

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 9th February, 2021

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

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

PRAYER

COMMUNICATION FROM THE CHAIR

WELCOME TO HON. SENATORS TO THE FIFTH
SESSION OF THE 12TH PARLIAMENT

The Speaker (Hon. Lusaka): Hon. Senators, it is my pleasure and privilege to welcome you to the Fifth Session of the Senate. In accordance with the Standing Orders of the Senate, this Fifth Session begins today and will run until 2nd December, 2021.

It is my hope that after the recess period and festive season, you have had an opportunity to spend time with your families, constituents and friends, and that you are re-energized for the Session that is ahead of us.

Hon. Senators, I wish to commend you for the prodigious work you did in the Fourth Session in spite of the unforgiving effects and impact of the prevailing COVID-19 pandemic.

Additionally, you may recall the gains that we had, most notable being the High Court ruling on Constitutional Petition No.284 of 2019, which buttressed the mandate of the Senate and the principle of concurrence enunciated in Article 110(3) of the Constitution and the approval of the Third Basis for Revenue Allocation among the County Governments.

(Several Senators walked into the Chamber)

Hon. Senators, you may recall that prior to the High Court ruling, the Senate had published and introduced a total of 94 Bills, of which 15 had been considered by the two Houses and assented to. The other 79 Bills were at various stages of consideration, with 33 Bills referred to the National Assembly, 35 Bills pending conclusion in the Senate,

Disclaimer: *The electronic version of the Senate Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor, Senate.*

two Bills at Mediation, one Bill negatived and four Bills withdrawn. Four more Bills were awaiting First Reading.

The High Court judgement in constitutional Petition No.284 of 2019 had a major impact on the legislative business of the Senate. You will recall that among the orders given by the High Court was the immediate cessation of Bills pending before either House, where the joint resolution process by the Speakers of both Houses had not been demonstrated.

Both Houses of Parliament were required to refer such Bills to the joint resolution process under Article 110 (3) of the Constitution before going through the legislative process. This had a direct bearing on the legislative work of the Senate then and for all future legislative proposals between the two Houses.

Tremendous strides have been made to regularize all Bills. To date, a total of 19 Bills have been republished. I have approved a further 10 Bills for republication, and which will thereafter be subjected to the resolution process under Article 110 (3) of the Constitution.

Hon. Senators, in spite of the difficult circumstances that we worked under, other business included consideration of two Motions for the removal from Office, by impeachment, of the Governor of Kirinyaga County and the then Governor of Nairobi City County pursuant to Section 33 of the County Governments Act; 28 Petitions and reports thereon, pursuant to Standing Order No.232 of the Senate Standing Orders, and 274 Statements pursuant to Standing Order No.47 and 48.

However, there are 46 Petitions that are yet to be reported on by respective Standing Committees, while Statements referred to respective Committees require to be addressed pursuant to the Standing Orders. We are therefore opening the Session with our plates already full.

Hon. Senators, one of the key highlights at the commencement of the Session is the budget process. Like in every other Session, and in accordance with Section 25 of the Public Finance Management Act, we will shortly receive and consider the Budget Policy Statement (BPS), and later, the Division of Revenue Bill and the County Allocation of Revenue Bill.

The budget is key to delivering the promises on devolution espoused in the Constitution of Kenya. Therefore, we each have a duty to oversight the budget process and ensure that there is prudent public finance management in the country.

I urge all hon. Senators to be available to consider the aforesaid budget documents in order to approve this particular business within the required timelines for our counties to receive the necessary funding for critical projects and programmes.

Hon. Senators, we are also coming back at a period when there is a call for a constitutional review. As the Senate, our sacrosanct duty is to protect counties and their interests. Therefore, we must be the ones to influence the discourse that pertains to devolution in this process. We must consistently push for the strengthening of devolved and oversight institutions amongst others.

Above all, we must strive to safeguard democracy, socioeconomic rights and promote processes that continue to facilitate an open Parliament. A Senate that is easily

accessible, facilitates ease of interaction with the public and protects their interests, is one that has its public's trust.

Hon. Senators, as you are aware, at the beginning of each new session, in addition to the reconstitution of the Senate Business Committee (SBC), the Sessional Committees on County Public Accounts and Investments (CPAIC) and on Delegated Legislation are similarly reconstituted. Consultations on this matter are ongoing with the majority and minority Parties, after which, the SBC will present the names to the House for approval.

Hon. Senators, I take this opportunity to remind each of you that the COVID-19 pandemic is still with us. Therefore, we must exercise caution and strictly adhere to the guidelines of social distancing and keeping safe in our interactions within the precincts of Parliament and our individual day-to-day engagements. Additionally, Select Committees will continue to be guided and are hereby directed to strictly adhere to the COVID-19 guidelines that I issued on Committee sittings.

Hon. Senators, as I conclude, I wish to note that we are at the penultimate Session of the Twelfth Parliament. I, thus, impress upon each of us to rededicate ourselves to the execution of our constitutional mandate and to undertake the task ahead of us with utmost integrity in service to our great country. Let us think about what we wish this Senate to be remembered for, then, set our targets, focus and achieve. My Office, that of the Senate Leadership and the Secretariat, will always be at your disposal to facilitate you to do your work.

Hon. Senators, as you have noted, the only Business in today's Sitting is the approval of Senators to serve in the SBC. If the Motion is approved, then the newly constituted SBC will meet at the rise of the House to deliberate and schedule business for the rest of the week. The meeting will be in the Senate Chamber.

I wish you a Happy New Year and a fruitful Session.

I thank you.

(Applause)

The Senate Minority Leader (Sen. Orengo): Mr. Speaker, Sir, I rise out of your Communication from the Chair.

I appreciate the roles that lawyers in the Senate have played, particularly Senior Counsel, Sen. Okong'o Omogeni, Sen. Mutula Kilonzo Jr. and the staff in the Legal Affairs Directorate of the Senate. As you are aware, the High Court made orders, which required the National Assembly to abide by the Constitution in relation to Article 110(3).

Mr. Speaker, Sir, I appreciate what you have done. Your predecessor in the Eleventh Parliament stuck his neck out to ensure that the role of the Senate is not belittled and that there is respect for the law and the role of the Senate. Similarly, in this case, you were the first Petitioner. The High Court upheld what was already decided by the Supreme Court, that is, the National Assembly must abide by Article 110(3) of the Constitution.

There was an attempt to get to the Court of Appeal to issue conservatory orders to ensure that the National Assembly continues to violate the Constitution by not complying with Article 110(3) of the Constitution.

In their view, the work of the National Assembly and Parliament was coming to a standstill. However, the Court of Appeal disagreed and said that they must comply with the orders that were made by the High Court.

Mr. Speaker, Sir, what I wanted to bring out in this is that it has cost the National Assembly Kshs90 million to defend this case. I understand that they have paid lawyers Kshs90 million to prosecute this case in the Court of Appeal. The Senate has not spent a single cent in this case.

(Applause)

It has not even provided coffee or tea, by whatever description, to the lawyers who have been prosecuting this case.

This is what is in Article 110 of the Constitution - patriotism. Senators here have been duly patriotic to make sure that no public money is spent in resolving the dispute between us and the National Assembly.

Before I forget, the preparation and instituting of this case before the High Court started during the tenure of the former Chairperson of the Committee on Justice, Legal Affairs and Human Rights, the Senator for Nandi County. The distinguished Senator for Meru County was the Vice Chairperson of this Committee, and I was one of your Members. Senators need to congratulate themselves in this great achievement.

The loss in terms of public resources should also be borne by the National Assembly, not as an Institution, but individually because they now have to republish all those Bills. Those Bills must go through the National Assembly and the Senate at great public expense. That should never have happened from the beginning.

I say this not in triumphalism; I am only saying that it pays to obey the law. Even as we disagree or agree, it pays to obey the law. Whatever is your political persuasion or position in life, at the end of the day, it pays to obey and comply with the law.

I am saying this now that we will go through tumultuous times. I cannot say that this period we are going into is going to be--- It may be an understatement, but I think at the end of the day - from both sides of the political divide - those who will win are those who will comply with the law. Those who disobey the law may ultimately have to pay for it.

In conclusion, I want to thank the Speaker for making it possible - since some of us were away - for us to prosecute this case from abroad, without the Senate paying an extra expense.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Lusaka): Hon. Senators, as I indicated, we have no business so far. Therefore, we cannot make my welcoming remarks a subject of debate.

Therefore, we go to the next Order so that we constitute the Senate Business Committee (SBC), which will then give us what to discuss. That is the Standing Orders. Please, let us not start on a wrong footing by breaking the law.

Next Order!

NOTICE OF MOTION

APPROVAL OF SENATORS TO SERVE
IN THE SENATE BUSINESS COMMITTEE

The Speaker (Hon. Lusaka): Leader of Majority.

(Sen. Murkomen stood in his place)

(Loud consultations)

Sen. Murkomen: Mr. Speaker, Sir---

The Speaker (Hon. Lusaka): Order, Sen. Murkomen! I have not given you a chance.

Sen. Murkomen: Mr. Speaker, Sir, you called the Leader of Majority.

The Speaker (Hon. Lusaka): No! Take your seat.

Sen. Murkomen: Mr. Speaker, Sir, you did not specify which one.

(Loud consultations)

The Speaker (Hon. Lusaka): No! You are out of order. Sen. Murkomen, take your seat. You are not the Senate Majority Leader.

Sen. Murkomen: Mr. Speaker, Sir, there is confusion in the House.

The Speaker (Hon. Lusaka): No! Take your seat. You are out of order.

