsel, has he agreed that you inform him? Proceed then.

Sen. Omogeni: Mr. Temporary Speaker, Sir, my predecessor is doing well, the Senator for Kericho. I wanted to inform you, because this is a House of record, that we have one non-Member of Parliament Commissioner who is a former Senator, Hon. Muthama. I wanted you to bear that in mind. I heard you submit that this House has never nominated a former Senator as a Member. I just wanted that to be on record.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, while that is important information, you must note that Sen. Muthama served longer in the National Assembly than he did in the Senate. So, even in terms of purity of Senatorial duties, we are yet to achieve that. That is what I was trying to drive at.

Even next term, those of you who are interested in coming back to this House, when you get an opportunity by God's grace, you must push at your coalition level, both on the Majority and Minority sides that the representatives to the Parliamentary Service Commission should be switched. That three Members come from the National Assembly and four from the Senate because there is nothing wrong with that.

The other matter I wish to speak to is the work that our Parliamentary Service Commission continues to do. I have not had an opportunity to listen to what other Members have said about this institution and the work they are doing. However, I wish to remind Sen. Omogeni that before you complete your term, you must ensure, because that is your duty, that you complete the Centre for Parliamentary Studies and Training (CPST) and the Members' Facilities Centre that is in Karen.

All of us in Parliament are future former Members. We just do not know when we will become former Members, but one day, you will be a former Member of Parliament, so long as you have served in this House. We created that institution, so that there is a place where Members can interact with their colleagues in a decent environment where they will be respected.

I am sure you have seen the kind of humiliation some of our former colleagues go through when they try to interact with Members and sit in the Members' Lounge. Sometimes they are chased and made to sit on old and rickety chairs next to the toilet in Parliament. We decided to create an institution with a library where you can access some of the materials you produced when you were in this House. You can also read and undergo training, because it is a training institution. The qualification is that you have served as a Member of Parliament. It is a very important institution.

Sen. Omogeni, I do not know why it has taken you and the current Commission such an inordinately long time to complete that facility. It is extremely important and Members of Parliament need it. We do not have a very good job. Everyone imagines that Parliament is an institution of fat cats who are overfed and overpaid. Once you leave this House, you become an enemy of almost everyone yet those who serve here know the

reality of this job and the challenges that come with it. Therefore, the PSC needs to have the fortitude to stand up for its Members and represent us well. They should ensure that Members are properly facilitated to discharge their duties.

Mr. Temporary Speaker, Sir, the exercise you are undertaking is not in futility. I said the other day, Sen. Ojienda, there is a very wrong, fallacious argument being peddled, particularly by people who do not wish well for public institutions in this country. Some of our colleagues in the opposition say very nasty things about Parliament, imagining that it will perhaps make them appeal to voters and such.

There is no institution that does oversight better, represents public interest better and does everything to ensure that this country progresses forward than Parliament. Indulge me for a moment, Hon. Members. You know very well that every five years, Members of this House must go and seek a fresh mandate from the people. That is oversight. People will evaluate you and ask whether you represented their interests. They will ask whether you have done things that made their lives better during the period. If they agree, they will give you another term. If they feel you have underrepresented them and pursued other interests other than their own, they will not grant you an opportunity to come back.

What about our colleagues in the Judiciary and the Executive? You know for a fact that many public servants, because of this creature called permanent and pensionable, do not even care which administration is in power or what happens. In fact, the core of the civil service have a saying amongst themselves that governments come and go. That is why even when governments try to effect change, you will hear people saying that we will read the Constitution and Kenya will change. That is ignorance.

There are people who consider themselves very important seated in those offices. Even when you take office as President, Cabinet Secretary or any leader and you try to move policy and change decisions, they just sit there and sabotage you. This is because they know that within two or three years, you will lose focus and start concentrating on your re-election.

Consider what happens in our judicial system. Once a judge has been appointed, Sen. Omogeni, there is nowhere else that they will ever meet the public, except perhaps when a petition is presented to the Judicial Service Commission (JSC) and we know what happens to petitions before the JSC. They can rule in whatever manner they wish. I have never understood the kind of powers we gave to the Judiciary. In fact, this country should not be called a democracy. We are country under a judicial authority. Parliament sit, deliberate, debate and pass laws, then eventually one judge, after both Houses of Parliament have made a decision, declares it null and void.

My understanding is that even in the interpretation of the law, we should have set a threshold, perhaps a minimum of three judges, so that there is some level of balance. There should be a weight in matters that are declared unconstitutional. It is good to have a strong Judiciary. I support that 100 per cent. In my political life, I have been in both the Government and in opposition. The last time I was in the opposition. At many times, the only place we sought refuge was in our courts of justice.

Therefore, to the best of my knowledge, a country can survive a weak Parliament and a weak Executive, but it is very difficult for a country to survive with a collapsed

Judiciary. However, that is not to say that an institution should not be checked or have regulatory mechanisms as has been proposed. As a country, we should reflect on how to better clean up that space, even as we demand respect.

Parliament is unfortunately the only institution whose independence is often questioned. We say institutions are independent. The Judiciary is independent. Parliament is equally independent. Once we have gone to the people and they instruct us to pass laws in a certain manner, we have very limited choice because we are representatives of over 50 million Kenyans.

Therefore, the Parliamentary Service Commission is a very important institution. I hope that Hon. Fatuma Ibrahim Ali, a very gracious lady and an experienced public servant who I know will give us good service, will see to it that she serves the public interest first in this institution, while also ensuring that we make Parliament as open and democratic as it is supposed to be.

I still maintain that among all our arms of Government, despite what people say, the one institution that is open, transparent and truly represents the people is Parliament. You know for a fact that after every five years, you have an opportunity to go back to your bosses, unlike the other arms of Government who know they will never meet the public anywhere.

Mr. Temporary Speaker, Sir, with those many remarks, I beg to support.

