

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 23rd February, 2022

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

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

PRAYER

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

PAPERS LAID

REPORTS ON FINANCIAL STATEMENTS OF VARIOUS COUNTY FUNDS/COMPANIES

The Senate Majority Leader (Sen. Poghisio): Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today 23rd February, 2022-

Report of the Auditor-General on the financial statement of County Assembly of Meru Members Car Loan and Housing Scheme Fund for the year ended 30th June, 2019.

Report of the Auditor-General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2015.

Report of the Auditor-General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2016.

Report of the Auditor-General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2017.

Report of the Auditor-General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2018.

Report of the Auditor-General on the financial statement of County Assembly of Mombasa Car Loan and Mortgage Fund for the year ended 30th June, 2019.

Report of the Auditor-General on the financial statement of Kajiado County Assembly Emergency Fund for the year ended 30th June, 2019.

Report of the Auditor-General on the financial statement of Kajiado County Assembly Emergency Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kajiado County Education Bursary, Grants and Scholarship Fund for the year ended 30th June, 2020.

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Report of the Auditor-General on the financial statement of Thika Water and Sewerage Company Limited for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Laikipia County Assets Leasing Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Laikipia County Assembly Mortgage and Car Loan (Staff) Scheme Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Nyeri County Enterprise Development Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Murang'a County Assembly Car and Mortgage Loan Scheme Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kahuti Water and Sanitation Company Limited for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Nyahururu Water and Sanitation Company Limited for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Coast Water Works Development Agency for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kilifi-Mariakani Water and Sanitation Company Limited for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Municipality of Kilifi for the 18 months period ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kilifi County Emergency Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kwale County Bursary Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kwale County Assembly Members and Staff Loan Scheme Fund for the year ended 30th June, 2020.

Report of the Auditor General on the financial statement of Elgeyo Marakwet County Assembly Car and Mortgage Revolving Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Elgeyo Marakwet County Education Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of West Pokot County Bursary, Education Development and Infrastructure Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of West Pokot County Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Turkana County Executive Officers Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Turkana County Youth and Women Empowerment Fund for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kiambu Water and Sewerage Company Limited for the year ended 30th June, 2020.

Report of the Auditor-General on the financial statement of Kisii County Bursaries Fund for the year ended 30th June, 2021.

Thank you.

(Sen. Poghisio laid the documents on the Table)

The Speaker (Hon. Lusaka): Thank you. I now ask that we switch to the new Supplementary Order Paper, which must be on your screens.

Next Order.

Proceed, Senate Majority Leader.

NOTICE OF MOTION

APPROVAL OF SENATORS TO SERVE IN SESSIONAL COMMITTEES

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

THAT, pursuant to Standing Orders Nos. 189, 219, 220 and 221, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Sessional Committees of the Senate as follows –

A. COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS

1. Sen. (Eng.) Hargura Godana, MP
2. Sen. Adan Dullo Fatuma, CBS, MP
3. Sen. Kimani Wamatangi, MP
4. Sen. Njeru Ndwiga, EGH, MP
5. Sen. Samson Cherargei, MP
6. Sen. (Dr.) Ochillo Ayacko, EGH, MP
7. Sen. (Prof.) Imana Malachy Charles Ekal, MP
8. Sen. Johnes Mwaruma, MP
9. Sen. Mercy Chebeni, MP

B. COMMITTEE ON DELEGATED LEGISLATION

1. Sen. Samuel Losuron Poghisio, EGH, MP
2. Sen. Mary Yiane Seneta, MP
3. Sen. Abshiro Halake, MP
4. Sen. Anwar Loitiptip, MP
5. Sen. Farhiya Ali Haji, MP
6. Sen. Mwinyihaji Mohammed Faki, MP
7. Sen. Agnes Kavindu Muthama, MP
8. Sen. Judith Pareno, MP
9. Sen. (Prof.) Samson Ongeru, EGH, MP

The Speaker (Hon. Lusaka): Next Order.

STATEMENT

HIGH COST OF FOOD, LIVING AND FARM INPUTS IN KENYA

Sen. Cherargei: Mr. Speaker, Sir, I rise pursuant to Standing Order No.47 (1) to make a Statement on an issue of general topical concern and national importance, namely; the high cost of food, living and firm inputs in Kenya.

Recent surveys indicate that up to 67 per cent of Kenyans believe that the country is headed in the wrong direction. It has also been noted with great concern that the rising cost of food, living and other basic commodities has led to a sharp rise in the cost of living in the country.

According to the latest data from the Kenya National Bureau of Statistics (KNBS), food prices rose by 8.89 per cent in January 2022, making it difficult for millions of Kenyans to put the food on the table. For example, a two-kilogram packet of maize flour is now retailing at Kshs120, a rise of Kshs15 from Kshs105. While a kilo of sugar is retailing at Kshs140 in major supermarkets in the country, rising from Kshs120 kilogramme of sugar.

A 500-milliliter packet of milk is retailing at between Kshs50 and Kshs60 depending on the brand in the supermarket or any shops in the country. Further, the cost of refilling a six kilogram of liquefied petroleum gas or LPG cylinder has risen to Kshs1200 up from Kshs950. Cooking oil has also doubled in price, retailing at Kshs360 per kilo for most brands, while the cost of a loaf of bread has risen by a significant margin up from Kshs50 to Kshs80 across our shops. For the first time, the price of salt has risen also by Kshs5. We have been buying salt at Kshs10, which now retails at Kshs15.

Mr. Speaker, Sir, with respect to firm inputs a 50-kilogramme bag of fertilizer, be it Di-ammonium Phosphate (DAP) but not the DAP party that everybody knows or Calcium Ammonium Nitrate (CAN), is now retailing at Kshs6000 from Kshs2500, making it almost impossible for farms to purchase.

You are aware that in Elgeyo Marakwet, Uasin Gishu, Nandi, Trans Nzoia, Bungoma, where you come from, is a planting season and farmers are busy preparing their farms, yet fertilizers have shot up from Kshs2500 to Kshs6000. There is no Government subsidy and yet the planting season is fast approaching.

The cost of fuel has also gone up. The price of farming or ploughing farms is very expensive per hectare. It will be very difficult for our country to be food secure. When we have food insecurity, national security is also a threat. If this is the direction we are taking, then it is very dangerous.

Mr. Speaker, Sir, finally, I urge our colleagues in the National Assembly to support the proposed amendment by Members of Kenya *Kwanza*. This is to provide additional Kshs2billion in the 2022/2023 Budget, which is required for drought mitigation, and an additional Kshs5 billion for fertilizer subsidies programme to bring the fertilizer prices down to about Kshs2500.

The *Amani* National Congress (ANC) party leader, hon. Musalia Mudavadi, and a member of *Kenya Kwanza*, recently indicated that fertilizer will be Kshs2500 God willing, if we form the next Government.

I also call upon his Excellency the President, Uhuru Muigai Kenyatta, to direct the Cabinet Secretary (CS) for National Treasury to work on modalities that will enable the prices of basic commodities, cost of living and expensive farm inputs to come down and cushion Kenyans from the high cost of living currently experienced in the country. That is of course, after the busy schedule that he has today.

It is worth to note that as we move forward, most Kenyans lost their jobs as a result of the COVID-19 pandemic. Most Kenyans lost their sources of earning yet the cost of living continues to keep rising.

That is my Statement. I thank you for this opportunity.

The Speaker (Hon. Lusaka): The Senate Majority Leader, what is your intervention?

The Senate Majority Leader (Sen. Poghisio): Mr. Speaker, Sir, a Member is seeking a Statement but digresses in the middle to do things which will not even help the Statement. For example, how do we take the Statement seriously when the Member is talking about something called *Kenya Kwanza*?

The Senator for Nandi County needs to just take things the way they are and deliver the point. He does not need to digress, because he makes it difficult for us to support a Statement like that because we do not know what he is talking about. What budget is he talking about for the next year?

I wanted you to caution him not to digress in the middle of a Statement. A Statement is supposed to be read the way it is. He is not supposed to contribute to his own Statement in the middle of it. I wanted to bring to your attention that Sen. Cherargei digressed and went beating around the bush.

