

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Thursday, 12<sup>th</sup> May, 2022

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

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

### PRAYER

### PETITION

REPORT ON PETITION: CONTINUOUS EXCLUSION  
OF PWDs IN MIGORI COUNTY BUDGET

**The Temporary Speaker** (Sen. Kinyua): The Chairperson of Committee on National Cohesion, Equal Opportunity and Regional Integration seems not to be there. The report on Petition is deferred.

*(Petition deferred)*

**The Temporary Speaker** (Sen. Kinyua): Next Order.

### PAPER LAID

REPORT ON FINANCIAL STATEMENTS OF NAROK  
COUNTY BURSARIES FUND

**The Temporary Speaker** (Sen. Kinyua): Sen, Farhiya, please lay the paper on behalf of the Senate Majority Leader.

**Sen. Farhiya:** Mr. Temporary Speaker, Sir, I beg to lay the following paper on the Table of the Senate today, 12<sup>th</sup> May, 2022:

Report of the Auditor-General on the financial statement of Narok County bursaries fund for the year ended 30<sup>th</sup> June, 2020.

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*(Sen. Farhiya laid the document on the Table)*

### COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM MALIKU GIRLS  
SECONDARY SCHOOL, KITUI COUNTY

**The Temporary Speaker** (Sen. Kinyua): Hon. Senators, we have communication from the Chair on the visiting teachers and students from Maliku Girls Secondary School, Kitui County.

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon of visiting teachers and students from Maliku Girls Secondary School in Kitui County who are on an academic trip.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.

**The Temporary Speaker** (Sen. Kinyua): Sen. Farhiya, please, proceed,

**Sen. Farhiya:** Thank you, Mr. Temporary Speaker, Sir. I wish to join you in welcoming the students from Maliku Secondary School in Kitui County. I assure them that they have a great leader here who represents them in this Senate, Sen. Wambua.

I would like to assure them that the political future of this country belongs to women. I encourage those great ladies seated on the public gallery to make sure that they join political arenas in their future whether as a political person in terms of running for a Member of the National Assembly, Senator in this great House or any other position.

I have a dream that one day, the President of this country will be a woman. We have the numbers and we need to take advantage of that. I guarantee you, ladies, that you have a great opportunity. If you look at the trends of school performances, girls' schools have been doing well. I encourage you to create linkages.

In life, it is the linkages that you make with your colleagues that matters in the future. Ensure that you do not lose your colleagues along the way as you go to universities and to work. Also, you should make sure that you hold each other's hand. The only way women can succeed in this country is if we hold each other's hand.

We have sung about the two-third gender rule for too long. It is high time women decided this is our time and vote for each other. Kindly, encourage your parents to tick on any name of a woman who will be on the ballot paper because she is going to make you very proud. We are tired of all these men that we keep on "recycling." It is time for women leadership in this country, and I see a great future in this country.

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Omogeni?

**Sen. Omogeni:** On a point of order, Mr. Temporary Speaker, Sir. Sen. Farhiya, who is my good friend, is doing very well in welcoming our students from Kitui County.

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However, I want to get guidance from you on whether she is using parliamentary language by saying that: “We are tired of these men we keep recycling”.

**The Temporary Speaker** (Sen. Kinyua): Sen. Farhiya, proceed but, please, mind your language because I do not think people are recycled. They are voted in. If a person is performing, then they can be voted for and that is not recycling.

**Sen. Farhiya:** Mr. Temporary Speaker, Sir, some of them do not perform but people keep on electing them. That is why I have a problem with that recycling.

**The Temporary Speaker** (Sen. Kinyua): Order Senator. You cannot doubt the people of Kenya who vote. Performance is accessed by people who vote and not by a person sitting somewhere else. Please, mind your language.

**Sen. Farhiya:** Okay. Let me not pursue that line but I am encouraging Kenyans is to elect the right leaders. The reason I think women will make great change in this country is because---

Our development would have reached a greater height if more women were elected into leadership positions. We have a situation whereby more than 50 per cent of the population does not have a say in the decisions that are made in this country. However, we are still struggling with the issue of two-thirds gender rule.

It is high time women voted for other women. People are talking about two-thirds gender rule. That should not be difficult because we are more than half of this country.

I therefore urge you to encourage the people you have influence over to vote for women for greater change in this country.

I thank you.

**The Temporary Speaker** (Sen. Kinyua): Sen. (Dr.) Zani, please, proceed.

**Sen. (Dr.) Zani:** Thank you, Mr. Temporary Speaker, Sir, for allowing me to join you in welcoming our teachers and students from Maliku Girls High School in Kitui County. This is the Senate of Kenya. I am sure by now, they have already gotten the gist of how we work in Parliament.

We have two Houses of Parliament; the National Assembly and the Senate. The Senate focuses on counties because of the great development that we need as a country and that is devolution.

Through devolution, we hope to devolve socio-economic rights and opportunities to everybody in Kenya, including girls, because their potential is yet to be reaped.

There is so much for the girls in this country. The leadership of this country is waiting for you. You have a step to make in this country. We have made steps in our time and we hope that you will make yours later.

I am happy you are here this afternoon to listen to our debates on various issues. We deal with issues affecting the counties, which include financial management, how money is appropriated at the county level, and how social and economic systems work within the counties.

We lobby for counties to get money. We also do oversight to make sure that monies that go to the counties are used for the various development projects. We make

sure that the Integrated Financial Management Information System (IFMIS) and managing systems within the counties are working. There is so much that we do. You have a role to play too.

I can tell you the future is bright. I would like to encourage you to study hard so that you build yourself and the nation. Do a good job and God will bless you. I am sure one day, you will stand tall and be proud as a young girl from Kenya.

I thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Kinyua): Sen. (Dr.) Musuruve, the Floor is yours.

**Sen. (Dr.) Musuruve:** Mr. Temporary Speaker, Sir, I would like to welcome the girls and congratulate their teachers for allowing them to visit the Senate. This is a great opportunity for girls to be mentored and know what happens in Parliament.

I would like to encourage girls to work hard in school because they have the time. This is the opportunity you have to decide your destiny. It is through education that you determine how your future will be like.

Some of them will be doctors, legislators and nurses. Some of them will take Kenya to greater heights. That can only be realized through education.

I would like to tell you that girls are now coming out of their shells and even deciding the shape of the families, the nation and the universe. I, therefore, would like to encourage you to work hard so that you become great leaders in this country who are useful to the nation.

Thank you for giving me this opportunity.

**Sen. Wambua:** I thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to join you and my colleagues to welcome the visiting delegation of students and teachers from Maliku Girls Secondary School.

Maliku Girls Secondary School is one of the girls schools in Kitui County. It is situated in Kitui Rural Constituency which was recently hived from Kitui Central Constituency in Kisasi Ward.

Mr. Temporary Speaker, Sir, I take this opportunity to welcome the brilliant girls and their teachers to this Chamber. This is where their able Senator, who many people like calling the “Super Senator of Kitui County” deals with issues of devolution and pushes the agenda of funds following functions in Kitui County.

I would like to encourage them and their teachers to continue working hard. It is a school that performs fairly well but there is always room for improvement. Your Senator comes from the same county and went to a school like your school.

I went to Matinyani Boys Secondary School before I joined Moi University. Thereafter, I went to the Catholic University of Eastern Africa (CUEA) before I went to Cairo and later to the United States of America (USA) for studies.

If I have followed that path from a beginning as humble as yours, then there is every reason to believe that these beautiful girls and their teachers can do much better

than I did and that one day, we will have one of them in this Chamber as a Senator and others serving this country in different capacities.

Mr. Temporary Speaker, Sir, I welcome the girls and their teachers. I will see them behind the tent after this session.

I thank you.