Mr. Temporary Speaker, Sir, we are in a happy mood as a country. Yesterday, we witnessed the largest investment ever undertaken in Sub-Saharan Africa happening in our country. Therefore, it was a great day for the Republic. I am still in that happy mood.

I do not want to say many things because I want to celebrate and say, "Could you continue doing good things so that many more investors can come?" I want to tell the investors who are coming to Kenya that they are welcome. Kenya is open for business. There will be noise from brokers and conmen trying to pretend that they are representing the public interest, but ignore them and do your best for this country.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Sen. Cheruiyot.

Sen. Eric Omogeni, you have the Floor.

Sen. Omogeni: Mr. Temporary Speaker, Sir, thank you for giving me an opportunity to also contribute to the proposed appointment of Ms. Fatuma Ibrahim Ali. I read the report by the Committee on Justice, Legal Affairs and Human Rights (JLAHR).

First, I want to go on record as one of those Kenyans who appreciate the new Constitution and the fact that it gives an elaborate process for people to apply for jobs, be interviewed and get appointed on merit.

This lady who is before the Floor for consideration is somebody I consider to be walking on the paths of Professor Ali Mazrui. If you read the CV of Ms. Fatuma Ibrahim Ali, after her Form Four education in the old system, she never proceeded to Form Five or Form Six. With time, she worked her way to Egerton University, obtained a diploma, and then she proceeded to obtain a degree out of the country and subsequently got herself a Master's. So, for that effort, she deserves our accolade.

It should be a statement of encouragement to many people who sit for exams at all levels, and if they do not attain the high grades of As and Bs, they give up. This lady is a

testament to somebody who sat for an exam and never made it to Form Five or Six, but she fought her way up.

In our days, we had some very brilliant classmates of ours, but you know, things happen at times when you are doing an exam. When we went to receive our results, one of our friends had performed very poorly in one of the papers, and when we asked him what happened, he said that on that particular day, just a day before— when people received letters— you know, those days we used to receive letters, not like nowadays. So, this guy said he received a letter from a girlfriend who had booted him and the guy could not concentrate on the paper the next day. For that reason, he flopped. However, he found his way to India and worked very hard. Now he is a very senior government official.

So, at times, the fact that you do not attain those high grades does not mean that you cannot make it in life. We have others who excel, like Sen. (Prof.) Tom Ojienda. He is an A student, but then there are others who fight their way up. That is why Prof. Ali Mazrui is respected. Anybody who interacted with Prof. Ali Mazrui will tell you that he was a distinguished professor, but I am told, in our old system, he was a Division IV and I think Division IV was an equivalent of a D-minus. That is a D-minus, but he worked himself up to the level of becoming a very distinguished professor.

I hope that if this lady gets the approval of this House, she will join us in the Commission to continue doing the good work that this Commission is doing. I agree with Sen. Cheruiyot Kipkurui, the Senator of Kericho, that there is a lot that we need to do as the Parliamentary Service Commission. I also want the Senate Majority Leader to understand that we operate under very difficult financial constraints.

You have worked in the Commission and have no doubt that you know how the Commission operates. Without money, there is very little you can do. In fact, Sen. Cheruiyot, you should thank us that we have been able, under these very difficult financial challenges, to beautify Parliament. We have been able to settle you in Bunge Towers. You left the Commission without delivering us to that house, but we have now delivered you there. You know the kind of lounge you used to make us have our tea at. Now we have a beautiful lounge. So, we are doing good work. We are trying to do our best and we hope that with the coming of Hon. Fatuma on board, we will be energised.

I cannot agree with you that these commissioners assist in having a balance of power in the Commission. As Sen. Cheruiyot rightly pointed out, we always get short-changed. Successive presidents will never give this House the four slots. They will always give the Senate three and the National Assembly four. How I wish that Sen. Cheruiyot could use his closeness to His Excellency the President to ask him to look at this House favourably.

I know he has never served in this House, but next time you are caucusing, distributing these positions, the Senate should get four slots, and then the National Assembly should get three.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Boni Khalwale, what is your point of order?

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, I rise under Standing Order No.105. Did you hear a whole commissioner send the Senate Majority Leader to the President when we know that the Parliamentary Service Commission, where he works, is

independent, it is anchored in the Constitution and what is more, they have a fixed allocation in the budget which is not subject to the direction of the President? Is he in order to mislead Kenyans? If the problem is that the commissioners are not competent to spend our budget, then you tell us.

For clarity, this financial year, the Parliamentary Service Commission got Kshs50.7 billion. Why do you want to involve the President? It is this attempt that creates an imperial presidency who then feels that he must give you money to control Parliament. We do not want to be controlled by the Executive. Spend our budget, and if you have a problem, let Parliament appropriate more money to you. That is our work. Otherwise, you resign as a commissioner.

Sen. Omogeni: Mr. Temporary Speaker, Sir, I always have tremendous respect for Sen. (Dr.) Khalwale, and I have always known doctors to be people who are keen listeners---

The Temporary Speaker (Sen. Abdul Haji): Just a moment, Senior Counsel.

Sen. (Dr.) Khalwale, the Standing Order that you have cited, Standing Order No.105 actually puts you out of order. You did not listen to what the Senior Counsel was talking about.

In his submission, he never mentioned the budget. He did not mention the budget. On that point, you are out of order.

(Sen. Cherarkey spoke off record)

What is your point of order?

(Sen. Cherarkey stood in his place)

Sit down, Sen. Cherarkey. Sit down.

Sen. Cherarkey: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Point of order on who?

Sen. Cherarkey: A point of clarification, Mr. Temporary Speaker, Sir. Point of clarification.

The Temporary Speaker (Sen. Abdul Haji): Very well, proceed.