The Speaker (Hon. Lusaka): Sen. Cherargei, you do not have to respond. The Senate Majority Leader is just cautioning you that lest you drift away. When you introduce things like *Kenya Kwanza* and *Azimio la Umoja*, those are diversionary issues. They are extraneous and strange to this House.

Sen. Cherargei, I have cautioned you about that. Let us now listen to Sen. Khaniri.

Sen. Khaniri: Mr. Speaker, Sir, I thank you for giving me the opportunity to ride on the Statement made by my good neighbor, the Senator for Nandi, Sen. Cherargei. Before I support the Statement, I echo sentiments raised by the Senate Majority Leader, that when you bring a Statement like this to this House, it is important that you stick to the facts and the issues that you have written down. Let us not politicize everything that we bring to this House. I caution my good neighbor, that if he has to be taken seriously, then he should take himself seriously as well. I thank him for coming up with this Statement.

Indeed, the cost of living should be a major concern to all of us in leadership positions. The cost of living in this country has really skyrocketed in the last few years. We always talk of three meals a day but many Kenyans cannot afford one meal a day. It is a problem. Many Kenyans are living below a US Dollar a day. This is a worrying situation.

Mr. Speaker, Sir, the implication is that the level of crime will certainly increase because people have to live and fend for their families. Young men will look for alternative means of putting food on the table for their families. The Government of the day must arrest and give the situation priority. Government of the day here means the Executive and even Parliament.

In whatever that we do in our role as legislators, we must ensure we come up with solutions to this problem. We should not just leave it to the Executive. Of course, the bigger part is supposed to be played by the Executive.

Mr. Speaker, Sir, Sen. Cherargei put it very well that one of the ways to arrest this is for the Government to ensure subsidies in farm inputs. Where you, Mr. Speaker and I, come from, this is a planting season. Many farmers have not planted because of the price of inputs. They cannot afford the seedlings or fertilizer. What is the Government doing about this? Absolutely nothing!

Nothing is happening in both the national and county governments where we come from. Farmers cannot plant. What do we expect if they do not plant during this planting season? There is going to be serious famine.

We do not want to come up with knee-jerk solutions, that when there is famine is when you now try to look for money to supply food. Why can we not arrest the situation now, by ensuring farmers have seeds and subsidised fertilizer to use during this planting season? I blame both governments on this.

Mr. Speaker, Sir, in my opinion, the rain started beating us when we let the prices of fuel skyrocket. We all know that once the price of fuel goes up, the price of everything else will go up. That is economics 101. We have spoken in this House so many times about the rising cost of fuel but nothing seems to be happening.

We want to urge the Government, as they respond to this important Statement, to put measures in place so that we can contain the skyrocketing price of fuel. I am sure that will bring down the cost of living.

Therefore, I strongly support this Statement by my good neighbor, although he brought some politics into it. However, all of us in leadership positions should support the content of the Statement.

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

Sen. Sakaja: Mr. Speaker, Sir, I thank Sen. Cherargei for raising this Statement. He has raised it in a way that we should as leaders. Sen. Cherargei has not joined the band who would just whine, rant and complain. Kenyans have been crying about prices of basic commodities. We have seen the online hashtag *#lowerfoodprices*.

We have also seen certain leaders join in making the noise, yet Kenyans elect us to these offices to find solutions. Leadership is about finding solutions. If we complain the same way the people out there – for instance, in my county – are complaining, then there is no need for me to be their Senator because I am just saying what they are saying. There is representation but there is also the cardinal rule of leadership where you actually provide solutions. That is what I want to talk about.

Mr. Speaker, Sir, it is disheartening and it shows a breakdown in economic fundamentals, when the price of salt goes up. Those who have studied Economics will tell you that in the 1800s, there was a gentle man called Sir. Robert Giffens. He defined a

Giffen good. A Giffen good is a low income, non-luxury good which has no substitute. A good example is salt. If there is no salt, there is nothing you can use in place of salt. As the demand increases, the price increases. Meaning, its demand curve is the opposite of a standard concept.

When the price of commodities such as salt, bread and wheat go up, the opposite of that is Veblen goods. Veblen is luxury; jewelry, celebrity and all those things. On this, when the price of Giffen goods go up--- When is the last time the price of salt went up? It shows there is a fundamental problem in the economy.

Now, where do we come in? We have Committees in this House. The first thing that we need to do and we spoke about but there was no action, is this Committee on Energy. A whole 60 per cent of the cost of fuel is tax. That must be discussed and a resolution from this House moves to the next House. We must do our part.

More than a Statement, the Senate needs a Motion on this and send a resolution to the National Assembly. The resolution should be that the Senate resolves that within the pricing formula of fuel that the Energy and Petroleum Regulatory Authority (EPRA) announces every month, these certain components are beyond a certain amount. We wrote down the formula and I even wrote it. Let us point out the variables that lead to the price of fuel.

However, if it goes over and above Kshs100, then those variables are not used. That is why we have the Petroleum Development Levy as part of that formula. Let that kick in. Otherwise, anything to the contrary, will just be us ranting.

Mr. Speaker, Sir, I know you are not campaigning yet. However, some of us are moving around campaigning. The reason why young people will hang on your vehicle wanting something small is because they are hungry and suffering. I propose that we reduce that as a matter of urgency for the sake of the people of Kenya. Beyond that, anything else will be ranting. May I request him to, please, convert this into a Motion with a resolution that will be voted on and transmitted onward to the next House.

I thank Sen. Cherargei.

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

Sen. Murkomen: Thank you, Mr. Speaker, Sir. I agree with Sen. Khaniri, that this is an important Statement from Sen. Cherargei. It must make all of us part of Kenya *Kwanza*. We must put all our other political interests behind and rally around One Kenya Alliance and Kenya *Kwanza* because that is what is going to make all the difference.

The Speaker (Hon. Lusaka): Sen. Murkomen, you are trying to take us where we have come from.

Sen. Murkomen: Mr. Speaker, Sir, the Senator for Machakos County was signaling me with happiness when I said we need One Kenya Alliance. She was very happy because I believe that---

The Speaker (Hon. Lusaka): I can see she has an intervention. Sen. Kavindu.

Sen. Kavindu Muthama: Mr. Speaker, Sir, thank you for this opportunity to intervene. I am not laughing because of what you have said or because I am happy. I am laughing because you are bringing up issues that are not for here and now. That should wait until you go out there to campaign. We are not campaigning here. We are doing serious business.

Sen. Murkomen: Mr. Speaker, Sir, I am in serious business when I say we need One Kenya Alliance. I mean it because that is the kind of talk we need when we are in this Chamber. We must put Kenya in front and not behind.

The cost of living is no longer a joke. Kenyans are angered by the cost of living. It is a problem that is bedeviling many Kenyans. Sadly, what I was seeing on *Twitter* and *Facebook* is that we have all become complainers. We in leadership are supposed to be the ones providing solutions and yet from the President to the Members of the County Assemblies (MCAs), we are all complaining.

You will find the Head of State complaining on run-away corruption and placing the blame somewhere, yet they have the instruments of power to deal with corruption. Members of Parliament are twitting that we should bring down the cost of living and yet we were elected to do this job.

Mr. Speaker Sir, I like what Sen. Sakaja said that we must take practical steps and take the decisions of this House seriously. Sen. Cherargei's Statement should go beyond the Committee of this House investigating the matter.

As a matter of urgency, we need to sit down with our colleagues in the National Assembly and see how, through the Finance Bill, we can bring down the cost of fuel. We all know that fuel is one component. If we reduce the cost of fuel, it will have direct impact on the cost of living.

We must also sit down with our colleagues in the National Assembly, look at the Budget and inject resources in the areas of intervention for the economy, especially from the bottom up, in order to see the common *mwananchi* being cushioned.

People are talking about the cash transfer but there is a way that you can do it better. Before we even give our people the cash transfer, which they are receiving now, through taxes, we can remove the burden from *mwananchi*. If we remove fuel taxes and other taxes that are affecting the low cadre of *wananchi*, commonly referred in our colloquial term as 'hustlers' who are doing common business, we will find a proper solution to the problem that has been bedeviling this country.

If we debate on the Floor of this House until the cows come home, we are not going to solve the problem. We need to go straight to the National Assembly and deal with this issue through the Finance Bill and the budgeting process so that we can have these interventions.