**Sen. Mugo:** Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity also to greet the students and teachers and welcome them to the Senate.

I agree with what the Deputy Majority Whip, Sen. Farhiya, and all those who have spoken said in welcoming the girls. For many years for me, now almost 30, which I have served in this Parliament, starting from the National Assembly and now the Senate, I have talked about women and girls' advancement.

I moved the Motion for affirmative action in Parliament soon after Beijing Conference for Women. That is how it found its way to The Bomas of Kenya because Parliament passed it and recommended it to Bomas of Kenya under the Chairmanship of Prof. Ghai. That is how the affirmative action found its way to our Constitution.

We should not be ashamed to speak and to say that the time is ripe for women to hold high positions in this country. There is no harm. I do not think Sen. Farhiya spoke anything derogatory by saying it is time we also elected women to high positions.

When I was first elected in Dagoretti Constituency in 1997, when my husband wore a cap supporting me, "are we going to elect a woman? What can a woman do for me?" That was the mentality then. Sen. Farhiya is saying that is not the mentality anymore. Women must get up and support other women.

If we do that, we can win any seat in this country. You are not saying that the men will not be the presidents, but we want also women to share and be presidents sometimes. That time is now. Of course, we do not have a woman who is competing at the moment but I emphasis what Sen. Farhiya said.

We have parliaments in Africa such as Rwanda where women are majority in the Cabinet and they are many in the National Assembly. We have seen Scandinavian countries, which have majority women leaders even to the highest office being highly developed. Sen. Farhiya was saying that women are development conscious. We should have a mix of leadership.

We are hoping that even *Azimio la Umoja* will see sense to this and have a woman for the Deputy President. We stand with that. We have hon. Martha Karua who is doing very well and has served a long time in the Government in very high positions. We support but we are not saying the men should not. We should not be mistaken for that. Welcome.

I encourage you that you can reach any height. I have worked with your Governor in Parliament and in Cabinet for a long time. You have a good role model just next door. We thank your Senator who stands with you and that is how you found your way here. I

hope you will take home something to the other girls. Work hard, do well. We have seen girls leading in the exams these days. Karibuni, and we stand with you.

Thank you.

*(An. hon Member spoke off record)*

I am sorry I should have also thanked the teachers. I have addressed the girls so much. Without the teachers, we will not be here and you, girls, would not be here. Thank you, teachers. Teaching was my first job. I am a trained teacher. I therefore know how hard the work teachers do is.

**The Temporary Speaker** (Sen. Kinyua): Sen. Mugo, you can proceed with your personal statement.

### PERSONAL STATEMENT UNDER S.O. 53

#### GRATITUDE TO THE HOUSE

**Sen. Mugo:** Thank you, Mr. Temporary Speaker, Sir. I wish to make a personal statement under Standing Order No 53, in order to express my gratitude to this House.

I thank hon. Members, Hon. Speaker, Board of Management and the staff for standing with me following the sad passing on of my dear husband, Amb. Nicholas Murathe Mugo. This is the first time I am coming to the House in this new year. It is still new to me.

I first thank the Speaker, Hon. Lusaka, for personally attending the memorial service of my husband and the Deputy Speaker, Sen. (Prof.) Kamar who also came to our house several times.

Though not in this House, the Speaker of the National Assembly personally visited me the same evening when my husband passed on. I personally thank our Acting Deputy Majority Whip. She came home and I know she organised a lot here because many of Members sent her to my home to console and also to bring some material support.

I thank all the hon. Members for the great contribution to support the expenses, prayers and visits, for those who came personally. I cannot really thank you enough.

I thank the Senate Board of Management, led by the very able Clerk of the Senate who is also the Secretary to the Parliamentary Service Commission. He led a delegation to the house and I was very touched. I also thank our many staff members, Secretariat and our Standing Committee on Health, of which I am a member for visiting us. I cannot thank you enough.

Although I have not been coming physically, I have been attending *via* Zoom. I wanted to come and give my thanks personally to all of you.

Mr. Temporary Speaker, what touched me most is to see all of us. People think that we are divided. Those who are in different camps, those who are in *Azimio la Umoja*

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One Kenya Alliance and *Kenya Kwanza*, which we used to call “*Tanga Tanga*”, all supported us.

Kenyans should see that we do not need war because of elections. We should not have people fighting out there in Kenya because they support different presidential candidates. We are together here in the leadership of the House.

I went through this difficult time when my husband passed on and all of you supported me. Therefore, I really thank you, and I hope Kenyans can take that.

We know that elections come and go. We are Kenyans and friends. We should not fight because you do not support the presidential candidate that I support. Kenya is one and much more important than any one person. Kenya is our country. We will not have another country. We should not burn it with passion. I believe it will be peaceful because so far, it is going on well.

I urge our people not to have any division even after elections or announcement of election results. Nothing should divide the people or call them out for anything. Let us keep Kenya safe and peaceful the way it has been because we are like an island of peace. We know that our neighbors have been in turmoil but God has blessed us, Kenyans, with peace. Let us maintain that peace.

Young people, we keep on saying you are leaders of tomorrow. However, you are leaders of today because tomorrow is today. We decide today what tomorrow will be. Think of the country. The young people should not be used for mischief or to organize rowdy behaviour when somebody else you do not like comes to campaign in your area.

When out there, welcome everybody and listen to them, then make your decision. Do not fight your friend just because he supports somebody else. That is democracy. If we want Kenya to remain democratic, then we must give space for differences when it comes to politics but not to fight.

When you go back to Kitui, convey our greetings especially to the Governor and the leadership. I thank you, Mr. Temporary Speaker, Sir, for this opportunity.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Beth Mugo.  
Proceed, Sen. Orengo.

**The Senate Minority Leader** (Sen. Orengo): Thank you very much, Mr. Temporary Speaker, Sir.

I also rise to welcome the students from Maliku Girls Secondary School from Kitui. It is good that their distinguished Senator is here; the bishop who is one of the very hardworking Senators in the Senate.

I will follow the footsteps of Sen. Beth Mugo and ask the students to pass our regards to the people of Kitui. People do not know that when I started my legal practice, I used to do a lot of my work in Machakos and Kitui. I went to many courts in Kitui, Machakos, Makueni and the entire Ukambani region.

At that time when I started practicing in Kitui, Machakos and Makueni, just like in any other parts of the country, there were very few people in that region belonging to

the profession. You would go to the court room and there would hardly be any women who were practicing as advocates or sitting in the Bench.

However, right now, the situation is different. Some of the most senior lawyers, celebrated lawyers in Kenya have come from that part of the country, Ukambani as a whole, particularly Kitui. Kitui has produced two Chief Justices of the Republic of Kenya, which is not a mean achievement.

Right now, one of the lady governors in the country, Governor Charity Ngilu is in office in Kitui. We did a lot of good work with her in the fight for democracy and change in the country.

I would want to encourage the students from Maliku Girls Secondary School that the future is great particularly for women. If you look across the world now, some of the countries you never thought would be led by women, are now being led by women. They are producing some of the best leaders in the world.

In the whole of the Scandinavian region, governments are led by women including currently in Sweden. If you go to Asia, constantly, leaders that are being elected in many republics in that part of the world are women. So, the future is great for those of you who will work hard.

In Kenya, we have got a Constitution that recognizes the rights of everybody. In this Parliament, a lot of you now know that there have been complaints there. In fact, there was a Petition to the Chief Justice that the Houses of Parliament are not properly constituted and that we should not have more than one-third of any gender in any of the Chambers of Parliament. Up to now, we have not achieved that goal. It is a constitutional obligation and a goal, which has not been met.

Even the political parties now are faced with the problem of trying to ensure that the candidates who offer themselves to run in the next elections comply with the provisions of the Constitution. That will enable more women to participate in law making because they constitute majority if I may aver and assert that they are actually the majority in the country as opposed to men.