Sen. Cherarkey: Mr. Speaker, you know Sen. (Dr.) Khalwale is the encyclopaedia of this House because he has served for long. In line with Standing Order No.105. I listened to Senior Counsel, Sen. Okong'o Omogeni, Commissioner, saying that Sen. Aaron Cheruiyot or *Aruna Telwa*, because of closeness with the President, should whisper to him that the National Assembly gets four commissioners and the Senate should also get four.

In the Senate, we have three commissioners at the moment but the National Assembly has four. So, our only concern and I agree with Sen. (Dr.) Khalwale, that we already have the Parliamentary Service Commission Act. We just need to amend the Act to increase the numbers. We do not need to disturb Sen. Telwa; he has a lot of issues to discuss.

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, as you have put it--

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Yes, Sen. Cheruiyot.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I can forgive my friend, Sen. (Dr.) Khalwale, because probably he did not get the gist of the argument that Sen. Omogeni was following. It had nothing to do with the budget and influence, Sen. Boni Khalwale. What Sen. Omogeni is arguing is distribution of the seats amongst the coalitions, which is something that is done at the political party level. That is why he was saying, at party leadership level, you can convince the party leader that this time, unlike in previous occasions where four members have always come from the National Assembly, we make sure that four members come from the Senate and three from the Assembly.

That is not undue influence, Sen. Khalwale and Sen. Cherarkey. On that account, I think they are being unfair to Commissioner Omogeni.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Sen. Cheruiyot for making it clear. You just took the words out of my mouth; Sen. Cherarkey did not give me time to talk to Sen. Boni Khalwale.

Sen. Boni Khalwale, can you please apologise and withdraw?

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, you can help me by telling me what you want me to apologise for and what it is that you want me to withdraw. I have never in my life heard of an apology being made on a point of order.

Standing Order No.105 speaks to the responsibility for the factuality of what a Member says. That is what I was interrogating, which I can merely disagree with. We have to be careful about the rulings we are starting to make because even the ruling you are going to make now on what you have told me, will set a precedent. That precedent can be used subsequently, that Members be apologising in that kind of manner. I am afraid you want to set a very dangerous precedent.

The Temporary Speaker (Sen. Abdul Haji): Very well, Sen. Boni Khalwale, I was giving you an opportunity to redeem yourself, which you have done by pointing out the obvious.

(Laughter)

Sen. Omogeni, you can proceed.

Sen. Omogeni: You should also have corrected Sen. Cherarkey. He is making a statement that we should amend the Parliamentary Services Act. Sen. Cherarkey is a lawyer; I like nurturing young lawyers, not correcting them. I do not know whether he has taken his licence for this year, but he is a lawyer. If he takes time---

(Sen. Cherarkey spoke off record)

Can I continue?

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, I have not given you an opportunity---

(Sen. Cherarkey spoke off record)

Sen. Cherarkey, the point of order is on whom?

Sen. Cherarkey: Sen. Okong'o Omogeni.

The Temporary Speaker (Sen. Abdul Haji): What has he said?

Sen. Cherarkey: I am an advocate of the High Court of Justice and a member of the Supreme Court. He can check online on the Law Society of Kenya (LSK) portal---

The Temporary Speaker (Sen. Abdul Haji): Very well.

Sen. Cherarkey: *(Off record)* ---young people must stop in this House, because you can be old but a fool.

(Laughter)

Sen. Omogeni: Mr. Temporary Speaker, Sir, we never refer to advocates as members of the Supreme Court, we normally say "advocates of the High Court of Kenya." We must keep on nurturing Cherarkey, so that he can speak like a lawyer.

Secondly, I advise him to consider reading very carefully Article 127 of the Constitution. That is where the distribution of membership of the PSC between the two Houses is domiciled. Sen. Khalwale, that is the point I was making; that, in future, coalitions should consider allocating four slots to the Senate and three to the National Assembly under Article 127. I have not mentioned anything to do with the budget. I am very happy that Sen. Cherarkey is a good student; he has agreed with my interpretation of the Constitution.

The point I was really making is that this Constitution of ours introduced a new concept of meritocracy. Even judges of the High Court of Kenya, Courts of Appeal and the Supreme Court, including the Chief Justice, apply for their positions, get interviewed and are picked on merit.

Let us discourage some of the bad habits that we are seeing from some of our colleagues. I have seen people making pronouncements to the effect that teachers who should be recruited on a merit-based process get letters of appointment from us, politicians. Worse still, I have seen a Member of Parliament (MP) in our constituency parading newly graduated police officers saying he is the one who delivered letters to these officers. I mean, when I look---

Sen. Cherarkey: Mr. Temporary Speaker, Sir, point of order.

Sen. Omogeni: What point of order? Mr. Temporary Speaker, Sir, we must nurture this democracy of ours.

The Temporary Speaker (Sen. Abdul Haji): What is your point of order, Sen. Cherarkey.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, I rise under Standing Order No.105 on Statement of Facts. Did you hear the distinguished Senator, Sen. Okong'o, who is a Senior Counsel, saying that there is an MP from his county who is parading recently graduated police officers and saying he hired them? He knows that under the National Police Service Act, the only people allowed to recruit competitively, the young

recruits who will go to Kiganjo, Embakasi and Ruiru for General Service Unit (GSU) training, is the National Police Service Commission (NPSC).

In this era, politicians just want to make political points by inferring serious institutions such as the Teachers Service Commission (TSC), NPSC and Public Service Commission (PSC), where all Kenyans are competitively recruited. Is it in order for the distinguished Senator of Nyamira County to come and make serious allegations against police officers?

The Temporary Speaker (Sen. Abdul Haji): Yes, Sen. Sifuna. What is your point of order?

Sen. Sifuna: Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order No.121(1), specifically Part (b) and (c), which speaks about knowingly raising false points of order and unnecessarily interrupting proceedings in a disruptive manner. We are coming to the end of the term of this Parliament and the Speakers in this House have never ever enforced this particular Standing Order.