If we continue like this to the election day, Kenyans will most likely protest voting for us just to make a statement. We need to be seen to be closing ranks.

I have seen the Senate Minority Leader has arrived and is very happy. As part of the leadership of this House, we must all sit down and see how our people are going to be protected from the high cost of living.

It is simple the Government has always had subsidy for farmers all over the world. The countries that subsidise most for their farmers are Europe and the United States of America (USA). We need subsidies for our farmers.

Instead of fertilizer retailing at Kshs6000, I request H.E Uhuru Kenyatta to respect the farmers of this country and take the money from all these other political functions and subsidise the prices of fertilizers and farm inputs including seeds. Kenyans can then plant and support our economy.

The Speaker (Hon. Lusaka): Sen. Kavindu Muthama.

Sen. Kavindu Muthama: Thank you, Mr. Speaker Sir, for giving me this opportunity to make my contributions to the Statement by Nandi Senator, which is extremely timely.

As we move to our counties, we meet our citizens who are hungry. Some of them tell us that they have gone for days without food. Majority of those who work on daily basis cannot even put three meals a day on their tables because the prices of local commodities have gone very high. I agree with the Nandi Senator that the fuel prices must be reduced so that the prices of food can go down. I urge not only the national government but also the county governments to intervene.

When we first had the county governments, our county had tractors, which would go to the farms and plough. They also used to provide seeds and fertilizers. At least people could farm and get food for their families

The national and county governments should see how they can help our citizens even at this time. This is the area where the Equalization Fund should be utilized. This is the right time for them to take foodstuff to those people so that they can stop dying of hunger. Not only are our people suffering but our livestock because there is no rain, grass and food for the people.

I support.

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

The Senate Majority Leader (Sen. Poghisio): Mr. Speaker, Sir, I support this Statement by Sen. Cherargei. I know the Senator is very active and energetic and he has started to show that. We are all going towards the end of this term and Sen. Cherargei has proven to be concerned not just about Nandi County but the entire country.

It is common knowledge that due to the high prices of common goods, ordinary people suffer because they cannot afford a square meal. I support my colleagues in terms of incentives that can be given. I support Sen. Murkomen and Sen. Sakaja's invitation for us to engage our colleagues in the National Assembly who deal with the Budget and financial matters, so that we can attack this matter where it is more effective than us just raising issues.

The Statement will go to the Committee and they may want to investigate. We need to be practical and deal with this matter as leaders because it concerns not just one person.

I saw the launch of relief food to go to various places, which are struck by famine and that is a good start. There was also money for off-take of livestock from the regions where there is famine. There is more because the person in the urban centre and farming communities does not benefit from that. Something has to be done Whatever has to be done, I stand with my colleagues to ensure we achieve it.

I support.

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

The Speaker (Hon. Lusaka): I know there is still so much interest in the Statement, but for the convenience of the House I want to rearrange the Order Paper so that we do Order Nos. 10, 11, 12 and 13.

COMMITTEE OF THE WHOLE

(Orders for the Committee read)

[The Speaker (Hon Lusaka) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Sen. Pareno) in the Chair]

The Temporary Chairperson (Sen. Pareno): Hon. Senators, we are going to the Committee of the Whole for Order Nos 10, 11, 12 and 13.

We ask those online and those that are here physically to hold on for these Divisions.

Let the Bell be rung for five minutes.

(The Division Bell was rung)

Hon. Senators, we are in the Committee of the Whole on The Heritage and Museum Bill (Senate Bills No.22 of 2021)

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO.22 OF 2021)

The Temporary Chairperson (Sen. Pareno): Whips, can you confirm that we have the numbers for purposes of voting.

Hon. Senators, we will proceed with the Division. We need Tellers. Whips, can you give us the Tellers for this vote? Sen. Cherargei, are you one of the Tellers? Sen. (Dr.) Ochillo-Ayacko, do you want to be a Teller for us?

(Sen. (Dr.) Ochillo-Ayacko spoke off record)

Then we will take the younger one. That is Sen. M. Kajwang'. Leaders, can you confirm that we have the numbers? The Senate Majority Leader, do we have the numbers? We need to proceed with voting.

Tellers, are you ready? Hon. Senators, I am going to put the three questions.

Question 1:

(Question, that New Clause 2(a), New Clause 2(b), New Clause 7(a), New Clause 33(a), New Clause 33(b), New Clause 33(c), New Clause 33(d), New Clause 33(e), New Clause 33(f), New Clause 33(g), New Clause 33(h) and New

Clause 33(i) be read a Second Time put, and the Senate proceeded to vote by county delegations)

Question 2.

(Question, that Clause 4, Clause 5, Clause 7, Clause 8, Clause 34, Clause 35, Clause 36, Clause 37, Clause 38, Clause 39 and Clause 2 be amended as proposed put, and the Senate proceeded to vote by county delegations)

Question 3.

(Question, that Clause 3, Clause 4 (as amended), Clause 5 (as amended), Clause 6, Clause 7 (as amended), Clause 8 (as amended), Clauses 9 – 33, Clause 34 (as amended), Clause 35 (as amended), Clause 36 (as amended), Clause 37 (as amended), Clause 38 (as amended), Clause 39 (as amended), Clauses 40 – 100, the First Schedule, the Second Schedule and the Third Schedule, New Clause 2(a), New Clause 2(b), New Clause 7(a), New Clause 33(a), New Clause 33(b), New Clause 33(c), New Clause 33(d), New Clause 33(e), New Clause 33(f), New Clause 33(g), New Clause 33(h), New Clause 33(i), Clause 2 (as amended), the Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by county delegations)

Hon. Senators, we will proceed to Division. Please vote for the three questions and remain online after you have voted.

(Roll Call Voting in Progress)

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO. 17 OF 2021)

The Temporary Chairperson (Sen. Pareno): Hon. Senators, we now go to Committee of the whole for the County Oversight and Accountability Bill (Senate Bills No. 17 of 2021)

(Roll Call Voting in Progress)

THE COUNTY GOVERNMENTS (AMENDMENT)
BILL (SENATE BILLS NO. 38 OF 2021)

(Division)

Question 1:

(Question, that Clause 4 be amended as proposed put and the Senate proceeded to vote by County delegations)

Question 2:

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(Question that Clauses 2, 3, 4 (as amended), the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)

(Roll Call Voting in Progress)

The Temporary Speaker (Sen. Pareno): For the Senators who are online, please, wait for your name to be called out. If we call you out and you do not respond, you will have to wait until when we retake the vote.

Let us proceed and please stay online.

(Roll Call Voting in Progress)

THE ELECTIONS (AMENDMENT) BILL,
SENATE BILLS NO.42 OF 2021

(Question, that Clause 2(as amended), The Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by County Delegations)

The Temporary Chairperson (Sen. Pareno): Hon. Members, you are voting for two questions.

(Voting in progress)

The Temporary Chairperson (Sen. Pareno): For all the Senators who are online, we urge you to stay put because we still have to move to the Third Reading.

The Temporary Chairperson (Sen. Pareno): We are now announcing the results for The Heritage and Museums Bill (Senate Bills No.22 of 2021).

DIVISION

ROLL CALL VOTING

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO.22 OF 2021)

(Question, that New Clause 2(A), New Clause 2(B), New Clause 7(A), New Clause 33(A), New Clause 33(B), New Clause 33(C), New Clause 33(D), New Clause 33(E), New Clause 33(F), New Clause 33(G), New Clause 33(H) and New Clause 33(I) be read a Second Time put, and the Senate proceeded to vote by county delegations).

AYES: Sen. (Dr.) Ali, Wajir County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. (Eng.) Hargura,

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Marsabit County; Sen. M. Kajwang', Homa Bay County; Sen. Kang'ata, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Linturi, Meru County; Sen. Madzayo, Kilifi County; Sen. Malalah, Kakamega County; Sen. Moi, Baringo County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Tellers of the Ayes: Sen. Mpaayei

NOES: Nil.