Sen. Murkomen: On a point of order, Mr. Speaker, Sir! There is confusion in this House.

An hon. Senator: Yes!

Sen. Murkomen: Mr. Speaker, Sir, you remember on 12th May, 2020, you were to give a ruling as to whether there is proper removal of a Majority Leader or not. It is now one year down the line and we are still not sure who the Senate Majority Leader is.

In fact, what makes it even more complicated is that on our side--- We have a caucus of two sides of Senators. One is called *Kieleweke* and the other is called Progressive. The Progressive one has more Members than *Kieleweke* which---

The Speaker (Hon. Lusaka): Order, Sen. Murkomen! You are out of order. Do not introduce extraneous things in the House.

(Loud consultations)

Senate Minority Leader, approach the Chair.

Sen. Cherargei: On a point of order, Mr. Speaker, Sir!

The Speaker (Hon. Lusaka): Order! Take your seat. I will not allow people to be on the Floor when you are requesting for--- It is not a formality.

Take your seat, Sen. Cherargei.

(Sen. Cherargei resumed his seat)

Senate Majority Leader, give your Notice of Motion.

An hon. Senator: Which one?

(Loud consultations)

The Speaker (Hon. Lusaka): You will see him.

The Senate Majority Leader (Sen Poghisio): Mr. Speaker, Sir, I beg to give Notice of the following Motion:-

THAT, pursuant to Standing Orders No.184 and 189(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee, in addition to the Speaker of the Senate, who, pursuant to Standing Order 184(1), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip:

1. Sen. Fatuma Dullo, CBS, MP;
2. Sen. Sakaja Johnson, CBS, MP;
3. Sen. Gideon Moi, CBS, MP;
4. Sen. Charles Kibiru, MP;
5. Sen. Cleophas Malalah, MP
6. Sen. Beatrice Kwamboka, MP
7. Sen. Ledama Olekina, MP

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Lusaka): Next Order!

MOTION

APPROVAL OF SENATORS TO SERVE IN THE SENATE BUSINESS COMMITTEE

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

THAT, pursuant to Standing Orders No. 184 and 189(3), the Senate approves the following Senators nominated to serve in the Senate Business Committee, in addition to the Speaker of the Senate, who, pursuant to Standing Order 184(1), shall be the Chairperson of the Committee, the Senate Majority Leader, the Senate Minority Leader, the Senate Majority Whip and the Senate Minority Whip:

1. Sen. Fatuma Dullo, CBS, MP;
2. Sen. Sakaja Johnson, CBS, MP;
3. Sen. Gideon Moi, CBS, MP;
4. Sen. Charles Kibiru, MP;
5. Sen. Cleophas Malalah, MP

6. Sen. Beatrice Kwamboka, MP
7. Sen. Ledama Olekina, MP

(Loud consultations)

The Speaker (Hon. Lusaka): Let us consult in low tones, Senators.

The Senate Majority Leader (Sen. Poghio): Mr. Speaker, Sir, this is a procedural and straightforward Motion. No business can start in the House unless this team is put in place.

This is the most important Committee at this moment. I ask Members to pass this list so that we can begin the business of the House and make sure that we move on from there.

Mr. Speaker, Sir, I should have started by welcoming Members back and saying a happy New Year to them. I ask them to support this procedural Motion.

I want to move and ask the Senate Minority Leader to second.

Thank you, Mr. Speaker, Sir.

The Senate Minority Leader (Sen. Orengo): Mr. Speaker, Sir, I beg to second.

(Loud consultations)

The Speaker (Hon. Lusaka): Order, Senators! Let us consult in low tones. There seems to be a lot of excitement. You have missed one another, but you can express your excitement in other forms, so long as we also---

The Senate Minority Leader (Sen. Orengo): Mr. Speaker, Sir, I hope that as we consult, we are able to go down on record in matters of debate that we give ourselves time to prosecute business that is before us.

As I second this Motion, I want to note that the membership of the Senate Business Committee is assigned to certain offices in the leadership, whose names do not appear. That is a matter of standard practice and flows from the Constitution of the Republic of Kenya.

The names that you find in the list are those of other leaders, including the Deputy Majority Leader, the Deputy Minority Leader, the Whip, and to some extent, some Members who do not have leadership positions to give colour and character to this Committee.

This list is the same as it was in the last Session. The reason being that we thought that making any changes at this stage, irrespective of what has happened and we cannot be oblivious of the fact that we do not live in a political vacuum; but to demonstrate that it was desired for whatever reason. Those reasons are positive that all Members had served and some of these Members did not start from the beginning of the last Session. They came in the middle of the last Session.

Mr. Speaker, Sir, this being a procedural Motion, I would only ask that the task ahead is going to be intractable and serious in the sense that as you said in your Communication, many Bills have been republished, including some that have been assented to and were rendered unconstitutional by the High Court.

All those Bills are going to come back here. Some of them relate to financial statutes, which are required to be passed by the National Assembly essentially. However, since there were no consultations between you, Mr. Speaker, Sir, and the Speaker of the National Assembly, all those were rendered unconstitutional.

Therefore, the business of the House is going to be heavy. As we said, the Senate Business Committee needs to sit, not tomorrow but today, in order to make sure that all this business comes to the Floor of the House.

Finally, I want to urge this House that in this period, we are going to distinguish ourselves as Senators and parliamentarians. As I said in the beginning, it may not be quite an easy year for either House. However, what will distinguish us is by being positive and true to our calling as legislators as spelt out in the Constitution of the Republic of Kenya.

With those few remarks, I beg to second.

(Question proposed)

Sen. Linturi: Thank you, Mr. Speaker, Sir. Before I address myself to the substance of this Motion, allow me to remind this House in view of what Sen. Orengo has just said on the Floor in regards to the work that was done by the Senior Counsels. There are two magical words that are often said and many people may not understand their impact. The first one is “I am sorry” and the second one is “thank you.”

I am saying this because Sen. Orengo has said that the Senate has not spent a single coin in the defence of this matter, whereas the National Assembly has spent over Kshs90 million. I must advise that there is a way we can say thank you to the Senior Counsels and the people we involved to appreciate their input and work in defending this matter.

Mr. Speaker, Sir, remember that you have a team every year, by December, where Members are recommended for awards. Time has come when we must start thinking about these things because we see lists, and do not know how they are ‘cooked’ or manufactured, and when you look at their history, there is nothing to show for it. That is my input on that.

I want to agree that the proposed Members of Senate Business Committee have an enormous task ahead because of the various reasons that were mentioned. Considering that 24 statutes were rendered unconstitutional by the High Court, we should prioritize them and ensure that they come before this House, and this responsibility lies on the Senate Business Committee.

Mr. Speaker, Sir, I want to remind you that it is not only those statutes. I am aware that there are other statutes or Bills in the National Assembly whose concurrence was not sought, and if it was sought, probably it may have escaped you. There is a specific Bill that has to do with the Kenya Aviation. I do not think it was ever committed or brought to you or is likely to find its way to the Senate. The issues that are being raised in that proposed legislation are enormous and pertain to counties, and we must contribute to them.

I urge that this is checked, so that we have an opportunity to debate and participate in the passage of that legislation.

With regard to the Committee, I have certain reservations because of certain political persuasions on this list. Allow me to ask them, because we are supposed to work for the greater good of the public and the people of this country, that kindly as you engage and prioritize Bills, please, remember that we serve the public.

The public or voters are our priority. Kindly prioritize those Bills that have to do with the strengthening of our coffee, sugarcane, fish, animal husbandry or whatever it is that has so much to do with the common *mwananchi*.

Let us have them brought here in the fastest time possible, so that we can deal with them. This is because Kenyans are suffering. We want those Bills that have to do with finances to be prioritized because the country is bleeding and people are poor. Those Bills that are likely to spur economic growth or stimulate the economy in ensuring that people whose money is pending in the counties and the national Government for failure and inability of an insensitive system to pay people money in good time are brought before this House for debate and passage.

Mr. Speaker, Sir, I support the list. However, be cognizant of the fact that we are ready to work overnight to ensure these Bills are passed so that we comply with the recommendations or the advice of the High Court in ensuring that these Bills are aligned to the Constitution.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Lusaka): Sen. Wambua, proceed.

Sen. Wambua: Thank you, Mr. Speaker, Sir, for this opportunity.

I stand in support of the constitution of the Senate Business Committee. I believe as my predecessors have said that the membership reflects the divergent views, and they shall apply themselves fully to the business of this House.

In support of that list, I want to make a passionate appeal. I begin where my brother, Sen. Linturi, has ended. There is business before us that has got to do with issues affecting the common *mwananchi*. We have said many times that Kenya is an agriculture-based economy. There are Bills that relate to farming pending, and I would like to make an appeal. I have brought a Bill on *ndengu*. I urge this Committee, as they begin the business of this Session, to give priority to such Bills; any Bill that deals with manufacturing, security and the health of our people. When those matters come here, we can deliberate on them and legislate on issues that affect our people.

Mr. Speaker, Sir, I support.

The Speaker (Hon. Lusaka): Sen. Murkomen, proceed.

Sen. Murkomen: Mr. Speaker, Sir, thank you for the opportunity to contribute to this Motion. I would like to join you in welcoming all of us to the last full year of our presence in this House. Next year, we will be here for only about three months. The rest of the time will be spent on campaigns and elections. If there is anything that we want to do for the people of Kenya, this full year is important for us considering how time moves fast.