Repeatedly, people targeting to interrupt other people's flow of thought and ideas are rising on frivolous false points of order. Please, put an end to this charade for the purposes of the respect of this House. I wish when the term of this Parliament comes to an end, we get a printout of the HANSARD and just see how it is possible that on every sitting day, only one Member has the eyes and ears to see when there is a point of order to be raised, that you can raise 10 points of order in a single sitting. What is so special about this one Member? He is disruptive and always trying to make sure that people do not make their points.

Allow Senior Counsel to make his presentation here; he will also get his opportunity. This culture where people just rise up every single day with 15 points of order should stop.

I have heard people calling us names. Now, I want to give him another name; he is the Mr. Point of Order of this House.

The Temporary Speaker (Sen. Abdul Haji): Sen. Roba, what is your point of order?

Sen. (Dr.) (Capt.) Ali Roba: Mr. Temporary Speaker, Sir, thank you very much. I rise on Standing Order No.105. Sen. Sifuna has spoken, but I wish to reinstate what Sen. Cherarkey said.

He merely stood up on a point of order because the honourable Senior Counsel Omogeni made a statement saying that there are MPs, respectable leaders, who are dishing out Parliamentary Service Commission (PSC) appointments and who are dishing out letters of appointment to police recruits. It is very important that it is not considered a passing statement because it paints the leadership of both Houses in bad light. That is all that the Senator asked and that is in order.

I do not believe it is out of order. Probably, there are many other points of order that he may have raised that could raise questions, but on this one, I wish to request that Senior Counsel clarify.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. Omogeni, can you clarify your statement?

Sen. Omogeni: Mr. Temporary Speaker, Sir, I am very careful in the way I choose my words. I said that I have seen and read that some Members of Parliament are making statements that they have dish out Teachers Service Commission (TSC) letters. I did not say PSC; I said TSC and the police.

This information is in the public domain. I do not want to embarrass some of the senior leaders who have spoken about this.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, allow me to inform our good friend and Senior Counsel, former Chairman of the Law Society of Kenya (LSK), that proceeding under the provisions of Article 117 of the Constitution--- I am informing you that the Speaker of the National Assembly is one sitting Member of Parliament who actually said that he received letters for police officers and teachers and that he gave out those letters to Members of Parliament who he walks with. So, you are perfectly in order. Let the country see how the Government of Kenya is discriminating against other children by allowing children related to certain leaders to be the only ones having an opportunity to join the TSC and the Kenya Police Service.

The Temporary Speaker (Sen. Abdul Haji): Sen. Omogeni, do not take the route that Sen. Khalwale is advising you on. Just clarify your statement and proceed to conclude your submission.

Sen. Omogeni: Mr. Temporary Speaker, Sir, and Sen. Cherarkey, you know we are in a democratic Parliament. You must allow us to have a debate in this House. You do not dictate what we have to say. We are the people's representatives.

Mr. Temporary Speaker, Sir, there is a culture that is evolving where you want to build a Chinese wall around our views. You have to say what you have to say and we will say what we must say. That is how democracy works.

(Sen. Cherarkey spoke off record)

I speak for the people of Nyamira; I do not speak for the people of Nandi. You can speak for the people of Nandi. I speak for the people of Nyamira. We must learn that we are in a democracy. It does not mean that every day I come here, if I see Sen. Cherarkey speaking, I start yelling. It is childish; I will not do it. Listen to my views, when you have the opportunity---

The Temporary Speaker (Sen. Abdul Haji): Sen. Omogeni, let me direct you to go back to your submission and leave these issues out. So, make your submission now that you have clarified.

Proceed with your debate.

Sen. Omogeni: The only problem is that--- You also need to protect me from Sen. Cherarkey.

The Temporary Speaker (Sen. Abdul Haji): You are protected, so proceed.

Sen. Omogeni: Every time I am making a point, he keeps popping up like popcorn.

(Laughter)

It disrupts me. Please, protect me. You know, as a lawyer, I like organising my points, so protect me.

The Temporary Speaker (Sen. Abdul Haji): Proceed, Sen. Omogeni.

Sen. Omogeni: The point I am making is that, having passed this Constitution, it was the hope of Kenyans that opportunities would be accorded to Kenyans to apply for jobs, get a chance to be interviewed, and if you qualify and merit, you get the appointment. Not every Kenyan has a connection to a politician. Many people will never access a politician.

Those are the Kenyans who should be accorded an opportunity. When they see an advert, they should apply for a job, be interviewed and if they merit, they should be recruited. That is not only for TSC or for police officers, but also for the Public Service Commission. That is the spirit of our Constitution 2010.

I want to urge my colleagues, especially Sen. Cherarkey, to always know that your tenure on that side is five years. Things can change. You may find yourself on this side.

(Sen. Cherarkey spoke off record)

Do not swear. If you are a democrat, that is how you look at life.

You heard Sen. Cheruiyot telling you that at one point you will be a former Senator. That is the reality of life. So, when we are in this House, we want to fight for fairness, justice and democracy. That is why I am saying that this lady, Fatuma Ibrahim Ali, if she merits and I believe she does, let her get an opportunity to serve, not because she is connected to any powerful force, but because she has gone through a process that has given her an opportunity to serve the country.

Mr. Temporary Speaker, Sir, I will always salute the good work that the Judiciary does in this country. Sen. Cherarkey, whether you are a President, Cabinet Secretary, or a Senator, when your rights are infringed, there is nowhere you will run to other than the Judiciary. Even when retired President Uhuru Kenyatta found himself in trouble, he rushed to the Judiciary for protection of his fundamental rights. I agree with you that we should have mechanisms to check any abuses within the Judiciary. However, in any democracy, we should always support an independent, functioning Judiciary.