Tellers of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 30

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 30 votes to 0)

(Question, that Clause 4, Clause 5, Clause 7, Clause 8, Clause 34, Clause 35, Clause 36, Clause 37, Clause 38, Clause 39 and Clause 2 be amended as proposed put, and the Senate proceeded to vote by county delegations)

AYES: Sen. (Dr.) Ali, Wajir County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. (Eng.) Hargura, Marsabit County; Sen. M. Kajwang', Homa Bay County; Sen. Kang'ata, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Linturi, Meru County; Sen. Madzayo, Kilifi County; Sen. Malalah, Kakamega County; Sen. Moi, Baringo County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Tellers of the Ayes: Sen. Mpaayei

NOES: Nil.

Tellers of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 30

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 30 votes to 0)

(Question, that Clause 3, Clause 4 (as amended), Clause 5(as amended), Clause 6, Clause 7(as amended), Clause 8(as amended), Clauses 9 to 33, Clause '34(as amended), Clause 35(as amended), Clause 36(as amended), Clause 37(as amended), Clause 38(as amended), Clause 39(as amended), Clauses 40 to 100, the First Schedule, the Second Schedule and the Third Schedule, New Clause 2A, New Clause 2B, New Clause 7A, New Clause 33A, New Clause 33B, New Clause 33C, New Clause 33D, New Clause '33E, New Clause 33F, New Clause 33G, New Clause 3311, New Clause 331, Clause 2(as amended), the Title and Clause 1, be part of the Bill put and the Senate proceeded to Vote by County Delegations)

AYES: Sen. (Dr.) Ali, Wajir County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. (Eng.) Hargura, Marsabit County; Sen. M. Kajwang', Homa Bay County; Sen. Kang'ata, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Linturi, Meru County; Sen. Madzayo, Kilifi County; Sen. Malalah, Kakamega County; Sen. Moi, Baringo County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. (Prof.) Ongeru, Kisii County; Sen. Orengo, Siaya County; Sen. Poghio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Tellers of the Ayes: Sen. Mpaayei

NOES: Nil.

Tellers of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 30

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 30 votes to 0)

DIVISION

ROLL CALL VOTING

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL

(SENATE BILLS NO.17 OF 2021)

(Question, that Clauses 5, 17 and 19 be amended as proposed put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana

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County; Sen. Halake, Isiolo County; Sen. (Eng.) Hargura, Marsabit County; Sen. M. Kajwang', Homa Bay County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. (Dr.) Langat, Bomet County; Sen. Lelegwe, Samburu County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Malalah, Kakamega County; Sen. Moi, Baringo County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil.

Teller of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 30

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 30 votes to Nil)

(Question, that Clause 3, Clause 4, Clause 5 (as amended), Clause 6, Clause 7, Clause 8, Clause 9, Clause 10, Clause 11, Clause 12, Clause 13, Clause 14, Clause 15, Clause 16, Clause 17 (as amended), Clause 18, Clause 19 (as amended), Clause 20, Clause 2, the Title and Clause 1, be part of the Bill put and the Senate proceeded to Vote by County Delegations)

AYES: Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Halake, Isiolo County; Sen. (Eng.) Hargura, Marsabit County; Sen. M. Kajwang', Homa Bay County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. (Dr.) Langat, Bomet County; Sen. Lelegwe, Samburu County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Malalah, Kakamega County; Sen. Moi, Baringo County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil.

Teller of the Noes: Sen. M. Kajwang'

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The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 30

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 30 votes to Nil)

DIVISION

ROLL CALL VOTING

THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 38 OF 2021)

(Question, that Clause 4 be amended as proposed put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa, County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Kavindu Muthama, Machakos County; Sen. Lelegwe, Samburu County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Malalah, Kakamega County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil.

Teller of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 27

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 27 votes to Nil)

(Question, that Clause 2, Clause 3, Clause 4 (as amended), the Title and Clause 1, be part of the Bill put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa, County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. (Prof.) Ekal, Turkana County; Sen. M.

Kajwang', Homa Bay County; Sen. Kavindu Muthama, Machakos County; Sen. Lelegwe, Samburu County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Malalah, Kakamega County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; Sen. Wambua, Kitui County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil.

Teller of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 27

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 27 votes to Nil)

DIVISION

ROLL CALL VOTING

THE ELECTIONS (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2021)

*(Question, that Clause 2 be amended as proposed
put and the Senate proceeded to Vote by County Delegations)*

AYES: Sen. Abdul Haji, Garissa, County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. M. Kajwang', Homa Bay County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Kihika, Nakuru County; Sen. Linturi, Meru County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Malalah, Kakamega County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil.

Teller of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

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AYES: 25

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 25 votes to Nil)

(Question, that Clause 2 (as amended), the Title and Clause 1 be part of the Bill; put and the Senate proceeded to Vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa, County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. M. Kajwang', Homa Bay County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Kihika, Nakuru County; Sen. Linturi, Meru County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Malalah, Kakamega County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr., Makeni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orenge, Siaya County; Sen. Poghio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil.

Teller of the Noes: Sen. M. Kajwang'

The Temporary Chairperson (Sen. Pareno): Order, hon. Senators. The results of the Division are follows:

AYES: 25

NOES: Nil

ABSENTIONS: Nil.

(Question carried by 25 votes to Nil)

THE HERITAGE AND MUSEUMS BILL

(SENATE BILLS NO.22 OF 2021)

Sen. Murkomen: Madam Chairperson, I beg to move that the Committee do report to the Senate its consideration of The Heritage and Museum Bill (Senate Bills No.22 of 2021) and its approval thereof, with amendments.

Sen. Mwaruma seconded.

(Question proposed)

(Question put and agreed to)

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL

(SENATE BILLS NO. 17 OF 2021)

Sen. Murkomen: Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of the County Oversight and

Accountability Bill (Senate Bill No.17 of 2021) and its approval thereof, with amendments.

Sen. Mwaruma seconded.

(Question proposed)

(Question put and agreed to)

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILLS NO. 38 OF 2021)

Sen. Murkomen: Madam Chairperson, I beg to move that the Committee do report to the Senate its consideration of the County Governments (Amendment) Bill (Senate Bills No. 38 of 2021) and its approval thereof, with amendments.

Sen. Kihika seconded.

(Question proposed)

(Question put and agreed to)

THE ELECTIONS (AMENDMENT) BILL
(SENATE BILLS NO. 42 OF 2021)

Sen. Murkomen: Madam Chairperson, I beg to move that the Committee do report to the Senate its consideration of the Elections (Amendment) Bill (Senate Bill No. 42 of 2021) and its approval thereof, with amendments.

Sen. Kihika seconded.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

REPORTS AND CONSIDERATION OF REPORTS

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO.22 OF 2021)

Sen. Pareno: Mr. Speaker, Sir, I beg to report that the Committee of the Whole has considered The Heritage and Museums Bill (Senate Bills No.22 of 2021) and its approval thereof with amendments.

Sen. Murkomen: Mr. Speaker, Sir, I beg to move that the House do agree with the Committee on the said report, and ask Sen. Sakaja to second.

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Sen. Sakaja: I second.

(Question proposed)

(Question put and agreed to)

Sen. Murkomen: Mr. Speaker, Sir, I beg to move that The Heritage and Museums Bill (Senate Bills No.22 of 2021) be now read a Third Time.

I ask Sen. Kavindu to second.

Sen. Kavindu Muthama: Mr. Speaker, Sir, I second.

(Question proposed)

The Speaker (Hon. Lusaka): I will put the question at the end.

THE COUNTY OVERSIGHT AND ACCOUNTABILITY
BILL (SENATE BILLS NO.17 OF 2021)

Sen. Pareno: Mr. Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Oversight and Accountability Bill (Senate Bills No.17 of 2021) and its approval thereof with amendments.

Sen. Murkomen: Mr. Speaker, Sir, I beg to move that the House do agree with the Committee on the said report and request Sen. Shiyonga to second.

Sen. Shiyonga: Mr. Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Sen. Murkomen: I beg to move that The County Oversight and Accountability Bill (Senate Bills No.17 of 2021) be now read a Third Time.

I request Sen. Githiomi Mwangi to second.

Sen. Mwangi: Mr. Speaker, Sir, I second.

(Question proposed)

The Speaker (Hon. Lusaka): I will put the Question at the end.

THE COUNTY GOVERNMENTS AMENDMENT
BILL (SENATE BILLS NO.38 OF 2021)

Sen. Pareno: Mr. Speaker, Sir, I beg to report that the Committee of the Whole has considered The County Governments (Amendment) Bill (Senate Bills No.38 of 2021) and its approval with amendments.