I wish you well and hope that you finish your study and exams whenever you will be taking them, come out with flying colors and be able to serve the country Kenya. I hope one of you will have another occasion to come back here as Senator or Member of the National Assembly, or Speaker of the National Assembly or Senate. All that is within your reach if you work hard.

Mr. Temporary Speaker, Sir, let me also take this opportunity to comment. I know I have no right to comment on a personal statement but I am deeply touched with the Statement, which has been made by Sen. Beth Mugo.

I am deeply touched by that Statement and I am glad that you are making that Statement when the young students are here. I am very proud of you, Sen. Beth Mugo, because of what you have done to this country. Sometimes people do not read history correctly, that in the fight for democracy and putting Kenya where it is, you played a role that is beyond comparison.



Despite your situation in life, you went out there to the trenches when occasion demanded. When it was a matter of arguing out in meetings and rallies, I can tell you that deep down in my heart among the people that I will always remember for making Kenya what it is, it is you Sen. Beth Mugo. I know that was possible because of your departed husband; a true gentleman.

Mr. Temporary Speaker, Sir, normally, when you look at somebody and end up calling them a gentleman, it requires you to do a thorough examination. Many men in this country are not gentlemen and they have bad manners. They are not distinguished and do not have table manners.

They also do not know what to say and where to say it. They do not want to lead a society in a distinguished way like Amb. Mugo did. He was one of the first few ambassadors we had in this country. I know that it is because of him that it was possible to have Sen. Mugo to be in our midst, to join the struggle and change this country to what we want it to be.

I like your remarks at the end. When you say Kenya is bigger than all of us. Sometimes, we speak as if Kenya is there for people to burn. You cannot burn this country because it belongs to its citizenry. The sovereignty of this country is on the people of Kenya. Therefore, whatever we do in our politics, at the end of the day, we should stand for each other as brothers and sisters under one God and one single, sovereign nation called Kenya.

I hope students today will remember this occasion when Sen. Mugo uttered those beautiful words and comments on what Kenya should be. You should go back to Kitui County knowing there are no borders in this country. Although we have counties, we are one country, which we must defend and act in the interest of this country to the end.

Therefore, Sen. Mugo, I hope you continue to be strong and serve this country in the manner you have. I am grateful for giving me time to make those few remarks.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Orengo.

Sen. M. Kajwang', proceed.

**Sen. M. Kajwang'**: Mr. Temporary Speaker, Sir, allow me to take a minute to join you in welcoming the girls from Maliku Girls Secondary School; a powerful school from Kitui County.

Allow me to also congratulate the Senator for Kitui County for being a good role model. If the Senator was not a good role model, they would not have chosen to come to the Senate. I know that the schools in my county would choose to come to the Senate, to come and see their Senator in action. They would come and see Sen. Orengo and Sen. Poghisio.

This is to these young girls who at this point, are trying to figure out what they are going to do in life. I would like to encourage you that nothing is impossible. Gender should never hold you back. Many years ago, Plato said that women and men are all equal given the same opportunities.

Unfortunately, in this country, women have been left behind for far too long. This is why we do not talk about equality but equity. We must make sure that the girl child is bootstrapped and is supported to catch up with the boy child.

I wish you well in your examinations. I also pray that in future, some of you will be sitting in this Chamber, not just as mere mortals but as the Speaker and as the leadership of this House. Since Kitui County was among the first counties to elect a female Governor, I also pray that one girl from Maliku Girls Secondary School will one day be the Governor of the great Kitui County.

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

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Wambua?

**Sen. Wambua:** Thank you, Mr. Temporary Speaker, Sir. I do not know why Sen. M. Kajwang' is anxious about my point of order.

I have heard Sen. M. Kajwang', the super Senator of Homa Bay County and a man we respect, say that the girls from Kitui County should aspire to come to this House. That is a good thing. However, he says they should not aspire to come here as mere mortals. They should come here as Speakers and Majority leaders.

Is it in order for the Senator of Homa Bay County, to refer to the rest of the Senators seated in this Chamber as just mere mortals?

**The Senate Minority Leader** (Sen. Orenge): On a point of information, Mr. Temporary Speaker, Sir.

**Sen. M. Kajwang':** Mr. Temporary Speaker, Sir, I choose to be informed by Sen. Orenge.

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Orenge?

**The Senate Minority Leader** (Sen. Orenge): Sen. M. Kajwang' was right. The Senator of Kitui County is going home in July whether he likes it or not. If he was not a mere mortal, he would perform a miracle to stay here. To that extent, Sen. M. Kajwang' was justified.

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

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Cheruiyot?

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, Sen. M. Kajwang' is right. He is right to the extent that he does not know that since Sen. Wambua was appointed to a panel otherwise known as eminent persons, maybe he has begun confusing eminence and being supernatural. He needs to know that even if he sits in the selection panel, he is still a mere mortal.

**Sen. M. Kajwang':** Mr. Temporary Speaker, Sir, the Constitution says that leadership is an opportunity, not to rule but to serve. Sitting here even though we have that big stature of being Senators, we should not be bigger than the people we represent. In my political formation, we have members and eminent members where the Senator for Kitui County falls. George Orwell said, not all animals are equal.

May I encourage the girls using the example of Sen. Mugo. I will avoid commenting on the personal Statement. Sen. Mugo spoke here as softly as she spoke and

many of you might not recognize her. She was first elected to Parliament in 1997 as the Member for Dagoretti South Constituency. This followed a lifetime of commitment to multi-party system, democracy and opening up of the democratic and political space in this country.

Many people want to jump in when things are ready. Sen. Mugo did not wait to jump in when things were ready.

**Sen. (Dr.) Ali:** On a point of order, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. (Dr.) Ali? You are not on record.

**Sen. (Dr.) Ali:** Mr. Temporary Speaker, Sir, the Senator is not in order because he does not know when Sen. Mugo came to Parliament. She did not come in 1997. Rather, she came earlier than 1997. If I am not wrong, it was 1992.

**The Temporary Speaker** (Sen. Kinyua): Sen. Mugo, proceed.

**Sen. Mugo:** Mr. Temporary Speaker, Sir, I would like to clarify. My friends, I came to Parliament in 1997. However, in 1992, I was involved in the creation of the multi-party system, which is what Sen. Orengo was referring to. I was a founding member of the Democratic Party (DP), the late President Kabuki's Party. I served in the first executive of the Party.

It looked like I was already in Parliament. I competed for Member of Parliament (MP) seat in 1992 in Dagoretti South. I was not lucky at that time. After I was elected, I won the consecutive elections.

**Sen. (Dr.) Ali:** Thank you, Mr. Temporary Speaker, Sir. I stand guided. I was also elected in 1997.

**The Temporary Speaker** (Sen. Kinyua): Sen. (Dr.) Ali, I had not given you the Floor.

**Sen. (Dr.) Ali:** I have been given the microphone.

**The Temporary Speaker** (Sen. Kinyua): Yes, not the Floor. Please, proceed.

**Sen. (Dr.) Ali:** Thank you, Mr. Temporary Speaker, Sir. I was elected in 1997. When I came to the House, I was a *kurutu*, but she was already active. So, as far as I am concerned, she was elected earlier.

I stand guided.

**Sen. M. Kajwang':** Mr. Speaker, Sir, if I had your powers, I would throw out the Senator for Wajir for misleading the House and for being uninformed in the eyes of the girls from Maliku Girls.

The point I was trying to make to the girls before the Senator for Wajir exhibited his abilities, is that Beth Mugo was the Assistant Minister for Education around the time free primary education that we enjoy today and which we think can be improved upon, was introduced.