There is a mechanism. You may not agree with the mechanism that we have in the Constitution. Just as some Kenyans sometimes think we do good work, some think we do not do good work. So, I agree. Even you, as a citizen, may at times think the Judiciary does not do good work, at times it does good work. Remember, when you were sitting on the Opposition last time, and Sen. Mwaura was kicked out of this House, it was the Judiciary that brought him back to this House. Even you, Sen. Cherarkey, it is the Judiciary that rescued you. So, let us respect our institutions, especially the Judiciary.

You know some of those officers work and retire at 70. You will serve your five years and leave the Senate. When you go to court, you will find the same judges there. So, let us support those who are doing good work. If there are any rotten eggs, let us use the existing mechanisms to file our complaints with the Judicial Service Commission. They will be processed and action can be taken. However, we should not condemn the

exercise of judicial review powers by judges. It happens in many democracies. In fact, in the United States of America, judicial review power does not exist in the Constitution; it is judge-made law.

So, I fully support this nominee. I do not doubt that if she is given an opportunity, she will enrich and make the Commission more vibrant. I do not doubt that she will add value to the institution of Parliament.

I support.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senior Counsel.

Proceed, Sen. Beth Syengo.

Sen. Beth Syengo: Thank you, Mr. Temporary Speaker, Sir. I rise to comment on the Report on the appointment of a non-member Commissioner to the PSC. I start by thanking and appreciating my party, ODM, for nominating Hon. Fatuma Ibrahim Ali to the PSC.

Allow me to thank my political party. I would also like to remind Kenyans of goodwill, members and supporters of the Orange Democratic Movement (ODM) that we are in October, the Baba month. During this month of October, we will be remembering and marking the anniversary of Hon. (Dr.) (Eng.) Raila Amollo Odinga. May his soul continue resting in peace. We will start by lighting candles at Uhuru Park and across the country to remember this great leader who rested.

This party is focused on empowering women. As the leader of the Women's League in ODM, I recommend Hon. Fatuma Ibrahim Ali. She is loyal, committed and has walked the talk when it comes to serving the party and Kenyans. She is an expert in gender mainstreaming. I am sure that in her position as a Commissioner, she will take care of the gender within the Parliamentary Service Commission (PSC).

She is also a good advocate of human rights. We have been complaining and suffering because we have always felt that we are not adequately represented in the PSC. I know that she will add a lot of value because she is an advocate of human rights. I highly recommend Hon. Fatuma. She is a former Member of Parliament, the pioneer Woman Representative of Wajir County where Sen. Abass comes from. They can bear me witness that during her tenure, she served with integrity and commitment. The people of Wajir still long for her leadership because she is a good leader.

A time like now, I feel proud to be a Kenyan because of what we witnessed yesterday, His Excellency Dr. William Samoei Ruto launching the Kenya oil refineries in Lamu. This refinery will create employment for people in this country. It will also improve the economy of this country. When the economy improves, women are happy because we can have money in our pockets, our children will get employment and our husbands will come home smiling because they have money. I am a proud Kenyan because we will have an oil refinery in this country.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: On a point of order, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Sen. Haji): What is your point of order, Sen. (Prof.) Ojienda?

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Temporary Speaker, Sir, I rise under Standing Order No.109 on a point of order. This Motion has been debated for two

days and accolades have been poured on the qualification of Fatuma Ibrahim. I know that every speaker is now talking about the successes of the Ruto Government and the fact that he deserves a second term.

I beg that the Mover be called upon to reply, so that we vote on this Motion.

The Temporary Speaker (Sen. Abdul Sen. Haji): Do you have a seconder, Sen. (Prof.) Ojienda?

(An hon. Senator spoke off record)

Very well. Can you go on record, Senator?

Sen. Maanzo: Mr. Temporary Speaker, Sir, I do second Sen. (Prof.) Ojienda.

The Temporary Speaker (Sen. Abdul Sen. Haji): Senator, what is your point of procedure?

Sen. Sifuna: Surely, Hon. Temporary Speaker, Sir---

(Sen. Beth Syengo spoke off record)

Just a minute, Sen. Beth Syengo. I beseech that you allow, especially the lady Senators, to speak on behalf of the women that they represent. I may no longer be in good books with my party, but this is the president of the Women's League of the ODM. Sen. (Prof.) Ojienda found her in ODM and he should show some respect when the president of the Women's League is submitting. We were all given an opportunity to speak on this matter, hence it is only fair that the president of the Women League---

(An hon. Senator spoke off record)

Just a minute. It does not look very neat to interrupt the Senator mid-speech.

(Several Senators spoke off record)

The Temporary Speaker (Sen. Abdul Haji): Order, Senators. Let us hear the Senator in silence.

Sen. Sifuna: I beseech that you let her conclude her remarks.

The Temporary Speaker (Sen. Abdul Haji): Sen. Sifuna, you stood on a point of procedure. There was nothing unprocedural in the way things were done. The point of order Sen. (Prof.) Ojienda stood on is in the Standing Order and once it has been read and seconded, it is my duty to put the question.

Sen. Sifuna: Okay, we are going to defeat that question, Hon. Temporary Speaker, Sir, because it is very unfair. We are debating a female nominee and it is the president of the Women's League that is on the Floor, then a man stands up and cuts her short. This is the reason this Government is so unpopular with women.

The Temporary Speaker (Sen. Abdul Sen. Haji): I have to put the question.

(Question that the Mover be now called)

upon to reply, put and agreed to)

Sen. Wakili Sigei: Thank you, Hon. Temporary Speaker, Sir. I will start by appreciating all the colleagues who have commented on the candidate for the position of non-member Commissioner of the Parliamentary Service Commission. I appreciate them for the accolades and the support that they have given to the Motion.

I also appreciate those who have raised issues on the process of voting and I want to confirm that the approval hearing that was conducted by the Committee on Justice, Legal Affairs and Human Rights borrowed heavily from the interview process that was conducted by the Committee that was chaired by the Speaker of the National Assembly, none other than the Hon. Moses Wetangula, that approved the nomination of the Hon. Fatuma Ali.