I concur with Sen. Linturi and Sen. Wambua that it is time we stamp our legacy as the Senate in pursuing and perpetuating issues related to and affecting ‘hustlers.’ The ‘hustlers’ out there are looking up to this House because we called ourselves the House of *Mwananchi*. If we are a House of *Mwananchi*, we must pursue policies and push for

legislation and Motions that will elevate the suffering of the “ma-sufferers” of this country.

The Speaker (Hon. Lusaka): Sen. Outa, what is your point of intervention?

Sen. Outa: Thank you, Mr. Speaker, Sir. I did not want to interrupt my good friend, Sen. Murkomen. However, he has been here for a while and you have heard him using unparliamentary language; ‘the hustlers’. If the Bill will only help the ‘hustlers,’ does it mean we only have the ‘hustlers’ in the Republic of Kenya? Who are the ‘hustlers’?

Sen. Murkomen: Mr. Speaker, Sir, I respect my friend, Sen. Outa. We have been friends for many years when I used to be ‘*mtu wa mkono*’ of the former Prime Minister. We used to meet somewhere on the Second Floor of the now Harambee Annex. I appreciate that because of his advanced age, he may not understand that English has evolved.

If he was to consult his dictionary today, he will appreciate what the ‘hustler’ means. A hustler is a person who is hustling, which means working hard to eke out a living. It refers to the people who are at the lower cadre of the pyramid of life. These are people you would call the middle class and below that are struggling to eke out a living every day. Those are the people that I want this House to focus on because for far too long, we have been pushed to defend the privileged; the people who are holding public office and held wealth for many years. This House, this year, must stamp its authority now that everybody on both sides of the political divide---

The Speaker (Hon. Lusaka): There is an intervention by Sen. Kwamboka.

Sen. Kwamboka: Thank you, Mr. Speaker, Sir. Sen. Murkomen has told us the meaning of a hustler according to him. However, it is not what he thinks. I have googled and a hustler is a person adept at aggressive selling or illicit dealing. The other meaning is a prostitute. Could he tell us exactly the meaning of a hustler?

The Speaker (Hon. Lusaka): I do not know whether Sen. Murkomen wants to be informed.

Sen. Murkomen: Please, proceed. The Professor of linguistics can inform me.

Sen. (Dr.) Langat: Thank you, Mr. Speaker, Sir. Language is dynamic in nature and most of the words adapt their meaning based on context at a particular point in time. At this particular time in Kenya, ‘hustler’ is understood to be a hardworking person, attempting to earn a genuine living right from a lower cadre, so that in future, the person can be privileged like any other person. This is the most understood and genuine meaning, currently. Language is dynamic and can adapt several meanings.

Sen. Murkomen: Mr. Speaker, Sir, I will accept many people, including Sen. Wambua to tell me the meaning of words in English, but not Sen. Kwamboka.

The Speaker (Hon. Lusaka): Order, Sen. Murkomen!

Sen. Murkomen: Mr. Speaker, Sir, the simplest answer I would give her is that words have more than one meaning and Google is not an authority for studying English. If you want to study English, please, do not rely on Google, it has everything. It has good and bad English.

The point I am making is that as a House, we must focus authoritatively on things that affect *mwananchi*. If I look at this list, these are people I have worked with,

including Sen. Kwamboka, whom I will classify as a hustler. Notwithstanding the definition she gave, she fits in this category of hustlers. My only concern is that I would have requested some people here to give way to other people to serve. We have some Senators here who rarely come to the House; they only vote. They may never understand the dynamics of what Members go through. I adequately represented the leadership of the House, notwithstanding that these are the ‘chairmen of cattle dips’ when they have only three cows. We need to appreciate that other people should be given opportunity. Even if it means midway through this year, we can change the membership to accommodate other people who can bring different ideas to the Senate Business Committee.

I have no problem with my friend, Sen. Sakaja. He should have risen by now to a senior position in our side, this other side and in our caucus which is very progressive. If he accepts, he should be the majority leader of our caucus. I believe that he is---

The Speaker (Hon. Lusaka): Is that a House caucus?

Sen. Murkomen: Mr. Speaker, Sir, it is a House caucus of the majority side yet to be registered with you in this session.

We need also people in the SBC who will not become extremists. You can see in this list there is a huge number of persons from the majority side who are not represented. I would ask Sen. Olekina to please hold our brief there as a supporter of pastoralists and hustlers.

I beg to support.

The Speaker (Hon. Lusaka): Sen. Wetangula, proceed.

Sen. Wetangula: Thank you, Mr. Speaker, Sir. I join you in welcoming distinguished Senators back to the House after the long recess through the holidays of end and beginning of the year with the challenges of Coronavirus disease (COVID-19) and the emerging tensions caused by political activities in the country.

Now that we are back, I just want to say one or two things. First, the composition of the SBC is not an issue because what they will do is what matters. I believe that under your able leadership, the Committee will be able to navigate and drive the business of the House that meets expectations of Kenyans.

Mr. Speaker, Sir, equally important is as we go towards the budget cycle for this financial year, I want to urge the Chairperson of the Committee on Finance and Budget and Members - that include me because we did pass the formula that gave additional resources to our counties that we represent - to be more vigilant. This is because the drums that we are hearing beating from the National Treasury are not very encouraging. It does appear like the formula that we passed in its very first application is going to be honoured in breach. That is not a good idea.

We want to see that whatever happens with national purse, the first point of honour by the Executive, the National Treasury and the Government is to honour the promise given of Kshs370 billion in the Budget that is coming in very due course. We want to see counties feeling, tasting and benefiting from the new formula that we painstakingly passed here.

I encourage those in the Committee on Finance and Budget, more particularly the distinguished Senator for Kirinyaga County to engage the National Treasury in a more robust manner than has been before so that it does not exercise discretion they do not

have in departing from the formula that we passed in this House, so that counties can receive their just expectations in terms of allocations in County Allocation of Revenue Act (CARA).

Lastly, I saw in the media that all the Bills that were invalidated by the High Court and rightly so, are going to be republished. I want to urge the SBC to ensure that these Bills once they come for First Reading if they originate from here, or from the “lower” House, to be committed to the Committees.

Mr. Speaker, Sir, the Committees should do a thorough scrutiny of these Bills because they were steamrolled through the “lower” House without our input. We should not in any way turn out to be rubberstamps to pass Bills without scrutiny when we were protesting and complaining that we were ignored in those Bills being heard. We must make a difference.

With those few remarks, I beg to support.

The Speaker (Hon. Lusaka): Sen. Sakaja, proceed.

Sen. Sakaja: Thank you very much, Mr. Speaker, Sir. I am not aware of this caucus that I was being crowned as the majority leader. We have confidence in the leadership in this House.

Mr. Speaker, Sir, allow me to join you in welcoming Members back to this very important penultimate session of the Senate. I really encourage that we put our best foot forward. I want to agree with this Motion and support it in terms of reconstituting SBC.

Mr. Speaker, Sir, despite being one of the Members, I heard Sen. Orenge saying it consists of the leadership plus other Members who add colour, but it is not just colour if you look at them. I do not know whether it is Sen. Dullo who is adding colour or Sen. Kwamboka or who. However, there is a lot of substance. Do you want just colour? It is a very important Committee because it sets the tone of the House. They say that the Liaison Committee is the Cabinet of the House. If that is the case then, SBC is the “deep state” of the House because it looks at all issues more than just legislative business.

Mr. Speaker, Sir, maybe for those who are not in the list, there is no privilege. It is just work. There is no privilege of being in SBC. It is just additional work. There are no trips. It is true, I do not know whether there has ever been any trip. *Ni kazi tu.*

Based on the ruling that has come out, there are very many Bills which we had gone very far with. Some were at the stage of Committee of the whole, but they have now been republished. I would urge and I know I will still canvass this within the Committee that we prioritize those first. We must find a way through the Standing Orders to fast-track them because a lot of public participation had been done. Hon. Members had already canvassed the issues in the Second Reading. We can really fast-track those Bills and bring them to Committee stage where they had been, including the Prompt Payment Bill. I saw the Building Bridges Initiative (BBI) has even picked up this Bill as one of their proposals yet we had already reached the Committee stage on that Bill. We can actually move very fast on them and make progress.

I would like to encourage Chairpersons of Committees that we are back as my colleague Chairpersons. There is a lot of pending business out there in the country. There are a lot of issues, Petitions and matters of the common *mwananchi* which we need to look at. I know many Committees have started. We will start our Committee on Labour

and Social Welfare this coming weekend. We have not approved, but we intend to do our planning because there are a lot of matters of labour and social welfare that we need to focus on.

Finally on what Sen. Wetangula has said, the radar of the Senate must be up. Our antennas must be up. If you look at the proposals that have been brought by the Commission on Revenue Allocation (CRA) and now the National Treasury is talking about, there is an attempt to circumvent the resolution of this House on the formula through the back door. The proposal is that the Kshs316.5 billion is what is equitable share and the rest to come through conditional allocation.

Mr. Speaker, Sir, the Senate will resoundingly reject that. There is a reason why we went painstakingly through the process and we got a promise of Kshs370 billion. The Kshs370 billion will be found, not by additional resources, but by reallocating the 80 per cent or whatever goes to the National Government.

You find many functions that are devolved, for instance, agriculture and health have huge budgets at the national level yet that money needs to be at the county. I know this year there will be a lot of politics. I would urge Senators from across the divide on certain sacrosanct issues which are fundamental to the mandate of the Senate, let us see eye to eye. Let us not be divided.

Sen. Wambua: Even on the Ndengu Bill.

Sen. Sakaja: Yes, Sen. Wambua, the Ndengu Bill where we are great participants.