Beth Mugo was an Assistant Minister for Health at some point in her life. She was a substantive Minister for Health. They are the ones who brought in reforms that have

given rise to universal and free healthcare that we talk about and believe that can be made better.

Ladies from Maliku girls, it is possible for you to be great leaders in this Republic. You have strong role models. A few days ago, we visited Silicon Valley. The challenge was why is it that we do not have a lot of female leaders at Silicon Valley? There were two issues. One was lack of role models and the other was the fact that girls were not being encouraged to study science and technology related courses.

The issue of lack of role models should not apply to the girls from Maliku. In this House, you have Beth Mugo as a role model. In your county, you have your governor as your role model. You have many female role models who have transcended and gone beyond the glass ceiling that is usually set for girls.

When it comes to Science and Technology, I encourage you that you can come to this House not as a lawyer or because you studied some other disciplines that are related to law making. You can come in as engineers. We have doctors like the Senator for Wajir, who has demonstrated his knowledge of history. He is a medical doctor in this House.

We have young people like Sen. Cheruiyot who is an accomplished person within the digital and information technology space. Let me finalize by saying that in the Public Gallery, we also have the principal of a school in my county called Father Tillen Secondary School. Principal Martin Opere has also come to see how the Senate works. I know it is your duty to recognize visitors.

I want to encourage the principal, who is representing the Kenya Secondary Schools Heads Association (KESSHA) and is their leader in Homa Bay County, to go back and congratulate his fellow teachers for doing a good job.

Homa Bay faces peculiar challenges when it comes to the dropout rate of the girlchild. However, Father Tillen Secondary School is one of the schools we established in Mbita Town to ensure more girls are able to attend school despite the other difficulties they face on a day to day basis arising from the fish trade and other pressures of Mbita Town.

I want to encourage Sen. Mugo. In the Book of Luke, when Jesus healed 10 people, only one came back to say thank you. Sen. Mugo, I am touched that you have taken your time to come back and thank the Senate for standing with you.

At the end of the day, we must reflect on the words of Leo Tolstoy who asked, “how much land does one need?” At the end of the day, when our work on earth is done, just as we saw Mwai Kibaki and Amb. Nicholas Mugo buried in a solemn manner, what matters is how we have touched the lives we have left behind. It does not matter how much you have accumulated or acquired.

I appeal to those with an insatiable greed for public resources that at the end of the day, the amount of land we need is six feet wide and six feet deep.

Thank you, Mr. Temporary Speaker, Sir.

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

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Orengo? I hope you are not commenting on what---

**The Senate Minority Leader** (Sen. Orengo): I wanted you to allow me correct a statement that I made that Sen. Wambua is going away in July. That was not accurate. The way I see things in Kitui, he is likely to come back here.

I wanted the students to go away knowing that their Senator is coming back.

**The Temporary Speaker** (Sen. Kinyua): I thought you had said he is going back to the county to do some oversight and then he comes back. That is what I thought and that is why I did not correct you.

Sen. Cheruiyot, proceed.

**Sen. Cheruiyot**: Thank you, Mr. Temporary Speaker. I did not know that Sen. Orengo can scare Sen. Wambua that much. He has harassed him to the point that the Senate Minority Leader has to retract his wrong prediction. It is not the right one.

This is a very beautiful scenery. It is good to have students back in our Gallery after the Covid-19 break and the things that happened. We had missed such sceneries that occasionally remind us that the work we are doing here is only for such a short time. There is a generation looking up to us, as leaders, to do the right thing for the country. Given the very nature of politics, if you stay for too long and do not do the right things, in a few years, many of these young beautiful girls will be challenging us for these positions. I believe they will do a better job than most of us.

It is a good scene to have them back. I appreciate that they have taken their time to visit us here at the Senate of the Republic of Kenya. It is not a very beautiful scenery today because there are only two female Senators. In terms of staff, this House is made up of members of staff and Members of the House. There is almost a balance.

While Sen. Kajwang was giving a great tribute to Sen. Mugo, for being a good example that the young girls can follow, I thought about the staff seated here including our Deputy Clerk, Miss Eunice Gichangi. She is a good example also to the students as well. I do not want to get deep into the politics of the institution, but that is at the heart of the leadership of the institution. She is only one office below the highest office you can achieve as a staffer of Parliament. That is a good example that there are many women you can look up to as young girls as you visit and interact with our members of staff and Members of Parliament.

It is a beautiful scenery. I know the infatigable Senator from Kakamega, Sen. Shiyonga, is also a good example. She has set a good track record. She is well celebrated back at home. I have seen her campaign in Kakamega. I get to watch her videos and the things she says. People appreciate the work that she has done previously in her stint at the County Government of Kakamega and now as a nominated Senator. She is a good role model to the young girls.

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I celebrate them because I am also a father of two girls. So, anywhere women are celebrated, I must add my voice.

In fact, the day this country will have more women in leadership than men, then many of the societal ills that we continue to struggle with will become a thing of the past. It is not a secret. All the men in the House can bear me witness.

In terms of rank, the ability or propensity to do evil, men rank higher than women. Women have got a softer side. They sometimes think twice before they do certain things.

*(A Senator spoke off record)*

The students should not hear what you are saying.

*(Laughter)*

We appreciate that when women take over this country, there will be better things than what is seen when men are in charge.

Thank you and enjoy your trip back to school. Do your best and may you succeed.

**The Temporary Speaker** (Sen. Kinyua): What is it Sen. Wambua?

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, is it a point of order or he wants to inform me?

**Sen. Wambua:** Mr. Temporary Speaker, Sir, I want to inform Sen. Cheruiyot.

**The Temporary Speaker** (Sen. Kinyua): Sen. Cheruiyot, would you like to be informed?

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, do you want to inform me? Yes, I cannot refuse to be informed by an eminent person.

*(Laughter)*

**Sen. Wambua:** Mr. Temporary Speaker, Sir, I just want to inform or remind my very good friend, Sen. Cheruiyot, Commissioner, that he is actually a Sunday school teacher.

I do not know what has happened he has now started reading his Bible upside down. In the Bible the cardinal sin, the Senator for Kericho County should be telling pupils including my students from Kitui County, who took the fruit, the first bite and where it went after that.

I am not trying to say that women are more sinners than men, no. I am making a statement of fact that the genesis of the cardinal sin was a woman.

I thank you, Mr. Temporary Speaker, Sir.

*(Laughter)*

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**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, Sen. Wambua forgets one thing. If you read the Bible properly and want to lay or apportion blame, then you will realize that the greatest travesty of justice committed in the Bible was false accusation and eventual crucifixion of Jesus.

The Sanhedrin was a body consisted of 12 men. There was no single woman. The Pontius Pilate who finally gave the final decree that Jesus be crucified was a man. He agreed with the crowd and okayed the crucifixion of Jesus Christ. I can assure you, Sen. Orengo, if it was woman, they would never have given out such kind of an ending if there were two women in the Sanhedrin, not the kind of men that were there.

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Mugo?

**Sen. Mugo:** On a point of order, Mr. Temporary Speaker, Sir. I should have put my light earlier when the Senator for Kitui County spoke. I just wanted to add that, even if we go with the argument the Sen. Wambua gave, it proves that the men are too weak.

*(Laughter)*

The woman did not really eat the fruit. She took it to the husband. The husband chose to eat the forbidden fruit. If women led this country, we will not to twist the men. We will go higher and make more development.

Men have done well. I am not saying that they have not developed, they have. We also need woman's eye to look at this country with the woman's eye because we are created differently. We are given different talents by God. We want all of them come together so that the country can really just run but it is walking. I thank you.