I want to equally confirm that the approval hearing that was conducted by the Committee on Justice, Legal Affairs and Human Rights found it best to approve the nomination of the Hon. Fatuma for the position that we are about to vote on and approve.

The vetting process considered every aspect that the statute provided and we confirm that Hon. Fatuma Ali indeed fits the bill. Her qualifications are apt. The curriculum vitae produced before us was rich in terms of experience, the human rights aspect and public service that she has rendered. This is particularly considering that she is a former Member of Parliament representing an entire county. Out of her experience and good work, she was later on elected to represent the country in the EALA. There is no other candidate than Fatuma Ali who would fit into that position. I confirm that she is the right choice.

One of the very basic and important comments she made in answering the questions before the Committee, was a report tabled in this House, where quite a number of employees of the PSC were found, from an audit process, to have been devoid of relevant qualifications. As a Committee, we found that to be very profound because she had gone out of her way to establish the basis upon which that happened.

She was committing herself and committed to ensure that any other future recruitment process that will be conducted must comply with the law, so that we get the best personnel to serve this House and the National Assembly.

I without a doubt also support the approval of Hon. Fatuma Ali to the position of a member of the PSC.

I beg to reply.

(Loud consultations)

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

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

Hon. Senators, I put the question.

(Question put and agreed to)

Next Order.

MOTION

ADOPTION OF REPORT ON PETITION ON LIMITATION OF TENURE FOR NOMINATED MEMBERS OF COUNTY ASSEMBLIES

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Laban Omusundi and others concerning limitation of the tenure of nominated Members of County Assemblies (MCAs) to a single term of five years, laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Sen. Wakili Sigei on 29.9.2026)

(Resumption of debate interrupted on 29.9.2026)

Sen. Wakili Sigei: Thank you, Mr. Temporary Speaker, Sir. The debate had concluded and mine is just to reply.

First, I equally would love to appreciate the honourable Senators who contributed to this Motion. Running through the Motion, the Petition by Mr. Laban Omusundi opened minds.

Listening to the debate, Members appreciated beyond just the nomination of MCAs. This House was entertained by serious conversations around the process of nomination, independence of political parties, the role of members who have been nominated, and the loyalty to the political parties that nominated them.

It was not confined to the time limit that Mr. Laban Omusundi had in his proposal sought to introduce in law. The country was, therefore, equally made to appreciate the fact that this House indeed has got commitments in terms of understanding representation at every level, whether it is from the county assembly where the Petition had been anchored or the National Assembly as well as the Senate.

The debate went to the extent of having an engagement on the role that we have, including giving advice to the members of this House. Quite a number of the nominated Members supported the initial proposal that for purposes of preparedness of members who have been nominated, they should be ready to serve for a single term, and thereafter, seek for an elective position.

Devoid of that, we would not have got an opportunity to understand and appreciate the fact that quite a number of our Members in this House, and those who sit in the “lower House”, appreciate the need also to ensure that for efficiency of membership in terms of representation at the Senate, National Assembly or the County Assembly, there is need to give opportunity for members to serve for more than one term.

Listening to the members here, the contribution went beyond the fact that a first-timer is not as experienced as a person who has been nominated or nominated for a second or a third time in the House.

The Committee on Justice, Human Rights and Legal Affairs did not accede to the proposal by Mr. Laban Omusundi, the petitioner. Members, whom I really appreciate, provided an avenue to give the petitioner and his vision an option of proposing that though he decides to have a single term of five years, the Committee recommended to make a resolution of a nomination process to be one of two five-year terms, so that it reads in consonance with the position of governor as well as the President that is provided for in the Constitution. That comment was largely seen to be the common ground that most Members appreciated.

It was also not lost that quite a number of contributions that we did receive made expressions to the position that the initial intention of this nomination process, in some instances, has previously been abused. It was argued that certain political parties nominate persons who either have qualifications, but beyond that, there are considerations to certain relatives, girlfriends or boyfriends for that matter.

Indeed, that is a conversation that Laban Omusundi invited this House and the general public who follow the proceedings of this House, to understand that the nomination, besides it being an aspect of affirmative action and legal compliance, there are considerations which we must, as a House, speak to, and ensure that those who are nominated to represent certain groups or special interest groups are able to represent the interests of those groups, especially once they have been given an opportunity to represent.

Mr. Temporary Speaker, Sir, we have had a number of Petitions by this particular gentleman called Laban Omusundi. It is not only on this particular Petition that he has expressed a number of concerns, which concerns are ordinarily not available to an ordinary Kenyan. I would like to agree with some of the proposals by some Members here that, if for purposes of ensuring that we speak the voice of the ordinary Kenyan, people like Laban Omusundi should be given an opportunity to represent those ordinary Kenyans in a legislative arm, whether the National Assembly, Senate or even in the County Assembly, because without such people who would speak the language of those who are either unavailable with positions to speak, Laban Omusundi has done it for them.

I would like to applaud him as a proud Chairperson of the Senate Standing Committee on Justice, Legal Affairs, and Human Rights (JLAHRC). We might not have agreed with him in this particular petition, but in quite a number of other previous Petitions, which we have processed as JLAHRC, we have largely agreed with Laban Omusundi because beyond petitions, he has litigated in quite a number of matters in court on matters of public interest. That is the voice that we require. That is the voice that we wish we could have, in order to make sure that in the representation across all aspects of government institutions or the Assembly, whether County Assembly or the National Assembly, we have people who can speak on the rights of the people.

Therefore, it is one of the responsibilities of the Senate Standing Committee on Justice, Legal Affairs, and Human Rights, to initiate amendments to the law in order to support the petition by Laban Omusundi such that, instead of making a proposal to

amend to reflect a one five-year term, the Committee will make a proposal to the amendment to the law to make a one five-year term nomination, which can go double, that is, twice, just like the position of Governor and the President.