Mr. Speaker, Sir, I welcome all of you back to the capital that I represent. Welcome back from the villages. I am sure you have seen Nairobi has been peaceful. I have heard Senators and politicians doing a lot of bad politics across the country. Please, come back to Nairobi with some decorum. Our youth do not want to be part of the poisonous politics that is beginning.

Thank you.

(Laughter)

The Senate Minority Leader (Sen. Orengo): On a point of order, Mr. Speaker, Sir.

The Speaker (Hon. Lusaka): Sen. Faki, proceed. There is a point of order. What is your point of order, Sen. Orengo?

The Senate Minority Leader (Sen. Orengo): Mr. Speaker, Sir, the hon. Senator from Nairobi City County is creating alternative facts. If ever he could deny there was a Githurai and Burma incidents where we saw least decorum, then he should be the one to go to the village. By the way, any time he has gone to the village, he has come back a better man. Therefore, I think what we have learnt in the village is good for the city.

The Speaker (Hon. Lusaka): Sen. Faki.

Sen. Faki: Asante, Bw. Spika, kwa kunipa fursa hii kuunga mkono uteuzi wa Kamati ya Kuongoza Ratiba ya Seneti. Kwanza, ningependa kukupa mkono wa tahania. Tuko tayari kuendelea kufanya kazi kuhakikisha kwamba Miswada yote ambayo inakuja katika Bunge hili inachunguzwa na kupitishwa kama inavyohitajika kisheria.

Mwaka uliopita, tulipita *milestone* kubwa wakati Spika wa Muda, Sen. (Dr.) Mwaura, aliendesha ratiba ya Bunge kwa lugha ya Kiswahili, lugha ya kitaifa. Ni matumaini yetu kwamba, katika mwaka huu, tutakuwa na fursa kama hiyo kuhakikisha kwamba tunakuza lugha ya Kiswahili ili wengi wanaosikiza mijadala katika Bunge hili wapate kujua ni mambo gani yanajadiliwa.

Bw. Spika, kwa Muhula ambao tuko na mambo ya mabadiliko ya Katiba itakayokuja, itakuwa ni muhimu kufanya kazi kwa bidii ili kuhakikisha kwamba Bunge hili halitapata vipindi ambavyo hatuna mijadala ya kuendeleza katika Bunge hili.

Asante.

The Speaker (Hon. Lusaka): Sen. (Dr.) Langat.

Sen. (Dr.) Langat: Thank you, Mr. Speaker, Sir. I would also like to join you and the rest in supporting this Motion. It is a very important year. In this year, we shall be very active on Bills that support the common *mwananchi*.

I have a lot of confidence in this particular group of Senators. I would like to encourage them to do their work with a lot of effort so that we move forward to make sure that the Bills that are very important to our people pass through.

I would also like to encourage that from your side, you work very closely with the Speaker of the National Assembly to reduce the backlog of work that we passed from this side that has stagnated from the other side. I encourage Members that are coming into this Senate Business Committee to assist by making sure that your work is easier so that this Senate moves forward.

We have also realized that the citizens of this country have a lot of confidence in this Senate and that is why most of the Petitions that are touching on issues affecting them come to the Senate. It is, therefore, high time we encouraged one another and supported those Petitions, so that the confidence among *wananchi* is kept high.

Thank you.

The Speaker (Hon. Lusaka): Sen. Mutula Kilonzo Jnr.

Sen. Mutula Kilonzo Jnr.: Thank you, Mr. Speaker Sir. I support the Motion, although I am also a Member. This will be an important Session. If there is a time that you require some thick skin or prayer, it is this Session. If there is a time that there will be hostile takeovers, mergers and parties will split, it is this Session. We will be calling upon you to guide us.

I do not know whether you mentioned that Sen. Orengo and I last week got a favourable ruling in your favour, and in favour of this House. We would like to exploit that ruling to the fullest extent possible. Many of these Members have spent a lot of time drafting Bills. This will be a good opportunity for them to get their Bills signed into law. This will be a great opportunity for the 23 Bills that you have agreed with Speaker Muturi that are pending, to be tabled and passed into law as quickly as possible.

Mr. Speaker, Sir, I suggest a Session amongst us where we can agree to work outside these cameras is important. The Clerk is here. We can find a budget for a retreat, for particularly the Bills. We must sit down and craft a timeframe for work, because somewhere in the middle of this Session, there is going to be politics and we will not be able to work. It is important that we clear the most urgent business as quickly as possible.

Mr. Speaker, Sir, I am going to request and follow up on what Sen. Wetangula has said. There are people in the Executive who are taking you and us for granted. We spend a lot of time here discussing the Revenue Sharing Formula and so on, and so forth. When the National Treasury published the Budget Policy Statement (BPS) without consulting leadership, it is nearly insubordination.

The “take or leave” that has been the theatre of every Division of Revenue Bill is being repeated. They then start painting the Senate as the people who are anti-development, anti-handshake and all those things, while ideally, they should have consulted us in advance. By the time this BPS is tabled---

Mr. Speaker, Sir, I can assure you that I will not whip Members to pass Section 326. I will sit her and wait for it to fail. It will not happen. They will not agree. After the effort that we put in last year, it is important that the National Treasury consults the leadership of this House or sits with us. They cannot appear to take us for granted.

Therefore, another round of consultation is necessary for yourself and the top leadership, if not the Senate Business Committee; that you sit with the National Treasury and the Executive, and tell them that they are attempting to push a camel through the eye of a needle. It will not happen. It is going to be very dangerous, smoky, cantankerous, and there will be many casualties.

Before we get to that stage, I urge that we find a better method of dealing with it, as opposed to what we ended up dealing with here. There was ‘Team Kenya’, ‘Team everything’ and Sen. Kang’ata with one man, one shilling; all those things that were said here by Sen. Cherargei and others, I do not think we should repeat those mistakes.

Thank you.

The Speaker (Hon. Lusaka): Sen. Cherargei.

Sen. Cherargei: Than you, Mr. Speaker, Sir. On a light note, I hope that Sen. Mutula Kilonzo Jnr., is aware of the consequences of going against the Government position. Sen. Kwamboka understands very well.

(Laughter)

Mr. Speaker, Sir, I join you in welcoming colleagues from this long recess. I know that there have been many issues over the holiday. I thank you.

From the onset, I have three issues: First of all is the issue of constitutional Petition. I am happy that one of the legislations that we did get an order of republishing was the Public Participation Bill.

It was an honour to represent you today in the morning during the Open Governance Partnership (OGP) that was chaired by His Excellency (H.E), the Deputy President. One of the Bills that came to our attention was the Public Participation Bill. We hope that through the guidance of your office, we shall be able to fast track that Bill so that it can assist us with many issues that are coming up. Remember, we are pushing for progressive Bills that are pro-hustler that will assist Kenyans.

I want to put it into perspective that when we say ‘hustler’, we do not have any mischievous meaning. We mean a person who works hard to earn an honest living. We want to encourage that hard work pays, and that is what we stand for.

I agree that there are many Bills that are pending, and we hope that the Committees will fast track some of these issues that we believe in. We hope that the earth moves and earthquakes that we are experiencing as the Senate Majority Side, with many changes coming up--- I know it will be brought to your attention and will allow us to fast track the legislative business of the House.

I hope, as a caucus - as we have been informed - we will endeavour to support where necessary, especially in the interest of Kenyans.

Mr. Speaker, Sir, another issue - before I conclude to allow my colleagues to contribute - is on the matter of health. There is a Petition that we have already served to your office and I remember you gave direction on 27th December, 2020, when we were discussing the Anti-Doping (Amendment) Bill. We hope the Committee on Health will move with speed and address the issue.

Many Kenyans are forgetting that in some counties, most of the employees that work with health department have been victimized due to the strike and others have been sacked. I am aware of Meru County government where the medics have not been allowed to access their work places. There are many counties where the strike is still ongoing. There are many people who are still suffering.

Mr. Speaker, Sir, I hope the Committee on Health - I have seen quite a number of Members here including Sen. Olekina who is a Member of the Committee on Health - will move and address the crisis that we are facing among the county health departments across the country. I hope this will be a priority to the Committee.

Mr. Speaker, Sir, on the issue of the revenue sharing formula among counties, I have seen that the baseline for the Ministry of National Treasury and Economic Planning - now that we are going to Budget - is Kshs326 billion. It is very unfortunate. When you formed the Special Committee - I was privileged to be Member - we did agree that Kshs370 billion was the baseline. The Commission on Revenue Allocation (CRA) which has the constitutional obligation provided direction that Kshs370 billion should be the baseline.

I want to agree with our colleagues that we are not saying *mkutano itaisha*. However, we must agree on Kshs370 billion. Our counties need many resources. There are so many challenges. Our counties are struggling with wage bills. The other day, Nandi County was struggling with 58 per cent, and Nairobi City County is approaching at 57 per cent. It is a sorry state of affairs.

Mr. Speaker, Sir, for devolution to work, we must endeavour to work with the National Treasury. We need another round of consultations. I hope this time around, as Sen. Mutula Kilonzo Jnr., the Minority Whip has said, we do not need to fight. We need to build consensus. We need to be optimistic. We have been told in some document called the Building Bridges Initiative (BBI) that there is a chance of getting to the 35 per cent.

We need to work to ensure that 15 per cent is achieved. We cannot even honour a presidential directive of Kshs370 billion and yet we had agreed that counties should get Kshs370 billion. Sen. Petronilla Were was the frontrunner then with the Senate Majority Whip who is facing many problems in his seat.