**The Temporary Speaker** (Sen. Kinyua): Sen. Wambua, the Floor is yours and please, let it be short.

**Sen. Wambua:** On a point of order, Mr. Speaker, Sir. I raised that issue to prove to our girls from Maliku Girls Secondary School that this is a House of leaders who understand their Bible, religion and origin. I do not think the issue is about who sins more between men and women.

Those who sin, sin in their capacity as human beings whether they are men or women. It is important to take note of the fact that we have a leadership in this House that has got its roots deeply rooted in religious issues including Islam and Christianity. That is the whole point for them to also appreciate that we have Sunday school teachers in this Senate. Sen. Cheruiyot is a Sunday school teacher.

Mr. Temporary Speaker, Sir, I thank you.

**The Temporary Speaker** (Sen. Kinyua): Sen. Cheruiyot, have you finished?

**Sen. Cheruiyot:** Mr. Temporary Speaker, Sir, I have nothing useful to add.

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen. Orengo?

**The Senate Minority Leader** (Sen. Orengo): On a point of order, Mr. Temporary Speaker, Sir. Sen. Wambua is a Bishop. When he talks about the Bible, he

does it with some authority. Understanding the Bible requires somebody to know Jewish feebles.

The Bible is a story written at a particular time in history. If you take the words literally they can mean different things. Generally, the Bible the Bible talks about women in a way that may lead somebody to the conclusion that women are not to be honoured, but that is not true.

**Sen. (Dr.) Ali:** On a point of order, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Kinyua): Sen. (Dr.) Ali, wait for Sen. Orengo to conclude his point of order.

**The Senate Minority Leader** (Sen. Orengo): Mr. Temporary Speaker, Sir, if you read stories about Jezebel, Eve, Magdalene they are stories that are written in a way that you think that women are not quite to it morally.

The only reason I am saying this is the story of Jezebel in the Bible. If you read the story in the Bible you have quite the opposite conclusion of what that woman was. You do not understand that she came from another community. She was not Jewish. She came with the customs of her community of which the Jewish people were not very happy about.

If you read other accounts about Jezebel she was a great lady. I am scared that the Bishop here believes in the story of the garden of Eden in his mind. That garden of Eden in his mind is not the true garden of Eden. I think he got it all wrong because of Jewish fables. A lot of what is in the Bible is Jewish fables. They have a context and if you take it as fact then you are going to the wrong conclusion.

Mr. Temporary Speaker, Sir, I think that women are great leaders. Women did not commit the original sin. They are for honouring rather than for abuse. That is not to say that there are some countries where women are not good leaders. I have a few examples that I could give but let me not go there.

Bishop Wambua, I need to sit with you. We can start our Bible study group tomorrow.

*(Laughter)*

**The Temporary Speaker** (Sen. Kinyua): What is it, Sen (Dr.) Ali?

**Sen (Dr.) Ali:** Mr. Temporary Speaker, Sir, I need your protection. The Senate Chambers have been changed to a Sunday Bible school. I have a problem here. Who is going to teach me what is going on because I cannot follow.

I need to know what is happening in this House as a Member. When the two Senators are talking about the extremes of the Bible and I do not understand, I need to be educated. I have no quarrel with them quoting the Bible but I need to be educated.

**The Temporary Speaker** (Sen. Kinyua): Sen. Wambua, the Floor is yours.

**Sen. Wambua:** Mr. Temporary Speaker, Sir, nothing and no one has stopped the Senator for Wajir from quoting the Holy Bible or the Quran. The Members of this House



and the students would have benefited from that. To the Senate Minority Leader, yes, we will have a conversation of a Bible study session.

Women are celebrated in the Bible very much. There is a woman called Esther who saved the entire Jewish nation. When there was a plan to exterminate the community, she went to the king and the community was saved. There is Ruth, Naomi and other women too.

I thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Kinyua): Sen. M. Kajwang', you may proceed. Let us stop raising points of order so that we go to the next Order.

**Sen. M. Kajwang'**: Mr. Temporary Speaker, Sir, I am a devout Christian. I fellowship in the Seventh Day Adventist (SDA) Church. However, when I am in this House, I am guided by the Constitution.

Article 8 of our Constitution states that-

“There shall be no State religion.”

Mr. Temporary Speaker, Sir, we should not seem to project one religion over the other on the Floor of this House. Even if the preamble of our Constitution starts with; “We, the people of Kenya”

ACKNOWLEDGING the supremacy of the Almighty God of all creation”,

This House must recognize and acknowledge the supremacy of the Almighty God of all creation. However, it should not take a particular position that might give the impression that this Senate subscribes to one religion or the other.

The end of our preamble says; “GOD BLESS KENYA.”

Mr. Temporary Speaker, Sir, I want the girls to also reflect on the introductory words of our National Anthem;

“Oh God of all creation, Bless this our land and Nation.”

It is not; “Oh God of the Christians, Muslims or Hindus.” It is; “Oh God of all creation.”

Mr. Temporary Speaker, Sir, I urge that you guide this House to comply with Article 8 of the Constitution. Although, we have personal preferences and different routes that we use to get to the Kingdom of God, let that not be projected on the Floor of the House.

I thank you.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. M. Kajwang'. Hon. Members have noted that.

Let us go to the Statement by Sen. Omogeni.

## STATEMENTS

### CIRCUMSTANCES LEADING TO THE DEATH OF MS. PURITY NYAKUNDI AND HER NEW-BORN

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**Sen. Omogeni:** Mr. Temporary Speaker, Sir, I rise pursuant to Standing Order No.48(1) to seek for a Statement from the Standing Committee on Health on the circumstances that led to the death of Ms. Purity Nyakundi and her new-born baby at Gesima Health Centre, Kitutu Masaba Constituency, Nyamira County on 7<sup>th</sup> May, 2022. In the Statement, the Committee should-

(1) Shed light on the circumstances that led to the death of Ms. Purity Nyakundi and her new-born baby that occurred at the said Gesima Health Centre in Kitutu Masaba Constituency, Nyamira County, on 7<sup>th</sup> May, 2022, while she was giving birth.

(2) State the progress of investigations, if any, into the cause the unfortunate deaths.

(3) Spell out measures that have been put in place to ensure that the medical personnel responsible through negligence for the deaths are held accountable and action is taken if they are found culpable.

(4) Outline the targeted interventions, if any, in mitigating the worrying trend of mother-child deaths which have been on the rise in Nyamira County in the recent past.

I thank you.

**The Temporary Speaker** (Sen. Kinyua): Sen. Omogeni, you had two Statements. You can read the second one.

#### STATUS OF RIKURUMA-MOREMBE ROAD

**Sen. Omogeni:** Mr. Temporary Speaker, Sir, I rise again pursuant to Standing Order No.48(1) to seek a Statement from the Standing Committee on Roads and Transportation regarding the construction status of the Rikuruma-Morembe Road, in Magwagwa Ward, North Mugirango Constituency in Nyamira County. In the Statement, the Committee should-

(1) State whether the project was tendered for and provide details of the companies that won the tender award.

(2) Shed light on the terms of engagement between the County Government of Nyamira and the contractor, stating the dates of completion and the handover of the road project.

(3) Provide an update of the construction status so far, stating the reasons for the delay and abandonment of the works leaving the road to become almost impassable.

I thank you.

**The Temporary Speaker** (Sen. Kinyua): Sen. Shiyonga, you can comment on Sen. Omogeni's Statement.

**Sen. Shiyonga:** Mr. Temporary Speaker, Sir, I would like to support the Statement by Sen. Omogeni regarding the death of Ms. Purity Nyakundi and her new-born baby at Gesima Health Centre.

It is sad that we lost the life of a mother and her child. That is a generation that was lost in a facility that should have been equipped considering that the health services are devolved.

If the governor of that particular county knows about that, then he should have resigned a long time ago. The governor should not be in office when we are losing lives that should not have been lost.