Mr. Temporary Speaker, Sir, I beg to reply and request, pursuant to the provisions of Standing Order No.66(3), putting of the question to be deferred to the next sitting of the House

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): The putting of the Question has so been deferred to the next Sitting.

(Putting of the Question on the Motion deferred)

Hon. Senators, looking at the Order Paper, we seem not to have the Chairpersons of the Committees for most of the Motions. We will, therefore, defer Order Nos.10 to 17.

It looks like we do not have numbers. Therefore, we shall also defer Orders Nos.18, to Order No. 25.

BILL

Second Reading

THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM
BILL (SENATE BILLS NO.43 OF 2024)

(Bill deferred)

BILL

Second Reading

THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL
(NATIONAL ASSEMBLY BILLS NO.29 OF 2023)

(Bill deferred)

BILL

Second Reading

THE LIVESTOCK PROTECTION AND SUSTAINABILITY BILL
(SENATE BILLS NO.32 OF 2024)

(Bill deferred)

MOTION**ADOPTION OF REPORT ON COOPERATION AGREEMENT BETWEEN THE NATIONAL GOVERNMENT AND THE NAIROBI CITY COUNTY GOVERNMENT**

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the Cooperation Agreement between the National Government and the Nairobi City County Government laid on the Table of the Senate on Wednesday, 15th July, 2026.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON CONFERMENT OF CITY STATUS TO THIKA MUNICIPALITY IN KIAMBU COUNTY**

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on the conferment of City status to Thika Municipality, laid on the Table of the Senate on Wednesday, 15th July, 2026 and, that pursuant to section 8 (6) of the Urban Areas and Cities Act, approves the conferment of City status to Thika Municipality.

(Motion deferred)

MOTION**ADOPTION OF REPORTS OF THE COMMITTEE ON DELEGATED LEGISLATION ON TRAFFIC RULES AND NTSA REGULATIONS**

THAT, the Senate adopts the Reports of the Select Committee on Delegated Legislation on its consideration of the –

i) The Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026;

ii) The Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and

iii) The National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026);

laid on the Table of the Senate on Wednesday, 10th June, 2026; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul the Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026; the Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and

the National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026).

(Motion deferred)

BILLS

COMMITTEE OF THE WHOLE

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS
BILL (SENATE BILLS NO. 8 OF 2026)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO. 36 OF 2024)

(Committee of the Whole deferred)

MOTION

CONSIDERATION OF AMENDMENTS TO THE AGRICULTURAL AND LIVESTOCK
EXTENSION SERVICES BILL (SENATE BILLS NO. 12 OF 2022)

THAT, the National Assembly amendments to the Agricultural and Livestock Extension Services Bill (Senate Bills No.12 of 2022) be now considered.

(Motion deferred)

MOTION

CONSIDERATION OF AMENDMENTS TO THE BUSINESS
LAWS (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2024)

THAT, the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No. 51 of 2024) be now considered.

(Motion deferred)

MOTION**ADOPTION OF PETITION REPORT ON RE-INTRODUCTION OF ELECTIONS
(AMENDMENT) (NO.3) BILL SENATE BILLS NO.48 OF 2021**

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHR) on a Petition by Mr. Mohamed U. Alasow concerning the re-introduction of the Elections (Amendment) (No. 3) Bill (Senate Bills No. 48 of 2021), laid on the Table of the Senate on Tuesday, 8th September, 2026.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON PETITION ON PUBLIC
TRANSPORT IN LAKE VICTORIA**

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition by Mr. Daniel Rakoro and others concerning public transport in Lake Victoria between Mfangano Island in Suba Central Sub-County and Mbita, laid on the Table of the Senate on Wednesday, 16th September, 2026.

(Motion deferred)

MOTION**ADOPTION OF REPORT ON NON-COMPENSATION AND
DELAYED ISSUANCE OF TITLE DEEDS TO RESIDENTS OF
JAMII BORA ESTATE IN KAJIADO COUNTY**

THAT, the Senate adopts the Report of the Standing Committee on Roads, Transportation and Housing on a Petition to the Senate by Mr. Calvin Luther Munayi and other residents of Jamii Bora Estate regarding the delayed issuance of title deeds to residents of Jamii Bora Estate in Kisaju, Kajiado County, laid on the Table of the Senate on Wednesday, 23rd September, 2026.

(Motion deferred)

HOJA**KUMBUKUMBU YA KUDUMU YA WAATHIRIWA
WA AJALI YA FERI YA LIKONI YA 1994**

IKIBAINISHA KWAMBA, mnamo tarehe 29 Aprili 1994, janga la ajali ya feri ya Likoni lilisababisha vifo na majeraha kwa wananchi wasio na hatia, wengi wao wakiwa wakaazi wa Likoni na Kaunti ya Mombasa, na hivyo kuleta majonzi makubwa kitaifa pamoja na madhara ya muda mrefu ya kimwili, kisaikolojia, kijamii na kiuchumi kwa familia zilizopoteza wapendwa wao na manusura;

IKIWA NA WASIWASI KWAMBA, licha ya hakikisho na ahadi zilizotolewa na mamlaka mbalimbali kufuatia janga hilo, bado kuna mashaka na maswali kuhusu iwapo fidia ilitolewa kikamilifu na kwa haki kwa familia zote zilizoathirika;

IKIKIRI KWAMBA, kuanzishwa kwa kumbukumbu ya kitaifa ni hatua muhimu ya kuheshimu na kuenzi waliopoteza maisha, na pia ni chombo cha kuendeleza uponyaji wa pamoja wa kijamii na kuimarisha uwajibikaji wa Taifa kwa raia wake;

SASA BASI, Seneti inaamua kwamba –

(i) Kamati ya Kudumu ya Seneti ya Barabara, Uchukuzi na Makazi ifanye uchunguzi wa kina ili kubaini idadi ya familia zilizoathirika, fidia iliyolipwa hadi sasa, madai yoyote ambayo hayajalipwa, pamoja na kubainisha familia zipi bado hazijapata fidia na sababu za kutolipwa kwa fidia hiyo; na

(ii) Serikali ya Kaunti ya Mombasa kwa ushirikiano na Wizara ya Barabara na Uchukuzi, ianzishe kumbukumbu ya kudumu kwa heshima ya wahanga wa ajali ya feri ya Likoni, 1994 kwa mashauriano na familia zilizoathirika.