Sen. Murkomen: Mr. Speaker, I beg to move that the House do agree with Committee on the said report. I ask Sen. Wario to second.

Sen. Wario: Mr. Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Sen. Murkomen: Mr. Speaker, Sir, I beg to move that The County Government (Amendment) Bill (Senate Bill No.38 of 2021) be now read a Third Time.

I ask Sen. Mpaayei to second.

Sen. Mpaayei: Mr. Speaker, Sir, I second.

(Question proposed)

The Speaker (Hon. Lusaka): I will put the question at the end.

THE ELECTIONS (AMENDMENT) BILL
(SENATE BILLS NO.42 OF 2021)

Sen. Pareno: Mr. Speaker, Sir, I beg to report that the Committee of the Whole has considered the Elections Amendment Bill (Senate Bills No.42 of 2021) and its approval thereof with amendments.

Sen. Murkomen: Mr. Speaker, Sir, I beg to move that the House do agree with the Committee on the said report.

I ask Sen. M. Kajwang' to second.

Sen. M. Kajwang': Mr. Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Sen. Murkomen: Mr. Speaker, I beg to move that The Elections (Amendment) Bill (Senate Bill No.42 of 2021) be now read a Third Time.

I ask Sen. (Dr.) Ochillo-Ayacko to second.

Sen. (Dr.) Ochillo-Ayacko: Thank you, Mr. Speaker, Sir. I second.

(Question proposed)

The Speaker (Hon. Lusaka): I now order that the Division Bell to be rung for five minutes.

(The Division Bell was rung)

Let the Bell be rung for another three minutes.

(The Division Bell was rung)

The Speaker (Hon. Lusaka): Let the Bell be rung for another three minutes.

(The Division Bell was rung)

The Speaker (Hon. Lusaka): The Tellers are Sen. Mpaayei and Sen. M. Kajwang’.

(The Senators proceeded to vote by Roll Call)

THIRD READINGS

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO. 22 OF 2021)

DIVISION

ROLL CALL VOTING

(Question that the Heritage and Museums Bill (Senate Bills No. 22 of 2021) be read a Third Time put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. Halake, Isiolo County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Kihika, Nakuru County; Sen. M. Kajwang’, Homa Bay County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr, Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei

NOES: Nil

Teller of Noes: Sen. M. Kajwang’

The Speaker (Hon. Lusaka): Hon. Senators, the results are as follows:

AYES: 27

NOES: Nil.

ABSTENTIONS: Nil.

The “Ayes” have it.

(Question carried by 27 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL
(SENATE BILLS NO. 17 OF 2021)

DIVISION

ROLL CALL VOTING

(Question, that the County Oversight and Accountability Bill (Senate Bills No. 17 of 2021) be read a Third Time put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. Halake, Isiolo County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Kihika, Nakuru County; Sen. M. Kajwang', Homa Bay County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr, Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei.

NOES: Nil.

Teller for the Noes: Sen. M. Kajwang'

The Speaker (Hon. Lusaka): The results are as follows:

AYES: 27

NOES: Nil.

ABSTENTIONS: Nil.

The "Ayes" have it.

(Question carried by 27 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

THE COUNTY GOVERNMENTS (AMENDMENT) BILL,
(SENATE BILLS NO. 38 OF 2021)

DIVISION

ROLL CALL VOTING

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(Question that the County Governments (Amendment) Bill, (Senate Bills No. 38 of 2021) be read a Third Time put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. Halake, Isiolo County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County; Sen. Kihika, Nakuru County; Sen. M. Kajwang', Homa Bay County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr, Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei.

NOES: Nil.

Teller for the Noes: Sen. M. Kajwang'

The Speaker (Hon. Lusaka): The results are as follows:

AYES: 27

NOES: Nil.

ABSTENTIONS: Nil.

The "Ayes" have it.

(Question carried by 27 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

THE ELECTIONS (AMENDMENT) BILL
(SENATE BILL NO 42 OF 2021)

DIVISION

ROLL CALL VOTING

(Question that the Elections (Amendment) Bill (Senate Bill No 42 of 2021) be read a Third Time put, and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abdul Haji, Garissa County; Sen. Boy, Kwale County; Sen. Chebeni, Uasin Gishu County; Sen. Cherargei, Nandi County; Sen. Cheruiyot, Kericho County; Sen. (Prof.) Ekal, Turkana County; Sen. Faki, Mombasa County; Sen. Halake, Isiolo County; Sen. Kavindu Muthama, Machakos County; Sen. Khaniri, Vihiga County;

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Sen. Kihika, Nakuru County; Sen. M. Kajwang', Homa Bay County; Sen. Madzayo, Kilifi County; Sen. (Eng.) Mahamud, Mandera County; Sen. Mpaayei, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mutula Kilonzo Jnr, Makueni County; Sen. Mwangi, Nyandarua County; Sen. Mwaruma, Taita-Taveta County; Sen. Nyamunga, Kisumu County; Sen. (Dr.) Ochillo-Ayacko, Migori County; Sen. Orengo, Siaya County; Sen. Poghisio, West Pokot County; Sen. Sakaja, Nairobi County; Sen. Wako, Busia County; Sen. Wamatangi, Kiambu County; and, Sen. Wario, Tana River County.

Teller of the Ayes: Sen. Mpaayei.

NOES: Nil.

Teller for the Noes: Sen. M. Kajwang'

The Speaker (Hon. Lusaka): The results are as follows:

AYES: 27

NOES: Nil.

ABSTENTIONS: Nil.

The "Ayes" have it.

(Question carried by 27 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

The Speaker (Hon. Lusaka): I will allow a few. Sen. M. Kajwang', we are going back to Statements.

STATEMENT

HIGH COST OF FOOD, LIVING AND FARM INPUTS IN KENYA

(Resumption of debate on Statement)

Sen. M. Kajwang': Mr. Speaker, Sir, I thank Sen. Cherargei for bringing this topical Statement to the House. Outside there, in the public domain, the issue of the cost of living has captured the attention of Kenyans. When you go online, there are *hash-tags* that have been created around lowering of food prices.

Inflation is a global problem. The other week I was in Turkey. Inflation in Turkey is at 50 per cent. If you check globally, in the United Kingdom (UK), inflation is about 5.4 per cent and they are saying that is the highest inflation figure they have seen in the past 40 years.

In Kenya, inflation is at 6 per cent. In the United States of America (USA), inflation has heightened as a result of overheating of the economy, following the COVID-19 stimulus programmes and cash handouts that the Biden administration gave.

What we are dealing with today is not just a Kenyan problem. Therefore, it does not require simplistic analysis, diagnosis and prescription. We should expect that situations in Kenya will probably get worse because of our over-reliance on global dynamics.

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For example, the COVID-19 pandemic has brought supply chain bottlenecks. Those supply chain delays are making it harder to access essential ingredients and input into manufacturing and the food value chain.

The threat of war in the Baltic Zone and between Russia and Ukraine and Russia and the North Atlantic Treaty Organization (NATO) is going to affect the flow of food, particularly wheat, considering that Russia and Ukraine jointly are some of the greatest producers of wheat globally.

Global oil prices have also increased significantly since the year began. All these factors are going to have a ripple effect on inflation and the cost of living in Kenya.

Mr. Speaker, Sir, as I support this Statement, I encourage Sen. Cherargei to look at this matter, not from a political prism, but from an angle where we can get solutions. In fact, to me, the appeal for the National Assembly to put in place some budgetary allocation is fairly myopic. What we need to do, as a House, is to call the Central Bank of Kenya (CBK).

We know that the CBK has got a role in managing inflation and they do it through monetary policies. We need to understand from the CBK what kind of proactive policies they are putting in place. What happens is that when inflation goes up, central banks across the world tighten their monetary policy. What is the stance of the CBK?

Secondly, we need to address our fiscal policy. That is where I have heard a lot of arguments about the Value Added Tax (VAT) and taxation. We need to ask ourselves whether we are overtaxing Kenyans.