We had agreed to be ambitious. We are looking forward to Kshs370 billion. Even as we tell Kenyans that 35 per cent, for example, is achievable through some document called BBI, we should be able to devolve 15 per cent and allow counties to function.

Mr. Speaker, Sir, finally, I want to call upon your office to do orientation, especially for the Committee Chairs and their Vice-Chairs, so that when we seek Statements and Petitions, you want to give directions, they should always be in the House to take those directions.

I am happy my Chair of the Committee on National Cohesion, Equal Opportunity and Regional Integration, aka “Scoop”, who is normally in the House, and Sen. (Prof.) Sam Ongeru, who is my able Chair of the County Public Accounts and Investments Committee (CPAIC) are present. We want Chairs to be in the House, so that on some of these issues, when you give interventions, they are able to rise up to the occasion.

This year, as we head to the general elections, I want to appeal to my colleagues to do politics of decorum. Let us be peaceful.

Mr. Speaker, Sir, as I conclude, there is a saying that: “I might not like what you say, but I will defend your right to say it.” Let us allow divergent views, but let us be respectful. Let us be peaceful. We do not want to see what we saw in Kisii, Githurai or Burma or anywhere else in the country. We do not want to see what is happening in Machakos, which is not a good indicator. We want to be peaceful. Let us respect each other.

I want to encourage my colleagues led by Sen. Orengo and Sen. Kwamboka, that even as you sell BBI, please, do not force us; just talk to us nicely and make sure Kenyans understand. Give them copies. Let them understand what is in this document.

The Speaker (Hon. Lusaka): Senator, remain relevant. BBI will come.

(Laughter)

Sen. Prof. Ongeru, kindly, proceed.

Sen. (Prof.) Ongeru: Thank you, Mr. Speaker, Sir. First of all, let me congratulate all the Senators for coming back in one piece in this era of the pandemic. We just want to thank God that we are back in one piece.

Secondly, I consider the Senate Business Committee to be one of the premier committees of this House and, therefore, I have no difficulties whatsoever with the names that have been proposed. They are men and women who will uphold the integrity of this House and be able to defend the interests of this House to the fullest. I will not even hesitate to recommend them to be in that Committee.

Mr. Speaker, Sir, however, there is a proviso. I have seen several meanings floating on the Floor of this House. Our responsibility as Senators is to keep the cohesiveness of this nation together. The sensitivity of our positions notwithstanding, we need to promote the togetherness, the cohesiveness and the application of the talents that we have to serve persons of every cadre.

Sadly, this afternoon, I have heard Senators categorizing the society of Kenya into various groups of people. Please remember that when you were elected or when I was elected as a Senator for Kisii County, I was elected for all classes of people. I was not

elected for a particular class of people. I was elected for all the people who reside in that county.

Therefore, my responsibility is to discharge my work, and representation to all these categories of people. I am saying this advisedly. I have seen of late, that this country is trooping towards class classification and that is a very dangerous trend. I want to warn in time that let us desist from that level of thinking.

My interest would be that this Senate Business Committee, in fast tracking the agenda of the House, would look at the various categories of the Bills before the House and categorize them in the area of social-economic interests of this nation, children and women and the vulnerable groups, the societal agencies that we need to attend to, so that we can all feel that we have addressed the matters that affect this nation.

Obviously, one of our pivotal roles is legislation. There is a lot of legislation pending before us and I believe that this Senate Business Committee will have the ability and capacity to generate work for this House, so that we are able to sit down fruitfully and prosecute the matters before this House through our committees and the normal Plenary Sessions that we hold here. We should prosecute the matters to finality and deliver to the Kenyan people the product that they need.

I heard people making jokes about the BBI. One of the things that you are complaining about, the 15 per cent, which is already in the Constitution is not even delivering the kind of money that is required. What we are saying now is that, let it be in the Constitution and let somebody follow that Constitution. Let us follow the rule of law. That is why the Senate Business Committee is there, to bring us to speed on how we should generate the Bills that will create laws in this Nation, that we will be bound to keep and maintain.

I thank you and support this Committee.

The Speaker (Hon. Lusaka): Sen. (Prof.) Kamar, kindly, proceed.

Sen. (Prof.) Kamar: Thank you, Mr. Speaker, Sir, for giving me the opportunity. First, I would like to welcome my colleagues back after a good break since last year because we had heavy agendas. As I welcome them back, I want to wish them and their families all the best in 2021.

Our agenda between now and 2022 is almost cut-out for us. This is the period we must leave a legacy as a House. This is the year we must complete what we started. I urge my colleagues that it is also time we must exercise patience with one another. We must also exercise tolerance and decorum in the House because it is important that we do not just wind up our term next year with nothing to be remembered for.

This is the period that the Second Senate should be remembered for doing more things. It is my prayer that COVID-19 will disappear, so that we go back to our county visits because that was a creation of this Senate. They had a lot of impact not only to us but also on the ground.

The counties we visited have had lasting memories. I know what happened in Uasin Gishu because we have had lasting memories. Personally, I have followed up some of the issues that were raised when this Senate was in Uasin Gishu to the benefit of the people of Uasin Gishu.

Never forget the issue of the Committee on Health discussing the absence of a Level 5 Hospital in Uasin Gishu. We have followed it up. We are proud that the hospital is about to be completed. Those were advices on the ground because Senate committees dispersed to various corners of the county and pointed out some of the issues we need to be doing as a county.

It is my plea to the Committee that I strongly support because it was the same SBC that came up with those agendas, that if COVID-19 is managed, we should even go to the counties twice a year. It is possible because we are going to use facilities on the ground.

We left out Busia narrowly. That is the county of the most senior Senator we have here. There was high competition among counties to host. Therefore, it will be important for us to move around.

My plea is that the SBC allows us two or more visits outside this Senate. That way, we will get to know the country. Some people talk of northern Kenya but they have never stepped there. It is important that we have a session in parts of northern Kenya; whether Garissa, Mandera, or Marsabit.

When I was serving in the East African Community (EAC), I visited Marsabit and Mandera for the first time and forever it changed the way I thought about the country. That is what made me love this country because we are diverse. Therefore, we must also learn to embrace one another and know the challenges that each corner of the country has.

I support the people on this list for continuity purposes. I urge them to look at what is in our in-tray because it is full and we must deal with in a timely manner. I also encourage the Chairs of committees to fast-track the agendas before them. There are many who still have pending reports. Some have petitions that have not been completed. This is our last stretch and we must leave a mark.

Mr. Speaker, Sir, finally, I would like to congratulate the lawyers in the House for the great win we had last week. They did it *pro bono*. I am told we did not even pay for their tea. With your kind heart, Mr. Speaker, Sir, I hope you will find a way of giving them 'tea'.

Sen. Mutula Kilonzo Jnr., put a statement that--- I do not understand Kiswahili very well but he said that an empty--- something---

(Hon. Senators spoke off record)

Mr. Speaker, Sir, they understand it because they all read that. So, with your kind heart, find space to enable these great lawyers that saved us over Kshs90 million to enjoy a cup of tea. You should give them a cup of tea and make them feel that this House is grateful to them.

On behalf of the House, I thank them for a job well done. Thank you and God bless you.

Sen. Wako: Thank you, Mr. Speaker, Sir, for giving me this opportunity to speak on this. I will just dwell on the Motion itself.

When we review the Standing Orders, we should do some slight amendments here. On the list, we have seven Members to be approved by this House. To me, those seven are able and I endorse them. However, the Standing Orders provide for nine Senators. Actually we should have had nine but I am told that they are seven because you have taken into account Standing Order No.178(4) which states that-

“In nominating Senators to the Senate Business Committee, each Parliamentary Party shall include its whip into the membership.”

A whip is part of the leadership of the House. To me, the whips should have been there in their own right as whips and they should have been mentioned at the beginning along with the Speaker, the Senate Majority Leader, the Senate Minority Leader and so on. This is because a whip cannot speak on behalf of Members.

It is actually reducing the slots for ordinary Members like us who could be there to have an input. A person who whips you cannot thereafter represent you. It is a contradiction in terms. When we will be looking at these Standing Orders, that is one area there ought to be some slight amendment, so that we ordinary folks in this House can have an opportunity to sit in the SBC.

Mr. Speaker, Sir, having said that, I have something regarding the business of the House. There has been a strong plea from Sen. Linturi and others about legislation, which affects poor people. I agree that legislation should be prioritized.

I see a lot of artificial cleavage in the society between the so-called hustlers and other people. To me, it is artificially propagated to promote selfish ambitions of politicians. If you look at the Building Bridges Initiative (BBI) report, I am sorry I do not have it here, some people take the word “hustler” to be one of the hardcore poor people, mostly young who are struggling to make a living. The BBI addresses that. It is not only in the Constitution but also in legislation.

There are a number of legislations we drafted just to deal with Article 43 which provides for economic and social rights for those types of people. We also have provisions on Persons with Disabilities (PwDs), the youth, and Minorities and Marginalized groups in Articles 54, 55, and 56 respectively. We have detailed legislation from the BBI report.

My appeal to both sides is to give it priority when that legislation comes. It is a legislation where both sides want to deal with the issue of hardcore poverty. We should not make it appear as if it is only one group that is concerned about hardcore poverty but the other is not. It is like the other group is just concerned with positions up there.

If you read our BBI Report, you will realise we spent far much more time and effort and calling for experts on how to deal with hardcore poverty people. Like my former Chairperson of the Committee on Justice, Legal Affairs and Human Rights has said, I appeal to you that when those Bills come, I will not want to see the type of artificial debates here, that you are so and so doing this and that. Just look at the Bill on its own merit, make a well-reasoned out argument and we vote in a very sober way. It is coming.