(Hoja ilihairishwa)

MOTION**STRENGTHENING DISABILITY-INCLUSIVE EDUCATION
FOR ALL LEARNERS WITH DISABILITY**

THAT, AWARE THAT Article 53(1)(b) of the Constitution guarantees every child the right to free and compulsory basic education while Articles 27, 43, 54 and 56 of the Constitution, the Persons with Disabilities Act, The Children Act and the United Nations Convention on the Rights of Persons with Disabilities (CRPD), require the State to promote equality, dignity and access to inclusive education for persons with disabilities and other vulnerable groups through appropriate legislative, policy, administrative and budgetary measures;

RECOGNIZING THAT national laws and policies, including the Basic Education Act, the Persons with Disabilities Act, the Children Act and the Competency-Based Curriculum Framework, provide for inclusive and equitable education through reasonable accommodation and appropriate support for learners with disabilities and special educational needs, including neurodevelopmental and learning disabilities, and that the Constitution assigns Early Childhood Development Education and childcare facilities to county governments while the national government oversees education policy, curriculum, standards and teacher management, thereby requiring effective intergovernmental coordination to promote disability inclusive education;

CONCERNED THAT despite existing legal and policy frameworks, many learners with disabilities continue to face barriers in accessing quality education due to gaps in identification, assessment, specialized personnel, assistive technologies, infrastructure and support services as highlighted by the Auditor-General's Performance Audit on education for learners with special needs (2025) which revealed deficiencies in resources and institutional capacity, leaving many learners, including those with neurodevelopmental conditions and learning disabilities, inadequately supported despite significant public investment in education;

RECOGNIZING THAT disability-inclusive education requires sustainable financing, accountability, reliable data, evidence-based planning, intergovernmental collaboration and meaningful participation of persons with disabilities in education processes;

NOW THEREFORE, THE SENATE RESOLVES THAT

(1) The Ministry of Education, in collaboration with National Treasury and County Governments, shall within six (6) months develop and submit to Parliament a costed National Disability-Inclusive Education Implementation and Financing Framework outlining learner needs, accessibility gaps, support services, implementation timelines, accountability mechanisms and sustainable financing arrangements;

(2) The Ministry of Education reviews and harmonizes existing laws, policies on disability-inclusive education to align with the Constitution, the Competency-Based Curriculum and international obligations, ensuring adequate support for learners with all forms of disabilities;

(3) The Ministry of Education establishes standardized disability data collection and reporting systems and maintain a comprehensive database of learners requiring disability-inclusive educational support to inform planning, budgeting, monitoring and resource allocation; and

(4) The Ministry of Education implements the recommendations of the Auditor-General's Performance Audit on education for learners with special needs (2025) and the gives an implementation status to the Senate of the provisions of Section 20 of the Persons with Disabilities Act within ninety days following approval of this Motion.

(Motion deferred)

MOTION

IMPLEMENTATION OF SECTION 39(K) OF BASIC EDUCATION ACT ON PROVISION OF SANITARY TOWELS

THAT AWARE THAT, Section 39(k) of the Basic Education Act requires the Cabinet Secretary responsible for education to provide free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty, together with a safe and environmentally sound mechanism for their disposal and that Section 88(2)(g) of the Act provides for conditional capitation funds to facilitate the acquisition of sufficient and quality sanitary towels for eligible girls in public basic education institutions; RECOGNIZING THAT, the National Government has continued to commit public resources towards the provision of sanitary towels to school-going girls, demonstrating its commitment to menstrual dignity, school attendance and equal access to education;

NOTING THAT, currently the administration of the sanitary towels programme is undertaken through the State Department responsible for Gender and Affirmative Action and the National Government Affirmative Action Fund (NGAAF);

CONCERNED THAT, the current administration of sanitary towels through the State Department of Gender and the National Government Affirmative Action Fund (NGAAF) and limited funding contravenes the provision of Sections 39(k) and 88(2) (g) of the Basic Education Act

FURTHER CONCERNED THAT, sanitary towels procured using public funds are distributed or presented by elected leaders in public functions or other individualized distribution channels making the entitlement guaranteed to school-going girls by law be perceived as personal donations or favour from the leaders;

NOW THEREFORE, THE SENATE RESOLVES THAT, the Ministry of Education

(1) fully complies with the provisions of Section 39(k) of the Basic Education Act, by aligning the administration, financing and delivery of the sanitary towels to verified numbers of eligible girls and sufficient provision throughout the school calendar;

(2) puts in place safeguards to protect the programme from political exploitation, including prohibiting the personal branding or presentation of sanitary towels procured using public funds as donations or favours from individual public or elected officials;

(3) pursuant to the provisions of Section 88(2)(g) provides adequate and predictable funding and establishes a robust accountability mechanism to track allocations, procurement, delivery and coverage at school level; and

(4) should submit an annual report to Parliament on the compliance to the provisions of Sections 39(k) and 88(2)(g) of the basic Education Act.

(Motion deferred)

The Temporary Speaker (Sen. Abdul Haji): That brings us to the end of it.

(Sen. Cherarkey stood in his place)

Sen. Cherarkey, please, take your seat.

ADJOURNMENT

Hon. Senators, there being no other business on the Order Paper, the Senate Stands adjourned until Tuesday, 6th October, 2026, at 2.30 p.m.

The Senate rose at 5.15 p.m.