There has been a debate that many people have not focused on. What is the ideal tax to the Gross Domestic Product (GDP) ratio? In this country, tax to GDP ratio is lower than the global average because of tax evasion, a lot of cheating and porous holes in our tax system.

Let us address our monetary policy by consulting with the CBK. Let us also look at our fiscal policy, but more importantly, let this Parliament address itself to the sectoral policies that have destroyed agriculture and manufacturing and made the cost of doing business and living too high.

As I conclude, when it comes to agriculture, there was Galana-Kulalu Project. It was supposed to ensure food security in this country, so that we do not rely on wheat from Ukraine, maize from Mexico and sugar from Brazil. That was a failure and, perhaps, the people who are complaining today about high food prices were the architects of that failure. We need to be honest with each other.

We had a subsidy programme for fertilizer and seed for farmers in the North Rift Valley, but it also collapsed. The National Cereals and Produce Board (NCPB) also collapsed. Today, NCPB is leasing out its warehouse space and the people who caused that collapse are very loud on rooftops talking about the collapse of the agriculture sector.

Mr. Speaker, Sir, I want to encourage Sen. Cherargei. If this can be converted to a Motion, let it not call upon the National Assembly to tinker with the budget because that is a simplistic approach.

Let us look at our monetary, fiscal and sectoral policies. Let us also have sanity in politics such that our politics is not Robin Hood kind of politics, where we steal from the

rich and the Government and distribute to the poor in form of wheelbarrows and other Stone Age implements

I support.

The Speaker (Hon. Lusaka): Sen. M. Kajwang', you are attracting a lot of uncalled for debates.

Hon. Senators, I know there is still interest in the Statement, but I want to rearrange the Order Paper, for the convenience of the House, so that we go to Order No.8.

(Interruption of debate on the Statement)

MOTION

APPROVAL OF SENATORS TO SERVE IN SESSIONAL COMMITTEES

The Senate Majority Leader (Sen. Poghisio): Mr. Speaker, Sir, I beg to move- THAT pursuant to Standing Order Nos. 189, 219, 220 and 221, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Sessional Committees of the Senate-

A. COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS

10. Sen. (Eng.) Hargura Godana, MP
11. Sen. Adan Dullo Fatuma, CBS, MP
12. Sen. Kimani Wamatangi, MP
13. Sen. Njeru Ndwiga, EGH, MP
14. Sen. Samson Cherargei, MP
15. Sen. (Dr.) Ochillo-Ayacko, EGH, MP
16. Sen. (Prof.) Imana Malachy Charles Ekal, MP
17. Sen. Johnes Mwaruma, MP
18. Sen. Mercy Chebeni, MP

B. COMMITTEE ON DELEGATED LEGISLATION

10. Sen. Samuel Losuron Poghisio, EGH, MP
11. Sen. Mary Yiane Seneta, MP
12. Sen. Abshiro Halake, MP
13. Sen. Anwar Loiptip, MP
14. Sen. Farhiya Ali Haji, MP
15. Sen. Mwinyihaji Mohammed Faki, MP
16. Sen. Agnes Kavindu Muthama, MP
17. Sen. Judith Pareno, MP
18. Sen. (Prof.) Samson Ongeru, EGH, MP

Mr. Speaker, Sir, I want to appeal to my colleagues to pass it because it is a procedural Motion. It is very straightforward. It should not take too long to approve the names. It is important that we have these Sessional Committees so that we can progress.

Sessional Committees come once every year. We need to approve these ones so that we can have the CPAIC, which is very important. The Committee on Delegated Legislation deals with the subsidiary legislation of the Senate. It is a very important Committee. I urge that we all support this Motion.

Mr. Speaker Sir, I bet to move and ask the Senate Minority Leader to second.

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

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

The Senate Minority Leader (Sen. Orengo): Thank you, Madam Temporary Speaker. I truly do support this Motion. As you know, it is a very important Motion in terms of naming and appointing the Members of these two crucial Committees. They are Sessional Committees. Every year we have to reconstitute these two Committees: the CPAIC and the Committee on Delegated Legislation.

I think overall the Committees have done well over the years, except that, in the future, the CPAIC is going to restructure. There was a time when Sen. M. Kajwang' was very instrumental in trying to suggest ways of expediting business for this Committee because under the Constitution the issues of oversight are very important.

When we cannot do it in good time and report back to the House and to the nation, it does not serve the constitutional purpose for which these two Committees are formed and in order to meet the constitutional requirements of the basic law of the land. I think Sen. M. Kajwang' and those in the Committee on Devolution and Intergovernmental Relations would want to work hand in hand with the CPAIC which is chaired ably by the Senator for Migori County.

I hope that at some point in time before we go home, you will be able to inform us on the best way for this Committee to do its work. We do not want a situation where at the end of our term, we have so many reports from your Committees yet we have no time to discuss them. Probably people out there think that we are not doing our work effectively.

This is an important Motion and should be passed as it is. We have only about three to four months or probably less of active business of this House. Therefore, it will not seem appropriate to change the membership of these Committees. There is commonsense and good advice in retaining the same names that were in these Committees.

In conclusion, I want to say this is a great day. The signals out there are that the country has taken a direction. As we appoint these Committees, I want to say that the President was very bold today. He gave vision and direction to the country. I call this day the "day of earth, wind and fire." Some people have been talking about the earthquake, but I will talk about the earth, wind and fire.

I want to commend the President in providing leadership to ensure that the legacy of ten years is left in good hands, so that this country can move forward to make sure that Kenya is respected in the community of nations. This year we will not only have a great year of transformation and change, but change with continuity.

Madam Temporary Speaker, I beg to support.

(Question proposed)

Sen. Shiyonga: Thank you, Madam Temporary Speaker, for giving me this opportunity to support the procedural Motion on the Senators who will be appointed to serve in the Sessional Committees.

Before I address myself to this Motion, allow me to this opportunity to send my heartfelt condolences to the family of the late Amb. (Dr.) Wilfred Machage who until his demise was a High Commissioner to the Kenyan Embassy in Nigeria. On my behalf and that of my family and the people of Kakamega County, I would like to extend my deepest condolences to the family and friends of Amb. Wilfred Machage.

I also extend the condolences to the Ministry of Foreign Affairs and the people of Migori. He was a senior politician, public servant and a great nationalist.

When I heard of his demise, I was saddened and shocked because it was a sudden death that no one expected. I pray to the Lord God to give the family strength during this difficult moment.

Back to the Motion, I would like to support the Mover, the Leader of Majority for having come up with the Motion that we collectively support the Senators to serve in these Sessional Committees. I know my colleagues have had a vast experience in serving this House. I know they are capable of executing the mandate of these Committees, especially the CPAIC.

This Committee meets nearly every day to deal with the report of Auditor General on how funds sent to counties are utilized. I know Members in this Committee are dedicated and they have a good job. Therefore, there is no need of changing the membership of this Committee. Retaining them to serve in the same Committees is a wise decision that the leadership of this House has taken.

I also want to congratulate the Members who have been nominated to serve in the Committee on Delegated Legislation. They have vast experience and they are conversant with the mandate of the Committee. It is good that we continue with the membership in the remaining period of our term. I urge them to make sure the legislative business of the House is well scheduled so that we conclude it before we end the session. This is a wise and well-organized thought that all of us should support.

Madam Temporary Speaker, I support the Motion of the approval of the Senators to serve in this sessional Committees as ably moved by the Senate Majority Leader.

I thank you.

The Temporary Speaker (Sen. Pareno): Sen. Cherargei, proceed.

Sen. Cherargei: Thank you, Madam Temporary Speaker. I support this Motion. All our colleagues that have been nominated to serve in the two Committees are capable and able. I think that everybody who is elected or nominated as a Senator can efficiently and effectively serve in various Committees of this House.

Madam Temporary Speaker, as we said last time, in future, we should look for a way of having continuity so that we do not have problems of changing the Committees' membership now and then. However, the changing also gives opportunity to other

Members to learn and serve in various Committees by the time a term of Parliament ends. That is why the other day people were arguing that the Senate Business Committee (SBC) in future should also be diverse or rotational so that all Members can serve in it. Those are ideas that we can carry to the Third Senate.