The circumstances that led to the death of Ms. Purity and her new-born should be investigated thoroughly. Justice should be given to the late Purity's family. We need answers to this Statement as fast as possible, so that lives are not lost in such a manner.

It is unfortunate that people are still losing lives. I know that Sen. (Dr.) Ali's Committee will work on this Statement because we need to protect lives. Our mothers are dying. This is just one of the cases that has been brought here. How many cases of this nature are out there?

Mr. Temporary Speaker, Sir, I have been a victim of such circumstances. I lost a relative who had been taken to Kenyatta National Hospital (KNH) but the child survived. That is not a bad hospital. These are just a few cases that we know but how many are not reported? We are losing lives and generations.

Investigations should be done to find out what exactly happened in the hospital, so that we do not continue losing lives through carelessness of our doctors who take the lives of our mothers for granted. Those mothers expect to get assistance from the facilities.

I am a mother and therefore I know. When you go to a facility, you should be assisted. You do not go there to seek a death certificate.

Mr. Temporary Speaker, Sir, I support.

**The Temporary Speaker** (Sen. Kinyua): We are going to read the Statements by Chairpersons of Committees starting with the Chairperson Standing Committee on Energy to make a statement on the activities of the Committee.

#### ACTIVITIES OF THE COMMITTEE ON ENERGY

The Temporary Speaker (Sen. Kinyua): He is not here. The Statement is deferred.

*(Statement deferred)*

**The Temporary Speaker** (Sen. Kinyua): The Chairperson Standing Committee on Health, Sen. (Dr.) Ali.

**Sen. (Dr.) Ali:** It is the same thing.

#### ACTIVITIES OF THE STANDING COMMITTEE ON HEALTH

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**Sen. (Dr.) Ali:** Mr. Temporary Speaker, Sir, I stand here to represent the Chairperson of the Committee on Health, on the Statement on the Activities of the Standing Committee on Health, January to April, 2022.

I rise pursuant to Standing Order 51(1) (b) of the Senates Standing Orders to make a Statement relating to the activities of the Standing Committee on Health during the first part of the Sixth Session that is January to April 2022.

During the period under review, the Committee held a total of 35 sittings, during which it considered various Bills, Statements and Petitions. The Committee has invited stakeholders and public submissions on the Bills, following which it shall proceed to substantially consider the Bills and adopt its reports thereon for tabling in the Senate.

The Committee conducted stakeholder engagement and received submissions on the following Bills;

- (1) Mental Health (Amendment) Bill (Senate Bills No.28 of 2020).
- (2) The Kenya Medical Supplies Authority (KeMSA) (Amendment Bill) (Senate Bills No. 53 of 2021)
- (3) The County E-Health Bill, (Senate Bills No. 39 of 2021).
- (4) The Maternal, New Born and Child Health Bill, (Senate Bills No. 52).

The Committee considered these submissions, prepared and adapted reports of the Mental Health (Amendment) Bill (Senate Bills No.28 of 2020) and The Kenya Medical Supplies Authority (KeMSA) (Amendment Bill) (Senate Bills No.53 of 2021).

These were tabled during the period under review and is in the process of preparing the reports on the County E-Health Bill, (Senate Bills No. 39 of 2021) and The Maternal, New Born and Child Health Bill, (Senate Bills No. 52).

During the period under review, the Committee considered 12 Statements sought by Senators. As you are aware, the Committee adapted different measures and tools of oversight during the Covid-19 pandemic, which we utilise to date among them being virtual inquiries.

The Committee will continue interacting and engaging closely with the county governments and other health stakeholders in developing and facilitating the development of legal frameworks, policies and guidelines and providing oversight in the health sector.

In conclusion, I wish to thank your office and the Office of the Clerk of the Senate, for the support extended to the Committee in the conduct and execution of its mandate.

Lastly, I also wish to acknowledge the Secretariat support that the Committee has received from the office of the Clerk. I thank the Members of the Committee for their diligence and contributions when handling Committee activities.

I thank you, Mr. Temporary Speaker, Sir, on behalf of Sen. (Dr.) Mbito.

**The Temporary Speaker** (Sen. Kinyua): The Chairperson standing Committee on Tourism, Trade and Industrialization.

#### ACTIVITIES OF THE STANDING COMMITTEE ON

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## TOURISM, TRADE AND INDUSTRIALIZATION

**Sen. (Dr.) Ali:** Mr. Temporary Speaker, Sir, I also want to give the Statement relating to the activities of the Standing Committee on Tourism, Trade and Industrialization pursuant to Standing Orders 51 (1) (b), for the period from January to April, 2022.

From the onset, this one is not on the Statement, I wish - as a Chairman - to complain that this Committee has had a rough time for the last one year, because of lack of quorum. The Committee has only three active Members. So, when we are only three out of nine, the Committee has had problems with quorum and that is why the Committee has performed very poorly.

During the period under review, the Committee has held a total of only five sittings, considered two Bills, two Statements and one Petition. The Committee also participated in the Seventh Annual Cycle Leaders Convention that was held on 22<sup>nd</sup> to 26<sup>th</sup> February, 2022 in Mombasa County.

With regard to the Bills, the Committee considered the following Bills: -

During the period under review, the Committee proposed and finalized The Street Vendors, The Protection of Livelihood Bills, (Senate Bill No. 7 of 2021). A Report of the Bill was adopted and tabled in the Senate.

The Sacco Societies (Amendment Bill) (National Assembly Bill No. 55 of 2021) is sponsored by the Leader of Majority Party. The Bill seeks to amend the Sacco Societies Act (2008) by providing for the usage of ICT in collecting and receiving statutory reports and accurate reporting. It also provides for monitoring and analysis of Sacco's financial status at any time being the cornerstone of Risk Based Supervision (RBS).

The Bill also seeks to realign the definition and roles of the Minister to Cabinet Secretary (CS) and also the responsibility and Office of the Controller of Budget (CoB) as related in the Act to be in line with the Constitution.

This is one of the Acts of Parliaments that were nullified by the Court of Appeal, in Civil Appeal No. E084 of 2021, for want of participation by the Senate. The National Assembly has therefore republished the Bill in compliance with the judgement of the court to allow for consideration for both Houses in terms of Article 108(4) of the Constitution.

The Committee is currently facilitating public participation to receive submissions from the stakeholders. As of now, Chairman, we have finalised that and I think it will be brought here very soon.

Regarding Statements, the Committee considered and process responses to the following Statements: -

(a) Statement request on the ban of exports and dealings in scrap metals in Kenya, which was sought by Sen. Cherargei on 1<sup>st</sup> March, 2022.

The Committee processed the Statement and facilitated a response from the Ministry of Industrialization and Enterprises Development and further shared the said response with Sen. Cherargei. The Committee was satisfied with this response and the information that was given by the Ministry. His Statement was therefore concluded.

(b)Statement request on Failure to Utilize Tourism Promotion Fund to market Kenya in Sports Tourism which was sought by the same Sen. Cherargei on Wednesday, 1<sup>st</sup> March, 2022.

The Committee is currently following up with the CS Ministry of Tourism and Wildlife and other stakeholders for a more comprehensive response on the emerging issues and other supplementary concerns.

Regarding the Petition, pursuant to Article 18 of the Constitution; one petition on the Compensation for Victims of Human-Wildlife Conflict in Lamu County that was brought by Sen. Anuar Loitiptip.

This Petition had a problem because it was wrongly attributed to this Committee. It was supposed to go to the Committee of Lands and Natural Resources where wildlife is. This Committee has a problem because we called the Committee for Tourism, Trade and Industrialization but usually in the Ministry of Tourism, we are told of Tourism and Wildlife and Wildlife is not part of this Committee.