I was pleased the other day when the other side recognized that in this Constitutional Bill under Article 11, we have taken care of the economy and shared property. I think they recognized that the amendments that the Building Bridges Initiative

(BBI) recommended on that issue of poverty can provide the anchor in which we can have not just a legislation but also administrative policies to deal with the same.

Therefore, if we approach it together, I think we shall get very far in addressing the problem. The Senate is supposed to provide exemplary example and even the political culture of tolerance, reasoned out arguments and so on.

When these Bills come here, I would like the Senate to come out very clearly as the one that has provided that political atmosphere or climate. This Senate consists of very able people, as I look around. Even the young ones have become leaders. If we put the Senate in the hands of a young Senator here and going by what we see, he has become a great leader in his own right. I am proud that the old people---

An Hon. Senator: You are pointing at me.

(Laughter)

Sen. Wako: I become very satisfied knowing that when I go, the young ones can ably step in my shoes and continue to lead this country in a proper direction, away from what we are now having in the society.

That is my appeal. If we prioritize BBI, we will also be addressing the problem of hardcore poverty in this country.

The Speaker (Hon. Lusaka): Sen. (Eng.) Hargura, proceed.

Sen. (Eng.) Hargura: Thank you, Mr. Speaker, Sir. I would like to join you in welcoming Members back from the long recess. I would also like to support the Motion on the approval of Senators to serve in the House Business Committee (HBC).

We have a lot of work to do. You know very well we went to court and the courts agreed with us that legislation which did not go through the Senate need to be recalled. I would also like to thank the lawyers in the House, led by senior counsel, Sen. Orengo, for the work they have done. It is now upto us to put in our effort to make sure we pass the over 20 legislations.

This is an interesting time because this Session might be filled with politics. We have BBI and the 2022 politics shaping up, which by virtue of being politicians, most of us might be involved in. Therefore, this SBC needs to plan the business of the House in such a way that we are still able to deliver on our legislative mandate. They need to take into account that Members might be attracted towards the politics of BBI and 2022 politics.

I would like to urge Members to focus very well. Before we get into those political side issues, let us make sure we have our legislative agenda taken care of so that we deliver especially on the Bills, which have been recalled because of our own action. Let us ensure we prove that we are not doing that just to show that we need to participate in the legislative process but actually participate and improve the quality of all those Bills that were recalled.

Thank you.

The Speaker (Hon. Lusaka): Sen. Shiyonga, proceed.

Sen. Shiyonga: Thank you, Mr. Speaker, Sir, for giving me this opportunity to join you in welcoming my colleagues back for this Session. I stand here to support the list

of Members who have been proposed to serve in the Senate Business Committee (SBC). I know that they are up to the task and will deliver. Those who have served in the past have worked very well despite the fact that we have had a lot of work to do. The Members who have been proposed this time round will do well.

It is true that coordination, communication, cooperation and fast-tracking of the Bills in this House will be the key mandate for us to work. Cooperation between you, the SBC and the Liaison Committee will help us achieve the goals that we intend to achieve as a House.

Mr. Speaker, Sir, Bills are key not only to this House, but to Kenya as a whole. If we fast-track the Bills that are pending, especially in the Liaison Committee where the Chairpersons of different Committees take up their mandate and work closely with Members of various Committees, then we are sure of achieving as a Senate. We should not just come here for the sake of it or to waste time.

During the last Session, we lost one of our own, Sen. (Dr.) Kabaka. It was very sad and we know that we shall not waste a lot of time going around politicking. We are going to look around and work along the lines that will help us achieve what is in this House rather than politicking. Some of us are indulging in parties that are not known and wasting a lot of time, rather than working towards achieving what this Senate is meant for.

Mr. Speaker, Sir, it is important for us to cooperate with you. It is also important for us to work with SBC, the Liaison Committee and other committees, so that we can achieve our mandate. Kenyans will look at us as a House of achievement and respect.

When we were doing induction, when I was new in this House, there was a presentation that was done by our Clerk on analysis of Bills and business of the House that was pending. I was very keen to look at it. We need to up our game to make sure that we achieve what the other House did not achieve. We should do more to fast-track and achieve what is pending before us in this Session.

Thank you.

Sen. Omogeni: Thank you, Mr. Speaker, Sir. I want to join you and my colleagues in welcoming Senators back from the long recess. We must thank God that we are back alive because of the effects and loss of lives that has been caused by the COVID-19 pandemic.

I also want to take this opportunity to pass my message of condolences to the family of *Mzee Nyachae*. I say *pole* to the widow, mother Mwangwo, Grace, Charles and the entire family for the loss of their dear father, *Mzee Nyachae*. I hope that we will get an opportunity to pay tribute to *Mzee Nyachae* for the role that he played as a leader in Kenya.

I also want to join Sen. Orenge in congratulating the Judiciary. Last week, we appeared before the Court of Appeal where the National Assembly was seeking to stay the order that was issued by the High Court. However, commendably and guided by the law, the Court of Appeal refused to grant stay to the National Assembly.

The effect of that is that this House continues to enjoy the fruits of the judgement that was obtained from the High Court. We must thank Sen. Mutula Kilonzo Jnr. and

Sen. Orengo who joined us all the way from Dubai. Technology has brought so many benefits.

There is another cadre of people that we keep on forgetting; our members of staff from the legal department who do a lot of work behind the scenes. This team prepares submissions and burns the midnight oil to ensure that the papers that are needed to be filed in court are filed timeously.

Mr. Speaker, Sir, a proposal has been made that some of us should be considered to get some state commendations titles. I hope that the Parliamentary Service Commission through our two Commissioners and the Clerk will also treat those members of staff with fairness when issues of promotion arise. We should not leave them to be at the mercy of other Members of the Commission from the National Assembly who may hit back at them because they do a lot of effort in ensuring that they support the team of Senior Counsels in prosecuting these matters in court.

I fully support the Members who have been proposed to serve in the Senate Business Committee. Most of them are colleagues who we have worked with. They are people we know that they are very dedicated; first among equals. They served us very well last time and I hope that they will continue with that tradition. I hope that they will give priority to some of the Bills that Parliament as an institution has lagged behind.

It is unfortunate that we have had the 2010 Constitution with us for eight years and we knew that in that Constitution we enacted chapters that necessitate any amendment to the Constitution to be done through the referendum, but we have never enacted the referendum law. To be fair to ourselves, that is a big indictment to us.

Mr. Speaker, Sir, you saw what happened in Siaya County. Since there is no law that guides how we should conduct issues of referendum--- Although the Constitution gives them 90 days to accord them an opportunity to do public participation and involve the people of Siaya, that Bill was enacted in a record one day.

I think it is us who should stand indicted because if we had enacted the referendum law, then the county assemblies would have had a legislation that guides them. I hope that the Senate Business Committee will give this piece of legislation priority, so that we are able to guide our 47 counties. Otherwise, we will be opening this good idea of Building Bridges Initiative (BBI) into unnecessary litigation that could have been avoided.

While on this, last week I was among the mourners who attended the funeral of the father of the Deputy Governor of Kisii. Unless we do some civic education and tell the people who belong to the 'hustler nation' what hustlers are meant to do and should not do, you will find people who attend forums being intolerant and do not want to hear alternative views.

While we were in Kisii, a Member of Parliament rose to make a proposal that the issue of Presidency should be rotational and some regions should get opportunities for Presidency. However, woe unto ourselves, within no second, I was shocked to see a Member of Parliament dressed in a red tie, white shirt and black suit jumping on a table which was as high as where you are sitting, simply because he believes that the 'hustler nation' should not be tolerant to hear an alternative view.

Those who are leading the ‘hustler nation’ should take that narrative seriously. When you go to forums, accept it that there are people who will be drumming up support for other presidential candidates. I hope when they come for Mzee Nyachae’s burial, they will talk to the Omugusii nation humbly. We do not want fights in Kisii. We will give them an opportunity to sell their ideas. If they have candidates to market, we should give them an opportunity to share those views with the people without inviting fights. That was very shameful. Kisiis are tolerant people and we do not like fights.

We urge people from the hustler nation not to sell the narrative that they are intolerant to any other candidate seeking the presidency other than the one leading the hustler nation. This is not the way to lead a country towards an election.

Finally, I hope that the SBC will track some of the important issues raised before this House of which we have no answers. The issue of coffee farming, Sen. Wetangula in a passionate appeal on the Floor of this House raised the unfairness in disbursement of the coffee fund. There was a promise made by the Chairperson of the Committee on Agriculture, Livestock and Fisheries that the Western Kenya region, including my own County of Nyamira, will get consideration during this financial year on disbursement of that coffee fund. I want to tell the incoming Members of the SBC that these counties are waiting, including Nyamira County. We want to see fairness to all the coffee farmers in this country.

With those many remarks, I support the membership and wish them a successful tenure as they serve this honourable House.

The Speaker (Hon. Lusaka): Sen. Milgo, proceed.

Sen. (Dr.) Milgo: Thank you, Mr. Speaker, Sir. Let me take this time to support the Senators who have been proposed to serve in the SBC because they are equal to the task. As we all know, the tray is full. However, with hard work and commitment, they will accomplish the work before them.

Let me also thank the legal counsel for the success. They were able to stamp authority to all and sundry that the Senate is the “upper” House. At the same time, they ensured that the Senate did not lose a single shilling. Congratulations to them are in order and that they deserve pat on their backs.