I heard the Senate Minority Leader say that something big happened today. I do not know where I was. It seems Sen. Orengo knows much more than we do. However, if he is talking about today's meeting at Sagana, let him know that presidency and the President is a symbol of national unity. Therefore, I request that in future my brothers and sisters who are handlers of the presidency and President to desist from reducing a President to a regional kingpin or tribal chief.

I wish the President would be given the opportunity to remain with the simple status of being a national leader and not play into partisan politics. People like the late Mzee Jomo Kenyatta, the father to our current President Uhuru, and H.E. Mwai Kibaki, when it was their time to leave office, they did not want to succeed themselves. I hope that going into the future, let those people who are in the offices of the presidency keep away from politics of succession.

We would hate to see Sen. Orengo succeeding himself in Siaya County by endorsing somebody else to be the Senator yet he wants to be the governor. We wish him well. I would like to see him become the Governor of Siaya County.

Madam Temporary Speaker, in a nutshell, let us use these offices as institutions of uniting the people of this great country. Let people be free to choose the President they want. If anybody wants---

Sen. Shiyonga: On a point of order, Madam Temporary Speaker,

Sen. Cherargei: Madam Temporary Speaker, I do not know why my sister and neighbour, Sen. Shiyonga, is becoming agitated.

The Temporary Speaker (Sen. Pareno): Sen. Shiyonga, what is your point of order?

Sen. Shiyonga: Madam Temporary Speaker, I do not know why Sen. Cherargei says the President is imposing leadership in this country and yet we democratically elect our leaders. When it comes to the time of Azimio la Umoja Coalition to be elected, the people will decide.

Right now, the President is in control. He has not been biased in any way. I would tell the hon. Senator that bigger things are coming. It is not the President who will impose leader on us, but the people of Kenya will elect the President of their choice. I urge Sen. Cherargei not to feel agitated because they have the Deputy President on their side. Let us leave that to other debates.

The Temporary Speaker (Sen. Pareno): Sen. Cherargei, please conclude.

Sen. Cherargei: Madam Temporary Speaker, my sister wants to be the Women Representative of Kakamega County. She must look nice before Baba and Orange Democratic Movement (ODM) luminaries as well as Azimio la Umoja Coalition stalwarts like my brother, Sen. Orengo.

I appeal that we should protect the institutions by ---

The Senate Majority Leader (Sen. Poghio): On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Pareno): There is a point of order by the Senate Majority Leader.

The Senate Majority Leader (Sen. Poghisio): Madam Temporary Speaker, I have to train this young man that if he really wants to make a point he should be relevant. Is he in order to impute improper motive on a Member who is a very dignified Senator here that she intends to please somebody? Whom does she intend to please?

The Temporary Speaker (Sen. Pareno): I think Sen. Cherargei was simply wishing her well that by her conduct she will have impressed everybody for her to get the ticket.

Sen. Cherargei, please proceed.

Sen. Cherargei: Madam Temporary Speaker, that is what I was just saying, she has done well. Sen. Shiyonga is my Chairperson in the Committee on National Cohesion, Equal Opportunity and Regional Integration. I know the Senate Majority Leader, Sen. Poghisio, is uncomfortable because there are few people from his region who have joined the One Kenya Alliance (OKA). The Senator for Turkana County has joined the WIPER Party. The family of OKA is expanding and we wish them well.

What I am saying in brief is that let us in future allow institutions to thrive. I do not need to be the Senator for Nandi County for Nandi to move forward. We do not need to micromanage any part of succession. Let us respect the institutions be it Parliament, Presidency or Judiciary---

Sen. (Dr.) Ochillo-Ayacko: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Pareno): There is a point of order by the Sen. (Dr.) Ochillo-Ayacko.

Sen. (Dr.) Ochillo-Ayacko: Madam Temporary Speaker, Sen. Cherargei, has always been my friend, but I am constrained to rise on a point of order to request him to be relevant. There is a time and place for politics. If we take our time contributing to this procedural Motion by talking about matters external to this House, we will sit here forever.

I ask that you direct that we be relevant and stick to what is before us.

The Temporary Speaker (Sen. Pareno): Sen. Cherargei, kindly conclude.

Sen. Cherargei: Thank you, Madam Temporary Speaker. You have to note that Sen. (Dr.) Ochillo-Ayacko, kept quiet while the Senate Minority Leader was making that comment. It depends on which side you are.

Personally, I am ready to serve in any Committee of this House. I got experience when I used to serve in the Committee on Justice, Legal Affairs and Human Rights. God willing, I will now serve in the CPAIC. I have also served with Sen. Shiyonga in the Committee on National Cohesion, Equal Opportunity and Regional Integration.

The underlying issue is that in future we should at least have Members serve in various Committees for exposure. I support this Motion and look forward to giving my enthusiasm, energy and utmost service to the Committee that I have been nominated to.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Pareno): Sen. (Dr.) Ochillo-Ayacko, go ahead.

Sen. (Dr.) Ochillo-Ayacko: Madam Temporary Speaker, I thank leadership for the re-appointment to this Committee. I also want to congratulate those who have been appointed to those two Committees.

I just have two points because this is a procedural Motion. This Committee has a lot of work. I thank the leadership for the prompt appointment this time. The Committee that preceded this one started working in June because they were appointed very late and were unable to finish the work that was before them.

Two, this being an election year, I am happy that leadership has thought it wise to retain majority of the Members of these Committees so that we have institutional memory. There is a lot of work. The sooner the Committees get down to work the better and the sooner we have things rolling. We have pending reports and other reports to continue writing and table before this House. There are also other emerging issues.

With those few remarks, I thank all of us. Congratulations to those who have been re-appointed or appointed afresh.

Thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Pareno): There being no other request, I call upon the Mover to reply.

The Majority Leader (Sen. Poghisio): Thank you, Madam Temporary Speaker, I beg to reply.

It is very important we understand that we must give due respect to Members. We appoint you to Committees because we have done due diligence and know who fits where and who can do better. For those who have been appointed to serve in the Sessional Committees, just know that we know exactly why we put them there. This is both from the Minority and Majority sides.

For the record, I wish to say that we trust every Senator to do their job well. We give every Senator same opportunities, so that we can represent all the counties. Sessional Committee vote for their chairpersons and officials every year. Sometimes it takes us to retain the same people, especially for institutional memory, so that they can remember and keep the records for the forthcoming year.

I appreciate those who have contributed. May I ask Members that as you vote, remember the CPAIC is a very important Committee. I have laid maybe 200 different papers here on accounts. Therefore, there is so much work for them. Whoever is going to be the Chairperson of this Committee, knows that they have to do extra work.

On the Delegated Legislation, there are so many Bills that require secondary legislation. When they elect the Chairperson and the Vice-Chairperson, they will know that there is a lot of work.

We have a few months. Our time is so short, that you may have to work overnight to make sure that you bring all the regulations and the secondary legislations in place.

I thank everybody who has participated and contributed. I still have to work hard to train one Sen. Cheragei. That is my duty. I will have to do that often so that he can be specific and work hard. He is a very diligent young Senator. I know he will be brought back here so that he can gain the experience that I have gained over the years.

With those few remarks, I beg to reply and thank you all. May we make sure that this Senate proceeds regularly.

The Temporary Speaker (Sen. Pareno): This a procedural Motion and it does not affect counties. Therefore, we can proceed to put the question.

(Question put and agreed to)

Sen. (Dr.) Ochillo-Ayacko, do you have an intervention?

Sen. (Dr.) Ochillo-Ayacko: Thank you, Madam Temporary Speaker. Before we embarked on the Motion that has just been concluded, there was a Statement to which other Members and I were enthusiastic about. The Statement was about the cost of living. If you can allow it, please.

The Temporary Speaker (Sen. Pareno): Yes, I was just going to ask that we go back to the Statements and proceed with interventions on Sen. Cherargei's Statement. However, I do not see any request as at now.

Yes Sen. (Dr.) Ochillo-Ayacko, you may have the Floor.

STATEMENT

HIGH COST OF FOOD, LIVING AND FARM INPUTS IN KENYA

(Resumption of Debate on Statement)

Sen. (Dr.) Ochillo-Ayacko: Thank you, Madam Temporary Speaker. We read in history books about revolutions and we are taught about revolutions. Revolutions are narrated by those who may not have participated in them. In fact, those who are involved in revolutions are talked about by those who are alive because beyond revolutions, the heroes and heroines of revolutions are never alive to see the fruits of what they fought for.