However, all in all, it came to this Committee and we decided to look at it. Upon receipt of the petition, the Committee has undertaken stakeholder engagement and has received submissions from among others the Ministry of Tourism and Wildlife. The Committee has scheduled a report writing on 19<sup>th</sup> to 23<sup>rd</sup> of May to deal with that issue. I do not know whether that will be functional because we have been told that there are no funds as of now.

For our next quarter going forward, the Committee intends to prioritise the following business: -

(1) Fast track pending the legislative business, the Committee shall prioritize finalization of yet pending legislative business, Bills, Statements, and Petitions before the House goes on recess *sine die*.

(2) Preparation of exit; the Committee will prepare an exit report on all businesses that was processed by the Committee.

On challenges faced by the Committee, I have already mentioned membership of the Committee and I said there are only three active Members. So, if one person is not available, this Committee cannot sit.

During the reporting period, the Committee identified the urgency to review the Standing Orders of the Senate in order to align the mandate areas with interrelated sectors. On 17<sup>th</sup> April, 2021, the Committee sought the intervention of the leadership of the Senate to review the functions of Tourism and Wildlife.

This was the reason the petition on compensation of victims of human wildlife in Lamu County was not fast-tracked because some of the emerging issues cut across the

mandates of Committees and that of the Standing Committee on Land and Natural Resources.

The Committee recommends that the Standing Orders be amended to align the mandate of tourism and wildlife and assign the matter to one Committee.

Thank you, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Kinyua): The next Statement is by the Chairperson of the Standing Committee on Labour and Social Welfare.

ACTIVITIES OF THE COMMITTEE ON LABOUR  
AND SOCIAL WELFARE

**Sen. Shiyonga:** Thank you, Mr. Temporary Speaker, Sir. I am a Member of the Standing Committee on Labour and Social Welfare. So, I am making this Statement on behalf of my Chairperson.

I rise pursuant to Standing Order No. (51)(1)(b) of the Senate Standing Orders to make a Statement relating to the activities of the Standing Committee on Labour and Social Welfare during the first quarter of the Sixth Session, that is January to May, 2022.

During the period under review, the Committee held 18 sittings. It considered various legislative proposals, Bills, Statements and Petitions. The Committee transacted the following business during the period under review: -

(a) Bills:

The Committee considered and tabled reports of the three Bills during the period under review namely:

- (i) The Employment Amendment Bill (Senate Bills No. 51 of 2021)
- (ii) The Sports Amendment Bill (Senate Bills No. 40 of 2021).
- (iii) The Community Groups Registration Bill (National Assembly Bills No. 20 of 2021)

(b) Petitions:

During the period under review, the Committee considered three Petitions and is almost concluding on them. These are:

(i) Petition by the residents of Nyamira and members of the Nyamira Early Childhood Development Education (ECDE) Teachers Association on recruitment and remuneration of ECDE Teachers in Nyamira. The Committee has met the petitioners, the County Government of Nyamira and the Nyamira County Public Service Board. The report is ready for adoption and subsequent tabling in the Senate.

(ii) Petition by the residents of Uasin Gishu and members of Uasin Gishu Early Childhood Development Education (ECDE) Teachers Association on recruitment and remuneration of ECDE teachers in Uasin Gishu. This petition was committed alongside the first Petition on the matter. The Committee will be meeting the County Government of Uasin Gishu on Thursday, 12<sup>th</sup> May, 2022 and will thereafter table a joint report with the Petition above.

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(iii) Petition by residents of Nairobi concerning appropriate leave rights for women who miscarry and suffer stillbirths. This Petition was initially committed to the Standing Committee on Health who then redirected it to the Committee on Labour and Social Welfare. The Committee is almost concluding on the matter and will table the report soon.

(c) Statements:

The Committee considered 11 Statements pending before the Committee. The Committee concluded that the Statement sought by Sen. Were on welfare support for unionisable employees adversely affected by COVID-19 pandemic had been overtaken by events.

The Committee is following up on the responses to the Statements below: -

- (i) Statement by Sen. Nyamunga on the Status of the Kenyan Youth Employment and Opportunities Project.
- (ii) Statement by Sen. (Dr.) Ali on the Recruitment of Senior Personnel at the Geothermal Development Company.

The Committee has scheduled a meeting with the Ministry of Labour on Wednesday, 25<sup>th</sup> May, 2022 on the following Statements-

- (i) Statement by Sen. (Dr.) Musuruve on Compensation of Mr. Peter Otieno by Sarova Hotels Ltd.
- (ii) Statement by Sen. (Dr.) Ali on the misappropriation of staff emoluments and statutory deductions and other labour related violations.
- (iii) Statement by Sen. (Dr.) Ali on the delays in payment of work injury benefit and other labour related compensations to staff in county governments across the country.

The Committee also resolved to invite the Ministry of Treasury and Planning in the last week of May to respond to issues raised in the following Statements-

- (i) Statement by Sen. Malalah on the rampant closure of business and laying-off of staff in the country.
- (ii) Statement by Sen. Were on protection of local investors in multi-national companies in Kenya

The Committee will be meeting the Cabinet Secretary (CS), Ministry of Sports, Culture and Heritage on Thursday, 26<sup>th</sup> May, 2022, on two Statements, namely-

- (i) The Statement by Sen. Mutula Kilonzo Jnr. on the directive by the Cabinet Secretary (CS), Ministry of Sports, Culture and Heritage to the Sports Registrar to undertake an inspection of the Football Kenya Federation and the disbursement and administration of funds from the Sports, Arts and Social Development Funds during the Financial Year 2019/2020 to date.
- (ii) Statement sought by Sen. Cherargei on the poor performance of the Kenyan National Team to the 2021 Tokyo Olympics in Japan and the mismanagement of athletes by the Ministry of Sports, Culture and



Heritage, Athletics Kenya and the National Olympic Committee of Kenya (NOCK).

The Committee is awaiting the response on the Statement concerning the unfair dismissal of Mr. Levince Mwanyalo. The Public Service Commission formally requested for additional time to get information from the relevant Ministry.

The Commission of Insurance has also requested for additional time to report on the statement concerning non-payment of claims by insurance companies.

(d) Follow-up on Committee Resolutions:

During the period under review, the Committee conducted a follow-up on its resolutions on the status of implementation of the County Governments Retirement Scheme Act, 2019, where it held a meeting with the relevant stakeholders.

The Committee noted that since the passage of the County Governments Retirement Scheme Act, 2019, there have been several court cases challenging its constitutionality and legality that have stalled its implementation.

To ensure conclusion of the matters raised in court and thereafter, and successful implementation of the Act, the Committee resolved that parties should resolve their issues amicably through court-annexed mediation.

Mr. Temporary Speaker, Sir, the Committee is currently awaiting to adopt the mediated settlement agreement from the stakeholders. It may be accompanied by amendments to the Act to give effect to the mediated settlement agreements.

The Committee has scheduled a meeting to get a status update on the Senate Resolution on Registration of Persons With Disability (PWD) and the Social Assistance Cash Transfers also known as Inua Jamii Programmes.

The Committee has also scheduled a meeting to follow up on the payment of one-off honorarium to the former councilors on Wednesday, 25<sup>th</sup> May, 2022.

Mr. Temporary Speaker, Sir, as we near the end of the Twelfth Parliament, the Committee in the upcoming months, will be mostly focused on completing any pending business before it. We will also follow up on the implementation of its resolutions together with those of the House.

In conclusion, I wish to thank your office for the support accorded to the Committee in undertaking its work. I also wish to acknowledge the secretariat and the support we received from the Office of the Clerk. Lastly, I wish to thank Members of the Committee for their diligence in executing the mandate of the Committee.