Mr. Speaker, Sir, I know there is backlog in terms of pending Bills. I appeal to the SBC under your able leadership in the case of prioritization of business of this House to exercise fairness. Some pending Bills are maiden Bills by some us in this House and we do not want them to lapse before they are enacted by us. We do not want to see scenario where some Senators will be deemed not to have sponsored Bills that are passed by this House.

Last year was a wonderful year for all of us despite the fact that we had a challenge in terms of the Division of Revenue Bill. However, with the formula in place, we will not take a lot of time debating it when it is tabled before this House. In addition to that, we are approaching electioneering year, there is BBI and 2022 elections politicking. Nevertheless, I encourage my colleagues to exercise sobriety because ours is a multiparty country. We will agree to disagree. It pays to listen to various opinions so that we can appreciate others and avoid ugly fights and incidents like we saw in Kisii County.

Mr. Speaker, Sir, during the long recess, I lost my mum. I take this opportunity to thank the Senators who prayed for my family members and supported us financially. I want to specifically thank the Deputy Speaker, Sen. (Prof.) Kamar, the Deputy Majority Whip, Sen. (Dr.) Musuruve and Sen. (Dr.) Lang'at for finding time to come and condole with us. We are happy and the Deputy Speaker conveyed your condolences to the family. We felt encouraged and comforted. Let me also thank the Senators for wonderful contribution. Let us continue supporting one another in such issues.

The Speaker (Hon. Lusaka): Sen. Mwaruma, you have the Floor.

Sen. Mwaruma: Thank you, Mr. Speaker, Sir, for this opportunity you have given me to support the Motion on reconstitution of the SBC. For starters, allow me to wish all Members a prosperous new year 2021. As we begin the year, we have a lot of pending business in the House. I would like to congratulate you and all the Members in this Committee under your able leadership. It has served us before and we know that the Members in this Committee have applied themselves judiciously in making sure that the business of this House has run well.

There is pending business in this House in terms of Bills, Petitions and Motions. I would like to urge the new SBC to fast track the pending business of the House. We have pending business Bills, including those were nullified because of the court ruling which require republication. I urge you that the SBC expedites action so that we have them republished.

Secondly, I would like to look at the philosophical underpinning the constitution of the SBC. We have diligent, able and people full of colour in this list. However, I would like to address myself to the issue of institutional memory which was alluded to by Sen. Murkomen when it comes to a new House in future. We need to have people serving here because we are moving towards the election and we do not know which Members will be reelected back to this Senate. Other people might be going for different seats such as gubernatorial seat and the presidency.

Assuming that all these Members who have been serving in the last four sessions do not find their way back to this House what will happen? We will have new Members who will be tinkering, trying to understand the Senate business. I urge that if it is possible within the year, we can have new people, a mix of the people in the list and new ones, so that in the future Parliament we have institutional memory in place.

Mr. Speaker, Sir, I support the whole list as it is and wish you the best of luck as we steer this House in the year 2021.

The Speaker (Hon. Lusaka): Sen. Madzayo, proceed.

Sen. Madzayo: Asante sana, Bw. Spika. Kwanza najiunga nawe kumshukuru Mwenyezi Mungu kwa vile tumeweza kurudi kutoka likizo ya Krismasi na mwaka mpya kwa buheri wa afya. Kulikuwa na mambo mengi hatari yaliyotendeka. Tulikuwa na mazishi na wengine kama sisi ambao Mwenyezi Mungu ametupa baraka na huruma ya kuweza kuona mwaka huu tukiwa na afya njema, twashukuru sana.

Tunashukuru sana pia vile vile kwa makaribisho yako kwamba tumerudi na wote tukionekana kwamba tuko buheri wa afya.

Bw. Spika, nataka kuunga mkono orodha ambayo imepeanwa ya Maseneta ambao watahusikana katika Kamati ya Bunge la Seneti ya kuweza kuendesha ratiba. Nafikiri

hawa Maseneta wote ni watu ambao wamefaulu katika nyadhifa zao kwa muda wa miaka mine. Wameweza kudhibitisha umahiri wao katika kazi zao.

Jambo la muhimu ni kwetu sisi sote kuzingatia mambo ya wananchi. Wananchi wa Kenya wako na imani sana na Bunge la Seneti kwa sababu ya hoja na miswada ambayo imeweza kuletwa mbele ya Seneti na kujadiliwa kwa kina. Maseneta ni viongozi ambao wanajiheshimu. Sisi si watu ambao tunaweza kupigana mandondi mbele ya wananchi. Tumejiwekea heshima na ninatumaini tutaendelea hivyo.

Nataka niwapatie pia kongole Maseneta kwa kuweza kuweka kielelezo cha kwamba kama mnataka Bunge liheshimiwe, basi nyinyi muwe kama sisi Maseneta hapa.

Bw. Spika, nataka tutambue uwepo wa Maseneta ambao tunawaita Maseneta wakongwe ambao wameweza heshima yao katika utendakazi. Tukiangalia sisi katika haya Mabunge mawili tunapata ya kwamba katika Bunge la Seneti ndio kuna Maseneta ambao wameboba. Tuko na Sen. Wako ambaye hata hana haja ya kuongea kwa sababu anaweza kuchambua sheria vile inavyotakikana. Tuna pia Sen. Omogeni na ndugu yetu Sen. Orenge na Sen. Murkomen ambao ni weledi wa sheria. Pande hii tukiwa na Sen. Mutula Kilonzo Jnr., akiiga mfano wa babake Marehemu Mzee Mutula Kilonzo Sr. Kwa hivyo, Bunge la Seneti liko watu kadhaa ambao wako na uwezo wa kufanya shughuli hii bila kujali malipo.

Bw. Spika, utaona ya kwamba, katika utendakazi wa mawakili ulimwengu mzima, wanavaa gauni nyeusi na si ile ya aliyekuwa Jaji Mkuu Mutunga ile ya kijani. Wanavaa gauni ile nyeusi na utaona kuna kitu kinatembea kwa mgongo. Hicho ni kama kipochi. Zamani mawakili walikuwa hawawezi kuitisha pesa lakini wakifanya kazi ya kusaidia jamii.

Hapa hawa mawakili wetu walijitolea kusaidia Bunge la Seneti ili kuweka kielelezo cha wale watakaokuja nyuma yetu kama Maseneta; kongole sana ndugu yangu Sen. Omogeni, Sen. Mutula Kilonzo Jnr., Sen. Orenge na wengineo walioweza kushirikiana na baadhi ya hawa mawakili kuweza kupigana huko ndani ya koti. Hatimaye tuliweza kushinda zile sheria ambazo zilipitishwa bila ruhusa ama majadiliano hususan wewe na wale wanaohusikana na hizo sharia ambazo zilipelekwa kwa Rais na zikatiwa kidole kinyume cha sheria.

Hawa walifanya juhudi na hivi sasa inabainika wazi ya kwamba hakuna chochote kitapitishwa ndani ya Bunge la Kitaifa ambacho kinahusikana na mambo ya ugatuzi bila kupitia hapa. Hiyo ni heko kubwa sana.

Siko hapa kusema kwamba pengine walipwe. Hapana. Lakini kuna ile tunaita imani pia ni kutiana moyo. Jambo kama hili ni kama ile ambayo tunafikiria ama tutaona ama wewe mwenyewe ukiketi katika ile hali yako ukiona ikiwa wanafaa. Wao hawatakuuliza. Kile kifugo kiko hapa nyuma ya zile koti, wewe enda ukaweke vile unavyofikiria halafu wataenda zao na watakupatia shukrani.

Bw. Spika, la mwisho ni kuhusu hoja na miswada ambayo tunaleta katika Bunge hili. Ni lazima tuhakikishe kwamba wananchi tumewapatia kipaumbele katika hoja na miswada yetu ile tusifanye vitu ambavyo vitaweza kuleta mtafaruku. Kama sasa kuna watu ambao ukiwauliza ni kwa nini wewe unapinga BBI na hujaisoma. Hajui kumeandikwa nini, lakini atakuambia tayari mimi siitaki. Kisha katika hali ya ile

mtafaruku, pengine watu wanaweza kuanza kupigana na maisha kupotea na pengine kujeruhiwa.

Kwa hivyo, tunasema ya kwamba tuwe wa kwanza kama kielelezo. BBI si jambo mpya kwetu sisi kwa sababu tuliweza kufanyia Katiba yetu marekebisho na tukapata Katiba mpya mwaka wa 2010. Sasa ni mwaka wa 2021 ambapo tunaongea juu ya BBI. Baada ya miaka 11, mambo mengi sana yamegeuka na yanahitaji kugeuzwa na kuona ya kwamba nchi hii kutakuwa na amani, upendo na watu wakiishi kwa furaha baada ya kupiga kura.

Bw. Spika, kusitokee jambo mbaya ambalo litafanya mimi nianze kuchukia huyu kwa sababu ni wa kabila la Kalenjin, Mkikuyu, Mkamba au Mgiriana. Isiwe namna hiyo. Sote tuwe kama Wakenya. Tunasema ya kwamba wale wasiofahamu, lazima wapate nafasi ya kuuliza ili wapate kuelezwa.

Mambo yaliyotokea mahali kama Githurai ama Burma ama kwingineko katika Taifa la Kenya, ni aibu kubwa katika mazishi watu wanazusha na wanaanza kutandikana makonde. Hiyo haifai. Aibu ndogo ndogo kama hizi, sisi tukiwa waheshimiwa, ni lazima tujiheshimu kwanza.

Bw. Spika, nataka kumalizia nikisema kwamba katika wale watu walichaguliwa katika harakati zote za Bunge ambazo tutazifanya, hao ni Maseneta ambao ni wakakamavu. Ningependa kujiunga na kusema ya kwamba ni sawa kabisa.