Those who may have participated in the French Revolution, which was about the cost of living then, did not live to see the outcome of it. I am not a student of History, but I just read it out of fun. I did not have that privilege to study it. I studied other things. Students of History know that the French Revolution was caused by the foolishness of one Marie Antoinette. She said that, if the people are rioting out there for bread, they should be given cake. She was the queen of that place and the wife of the then King, Louis XVI.

The cost of living can cause a revolution in this country. A revolution is something that overturns order, peace and upsets everything so that those who are able to gather the bits and pieces of what can be found after a revolution, are the ones who pick it from there.

There is a claim that there can be a peaceful revolution, but that is hardly the case. In a situation where the masses are hungry, unemployed and insecure, there is illegitimacy when it comes to authority of those who are in leadership.

Madam Temporary Speaker, the concern raised by Sen. Cherargei is a very important. If we do not nip it in the bud--- What we are already seeing in voter registration is apathy, pessimism and cynicism by the voters. This is an indication that as

we go forward beyond 9th August, we might have an election and many or few of us may be returned to the positions we seek. However, we are unlikely to enjoy legitimacy.

If you understand legitimacy, it means being properly mandated by the public and enjoying public confidence to run affairs. The signs and writings are on the wall, that the public is impatient with political and elected leadership because we are not solving or offering solutions to things that matter to them. They are already indicating that when you put out your Curriculum Vitae (CV) as a politician, they frown upon it and say that you are just one of the monkeys from the same forest.

I am happy that our colleague here has raised the sensitivity of the cost of living that is causing trouble in this nation. I come from Migori county and this is where I have the privilege to lead.

The runaway insecurity in Awendo sub-county is because of unemployment and the high cost of living.

My father who is old, getting frail and unable to move now cannot leave his chicken in his compound. People who may not have food on the table may pick it if they realize he is not there. I am just mentioning him, not because he is the only one with chicken, but to tell you the level of desperation out there, because of poverty and the high cost of living.

In rural homes, where we do have the ability to pay for guards, Closed-Circuit Television (CCTV) and to fence our homes, it is no longer safe to dry your clothes on the line and leave your home unguarded. It is no longer tenable to grow maize or things that we normally grow for food away from home, because of the kind of desperation we have.

It is the duty of the Government and institutions such as Parliament that approve funding for Government and all the leadership to try and solve this matter. In fact, there is no leadership without followership.

This high cost of living is causing anxiety and concern among our followers. Very soon if we do not offer a solution by doing what we must do through legislation, policy and through the Executive, I can assure you that our followers will overtake us and provide solutions that will be similar to a revolution.

Madam Temporary Speaker, I do not wish to be part of the generation who were rendered *functus officio* because we saw a revolution coming and did not do anything to stop it or to persuade those who were agitating for it to give the nation a second chance.

I hope that Sen. Cherargei who has raised this matter will not relent. I hope he did not raise it just for political reasons to point it out to those who are seeking political offices now, that we are sitting on a powder and a time bomb. It is now the duty of those who are seeking elective office and those in leadership through appointative office or in business to resolve that time bomb and not allow it to explode on our laps and get us into trouble.

With those very many remarks, I express my optimism that we shall find a lasting solution to the runaway cost of food and necessities in this country.

I Support.

Sen. Shiyonga: Thank you, Madam Temporary Speaker, for giving me the opportunity to support the Statement by Sen. Cherargei on the high cost of food, farm inputs and the cost of living.

When you look at the high cost of living in this country, you feel for those people who are not employed and even those who are. The country needs to grow from the COVID-19 pandemic that we just had. Prices are skyrocketing. When you go to supermarkets and wholesale outlets, you will find that the cash at hand cannot accommodate what you want. This will lead and is leading to corruption. This cannot cure corruption that we have been talking about in this country.

It is unfortunate that corruption comes with high cost of living because one wants to accommodate himself within the budget. When it is not possible, he or she turns to be a corrupt individual in an institution.

Insecurity is the other thing that comes with high cost of living. We are not comfortable in the environment we live in just because people are struggling to make end meet, put food on the table and to accommodate their families. It is unfortunate that the high cost of living comes at a time when we need to have money in our pocket yet, we do not have.

In respect to the farm input that Sen. Cherargei mentioned in his Statement, for instance, a 50 kilogrammes of fertilizer bag has risen from Kshs2,500 to more than Kshs6,000 plus. How can you explain the story to a normal Kenyan who lives below a dollar a day? It is bad.

There are people in Kenya who earn a wage of less than Kshs6,000. How do you tell this person to go and buy a 50 kilogrammes of fertilizer, equivalent to the salary that he or she is earning. That is even before deducting their daily fare and money for basic needs. It is very unfortunate.

Kenya needs to redirect itself. Let us come up with a budget that can accommodate Kenyan because we are rightfully in Kenya. We did not choose to be born in Kenya. Maybe Kenya is taking a wrong direction for most of us. It is a disadvantage. Most of us are not going to cure the suffering that comes with poverty and meeting our basic needs.

I come from the rural area where there are high poverty levels of poverty for most people. If you tell that person that you are comfortable where you are living, then you are subject of discrimination. We are pushing our Kenyans to a corner with this high cost of living where they cannot sustain themselves any longer.

Most Kenyans are so uncomfortable and depressed. You can see the level of depression. I can give an example of the police officers where many of them are committing suicide because of the high cost of living. On the contrary, there is no salary increment for them as opposed to other civil servants.

Kenyans need to live comfortable and decent life. This is a country that attained its Independence over 50 years ago. It is said that we were at par economically with Korea. In fact, they got their Independence at the same time with us. How we cannot compare the levels of our living standards with them. They are far much ahead of us.

I urge the Government to look into the issue of raising the cost of every commodity and service in this country. The cost of living is being raised higher than Kenyans can afford.

Madam Temporary Speaker, there so many Kenyans who are unemployed. Where do they get the money to meet the high cost of living? Where do they get what to eat? There are so many who are moving to urban areas. There is a lot of confusion around the cost of living, how one can accommodate herself and make the cost of living better. Our cries are falling on deaf ears.

I urge the Government of the day to regulate some of these basic goods, especially kerosene, on which most households depend on. Let them be considerate. If they table pieces of legislations which will help them to reduce prices of commodities in this country, we pass them like yesterday.

Nobody choose to be born in Kenya, but we found ourselves in this great and blessed country.

With those remarks, I support this Statement by Sen. Cherargei.

The Temporary Speaker (Sen. Pareno): There being no more requests on that Statement, I commit it to the relevant Committee. We, therefore, move to the next Order.

BILL

Second Reading

THE LANDLORD AND TENANT BILL
(NATIONAL ASSEMBLY BILL NO. 3 OF 2021)

(Division)

We will defer this one.

(Bill deferred)

COMMITTEE OF THE WHOLE

THE KENYA MEDICAL SUPPLIES AUTHORITY (AMENDMENT) BILL
(SENATE BILLS NO. 53 OF 2021)

The Temporary Speaker (Sen. Pareno): I am informed that the report of the Committee on this one is not ready. It is, therefore, deferred.

(Committee of the Whole Deferred)

COMMITTEE OF THE WHOLE

THE LAW OF SUCCESSION (AMENDMENT BILL),
(SENATE BILLS NO. 15 OF 2021)

The Temporary Speaker (Sen. Pareno): The Mover is not available. It is, therefore, deferred.

(Committee of the Whole deferred)

MOTION

ADOPTION OF THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID-19 FUNDS BY 28 COUNTY GOVERNMENTS

THAT the Senate adopts the Report of the Standing Committee on Health on the special audit report on utilization of COVID-19 funds by twenty eight (28) county governments, laid on the Table of the Senate on Wednesday 9th February, 2022.

The Temporary Speaker (Sen. Pareno): The Chairperson Standing Committee on Health is also not available to prosecute this Motion. It is, therefore, deferred.

(Motion deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Pareno): Hon. Senators, there being no other business the Senate stands adjourned until tomorrow Thursday, 24th, February, 2022 at 2.30 p.m.

The Senate rose at 6.12 p.m.