Asante.

The Speaker (Hon. Lusaka): Sen. Pareno, proceed.

Sen. Pareno: Thank you, Mr. Speaker, Sir. I rise to support this Motion and to also join you to wish my colleagues a happy new year. We ended on a sad note last year when we lost our very own, the late Sen. (Dr.) Kabaka. We must be grateful to God that we are all in one piece after that because he has been gracious enough to give us good health as we begin the year.

We know the Members that are listed here as the SBC. We know the capabilities of each of them because we have been here long enough to know them. It was funny to hear Sen. Murkomen who is not here say that he is happy that he has a few who he can rely on to checkmate on behalf of the 'hustler nation.' I choose to look at the Members not as hustlers or whatever, but as Members in their own right in this Senate. They are Members who can represent all of us and the business that we have. They are Members who can take fourth the mandate of the Senate on behalf of the counties and not on behalf of 'hustler' or no 'hustler'. In any event, our country is made up of all of us and we must be proud of who we are.

I am sure that they will take up their job as they did very well in the last session.

Sen. Dullo is one of the celebrated ladies in this Senate because of being in leadership and having come here as an elected Senator, so you can imagine how much input she has. I sit with her in the Committee on National Security, Defence and Foreign Relations. She is a very committed Member. The same goes for Sen Sakaja, who was our Chairperson in the Committee on National Security, Defence and Foreign Relations. The same goes with the rest of the Members including Sen. Kwamboka who is our Whip.

This is a good team. Sen. Kibiru has been a Chairperson of a Committee. Sen. Malalah also serves in leadership. There is also Sen. Olekina. We do not really doubt

their capability, but we only wish them well. Let them continue with their job. If they had done so badly, then we would be shouting here that they should not continue. However, we have no issue with how they ran the business last time.

Mr. Speaker, Sir, I am sure that you have a good team here that will hold your hand as you steer forth the Senate in this session. We are happy that we are back and they are able to take us through. I congratulate them that they are back to serve in the same Committee.

You will remember that last time we had a lot of issues reconstituting the County Public Accounts and Investments Committee (CPAIC). We even took time to also reconstitute the Committee on Delegated Legislation, because both sides were haggling as to who should be in which Committee. The fact that we are starting with this team on a high note, with nobody saying that none of them should sit, is a fresh start for all of us for this year.

Mr. Speaker Sir, I support.

The Speaker (Hon. Lusaka): Proceed, Sen. Nyamunga.

Sen. Nyamunga: Thank you, Mr. Speaker, Sir, for giving me this opportunity. First of all, I want to join my colleagues in thanking God for allowing us to be back. We did not hear anything happening to any of us.

Secondly, I support the Motion on the membership of the Committee being given a new mandate to continue with the work that they have been doing as the SBC. I do not have a problem with the list because all the Members are equal to the task.

The only thing that I would like to urge most of the Members that have been given this opportunity is that we should work and serve with a lot of dedication. I do not doubt it. They have been doing it. They should also look at the work that is before the Senate. The Senate has done a lot of work. The country at large has been looking up to the Senate for legislation and the type of debate we have carried out.

I would really urge them to look at the pending Motions and Bills. Personally, I have a Bill. To me, it is very important that we should not come to the end of this year without looking at it again. This is a Bill that once it is passed will go a long way to help the county governments in finding ways of raising their own resources apart from relying on the national Government.

As we all know the national Government is overburdened. Looking at our debt situation that is growing by the day, we must look at elsewhere to raise funds. Even as a family, you cannot look at income from employment alone. You must think outside the box and find ways of survival.

It is not only that Bill that is important, I believe that there are so many other pending Bills, Petitions, Motions and Statements that are very crucial to this House which are still pending.

Mr. Speaker, Sir, I would also like to thank you very much because in my view and from where I sit, you have done very well. It is not just a matter of talking because you are here. It cuts across and everybody tells us, even from the other House, that they wish that they were here because of our Speaker. It gives us a lot of joy to know that you are being appreciated.

I also thank our staff. In fact, when I joined this House, I was so encouraged because if you compare this House and the National Assembly, in which I had an opportunity to serve in the last Parliament, the difference is so big. There is a lot of dedication from our staff. I do not know whether it is because we are few. It is not about the number, but they are committed.

They do a lot of work, from the Clerk to the all the staff. We have not had any issues at the Committee level. If any Member has a problem, it is him to blame because our staff are always at hand to support us. Therefore, we must encourage them and let them know that we know and we appreciate the work that they do. All of us in this House are doing a good job.

Lastly, Mr. Speaker, Sir, the Constitution is made by the people and for the people. Sometimes we have not behaved very well. Even in this House, we cannot point fingers at others and exonerate ourselves. Sometimes we forget our responsibility and go off. Sometimes the words that we use and our behaviour have not been very cultured.

I know BBI will be brought to this House for us to deliberate on it. Right now, it is at the county assemblies. When it comes here, we should be able to follow the procedure and debate it very soberly. If I am not wrong and from what I have heard, the Constitution of America has been amended about 26 or 27 times. Therefore, nothing stops us from adjusting our constitution because it is for the people and by the people. We, as leaders, have been mandated to do so. As we wait to debate on this Bill, I urge our Members to restrain ourselves and give a very good example to Kenya as a whole because Kenyans have a lot of hope in this Senate.

I thank you, Mr. Speaker Sir.

The Speaker (Hon. Lusaka): Finally, Sen. (Dr.) Zani.

Sen. (Dr.) Zani: Thank you, Mr. Speaker, Sir. I stand also to support the approval of Senators to serve in the SBC in this Session. Let me start by first thanking God that all of us have been able to come back safely and also to pray for the soul of our dearly departed Sen. (Dr.) Kabaka who passed away when we were on recess. I thank God for the responsibilities he has bestowed on us to serve this nation and pray that he will guide us to do the work ahead of us.

Looking at the names of the Members in this Committee, you can see they have served in different capacities and we are sure that they will do their work very well when we are finally actualizing the application of Article 110(3) of our Constitution. This article put in place a mechanism that allows the Senate to do something that we have tried to do for such a long time. Now there is a way to jointly resolve any question as to whether a Bill concerns counties or it is an ordinary Bill. We have been able to resolve that now through the landmark ruling.

Mr. Speaker, Sir, what it implies is that we, as Senate, are going to be in a very unprecedented position where we are looking at so many of the Bills that had already been introduced in this House. They had gone through the First, Second and Third Reading and now they are being republished.

This is really a challenge for many Senators because they have to go through these Bills all over again and contextualize them in this new light. I request the SBC to prioritize these Bills. I know that the staff of the Senate have been working very hard.

They are already republishing many of these Bills. Many of the Bills are already well known by most of the Members, and I hope that we will go through them quickly.

Mr. Speaker, Sir, I know that we always have the issue of time and allocation of time for the various activities that we do in the Senate. I know many times, even despite our Standing Orders, we take quite a bit of time on the Statements because they are also important. However, this ruling has come when we are left with about one and a half years to the end of this Senate. Therefore, it will be very good and very helpful if we are able to strategize and organize ourselves in such a way that we will be able to quickly bring these Bills to the Floor of the House. I am sure will quickly expedite them and push them to the next level.

Mr. Speaker, Sir, these Bills are about various interests of the counties. I have heard Sen. Nyamunga speak about her Bill which is also on the line. Many other Senators would also talk about the same thing.

Mr. Speaker, Sir, the other issue which is very prominent which we might want to look through during this Session and the SBC can also help us to prioritize is to do with the Mediation Committee. When there is an engagement that involves the Nation Assembly and the Senate, I feel the coordination happen faster if it done by Mediation Committees.

I know names of the Senators and Members from the National Assembly who are going to be Members in the Mediation Committee are usually given. Sometimes it takes time for all these Members to get a chance to start the first meeting. They are informed, but it takes a little of time. I know the Chairpersons of the Committees have been working very hard to push this agenda.

I am hoping that the coordination will be better. The Mediation Committee can quickly coordinate and fast track, so that both the National Assembly and the Senate can push the agenda that is required.

This is going to be an exciting session for this Senate even as we move towards the end period of this Senate. I am sure the SBC will move the agenda of the Senate as we expect them to do.

The Speaker (Hon. Lusaka): May I now call upon the Mover to reply.

Sen. Dullo: Thank you, Mr. Speaker, Sir. I wish to reply. Let me join you and my colleagues in welcoming Members back to this session.

Mr. Speaker, Sir, a lot of issues were raised by Members that are really going to strengthen the work of the Committee. I hope the Secretariat will flag out all the issues raised by Members, so that we can look at them and prioritize them. This is very important because having been in this House, the last session, this is normally a very challenging stretch because most of the Members will be now be preparing for campaign. I hope the Committee will seriously take their responsibilities in ensuring that the work given to them is delivered in time and not disappoint Members.

Mr. Speaker, Sir, I will request Members, especially those who have Motions and Bills before this House, sometimes it has been challenging for us, as leaders, to look around for you, to come and move your Motion or reply to your Motions or move your Bill and all that. It requires both way commitments where Members are present when their Motions are ready for moving and replying.

With that, I take this opportunity to move.

(Question put and agreed to)

The Speaker (Hon. Lusaka): Order, Senators. The Motion having passed, just like I did say in my communication, the SBC will meet here after five minutes.

ADJOURNMENT

Hon. Senators, there being no other business, it is now time to adjourn the House. The Senate, therefore, stands adjourned until Wednesday, 10th February, 2021 at 2.30 p.m.

The Senate rose at 4.45 p.m.