Mr. Temporary Speaker, Sir, I present the Statement of the period under review on behalf of Sen. Sakaja.

*(Sen. Shiyonga tabled the document)*

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Shiyonga.

The Chairperson, Standing Committee on Information and Technology, Sen. Wambua.

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*(Sen. Wambua consulted Sen. Shiyonga)*

**Sen. Wambua:** Thank you, Mr. Temporary Speaker, Sir. I was consulting Sen. Shiyonga on a matter that I heard her mention on the Statement about the payment of---

**The Temporary Speaker** (Sen. Kinyua): Councillor's honorarium?

**Sen. Wambua:** Yes, Mr. Temporary Speaker, Sir. You and I have really been pushing for that. I would like to just seek your indulgence that at some point, you open up a conversation around that issue. We had passed that councilors should be paid a one off honorarium. Since last year, there has been very little progress made on that front.

Mr. Temporary Speaker, Sir, it is very important that we make sure wherever these councilors who served with distinction are, they get that honorarium. We should also push for more to go to them.

Mr. Temporary Speaker, Sir, I thank you for indulging me.

**The Temporary Speaker** (Sen. Kinyua): Very well. For now, proceed with your Statement.

ACTIVITIES OF THE COMMITTEE ON  
INFORMATION, COMMUNICATION AND TECHNOLOGY

**Sen. Wambua:** Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order 51(1)(b) to make a statement on the activities of the Standing Committee on Information, Communication and Technology (ICT) for the period commencing 8<sup>th</sup> February to 30<sup>th</sup> April, 2022.

During the period under review, the Committee held a total of five sittings, considered one Statement, one Petition and engaged with various stakeholders on issues pertinent to the ICT sector. In the reporting period, the Committee did not consider any Bills.

Mr. Temporary Speaker, Sir, the Committee met the Cabinet Secretary (CS) for the Ministry of ICT, Innovation and Youth Affairs alongside the Communication Authority of Kenya (CAK). The meeting focused on developments in the telecommunication sector since the Committee started its deliberations on the Statement on alleged monopolistic practices by telecommunication company Safaricom PLC as requested by Sen. Were who is also a member of this Committee.

The Committee was informed that CAK has begun a process to review the Mobile Termination Rates, popularly referred to as (MTRs) in the sector. These MTRs in Kenya were last reviewed in 2012 and had not been reviewed for more than 10 years. It is projected that the review of MTRs will positively affect the telecommunication sector, especially for the benefit of consumers of telecom services.

Mr. Temporary Speaker, Sir, whereas the matter of review has been challenged and is currently in court, the impact of any review can only be measured in the long term.

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It is worth noting that regulatory intervention in the industry after an extended period of time.

While it is still in progress in the telecommunication industry, many may have noticed the implementation of mobile money platform interoperability; that is transfer from M-pesa to Airtel Money and T-Kash.

The Committee met with the National Treasury alongside the Central Bank of Kenya (CBK) who reported that in a bid to enhance the livelihood of Kenyans and deepen financial inclusion, they would be implementing mobile money inter-operability to improve the user experience for merchants and small and medium scale businesses.

Mobile money platform inter-operability had been raised as one of the significant challenges to competition in the telecommunication sector by stakeholders in their submissions to the Committee. We note that the intervention of the Committee through the Statement has yielded a swift response from sector regulators.

The Committee is presently considering the Petition concerning radio frequency interference of Sawanga FM in Kinamba, Laikipia County by Sidai FM. The Committee has met with the Petitioner and is set to meet other relevant stakeholders shortly with the aim of concluding the matter swiftly.

I must take this opportunity at this point to most sincerely thank you for your very positive intervention on that matter and to ensure that justice is served to all the players and everyone that is involved in that conflict. I am very sure that with your intervention and guidance to the Committee, that matter would be resolved very soon and that your people of Laikipia will be better served.

Mr. Temporary Speaker, Sir, lastly, this month, the Committee will focus on concluding the two matters above and table its report before the Senate. The Committee will also finalize and adopt its legacy report.

Mr. Temporary Speaker, Sir, I have read the Statement on behalf of the Chairman of the Standing Committee on Information, Communication and Technology, Sen. Moi. This is also on behalf of Members of the Committee, including you, Mr. Temporary Speaker, Sir, who is an active and dependable Member.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Wambua.

Let us have the Chairperson, Standing Committee on Land, Environment and Natural Resources, Sen. Mwangi.

ACTIVITIES OF THE COMMITTEE ON LAND, ENVIRONMENT  
AND NATURAL RESOURCES

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**Sen. Mwangi:** Mr. Temporary Speaker Sir, I rise pursuant to Standing Order No.51 (1)(b) to make a Statement on the activities of the Senate Standing Committee on Land, Environment and Natural Resources for the period commencing 1<sup>st</sup> January, 2022 to 30<sup>th</sup> April, 2022.

During the period under review, the Committee held 12 sittings. It considered one legislative proposal, one Bill, seven Petitions and seven Statements.

In respect of Bills, the Committee is currently considering the Sustainable Waste Management Bill (National Assembly Bills No.22 of 2021) and a Report is being prepared for tabling.

This Bill is important because waste has not been useful in this country. However, we have countries in the globe that have been using waste to benefit their residents.

A city like Copenhagen and others are using waste to their advantage. They are using it to raise the standards of the people of Demark rather than wasting it.

During the period under review, the Committee received a legislative proposal from the Ministry of Environment and Forestry regarding the proposed Water Towers Bill, 2022 on 19<sup>th</sup> April, 2022 and is scheduled to retreat to consider the proposal.

Mr. Temporary Speaker, Sir, when this House rises we are going to Mombasa to discuss about the Water Towers Bill. The Ministry of Environment and Forestry is already there. We will meet there as a Committee and deal with this matter.

Mr. Temporary Speaker, Sir, in respect of Statements, the Committee concluded the following seven Statements, regarding-

(i) The status of Kwa Muhu Internally Displaced Persons (IDPs) resettlement farm in Kanjuiri, Ol Kalou in Nyandarua County.

(ii) There are some IDPs who were settled in Ol Kalou after the post-election violence. They were taken to a farm that belonged to a person known as ‘Muhu’.

The Government committed that the land would be bought, but it has not been paid for and the IDPs were being chased away. The owner of the land had gone to court to evict the IDPs. The Committee dealt with this matter. Fortunately, the Ministry of Lands and Physical Planning had agreed to settle those IDPs there and pay for the land so that they can find a will perhaps solve this problem.

(iii) The Incessant human-elephant conflict in Najile Area of Ewaso Kidong, Olokiringi’a and Sairashie in Kajiado County.

This is the normal human-wildlife cases which are quite a number in Kenya. We were dealing with this particular one as a Committee.

(iv) The Status of water boreholes installed by the Nairobi Metropolitan Services (NMS) across Nairobi City County;

(v) The Progress in compensating Kagaa-Kilifi Land Owners Group with reference to LR.No. 2859 and 1427 of Kilifi County;

(vi) The demolition of Martin Luther Primary School in Makadara Constituency, Nairobi City County;

(vii) The status of titling of Government learning institutions.

Mr. Temporary Speaker, Sir, there are quite a number of learning institutions within the country whose land had not been titled. So, the Committee dealt with this matter.

We are hoping that the Ministry of Lands and Physical planning will give title deeds to Government institutions, particularly the learning institutions so that their land is not grabbed by grabbers in this country who are quite many.

Mr. Temporary Speaker, Sir, the Committee is currently considering a Statement requested by Sen. Paul Githiomi, MP, regarding the delay in issuance of title deeds to the members of Gwa Kung'u Self-help Group in Ndaragwa Constituency, Nyandarua County; Statement requested by Sen. Aaron Cheruiyot, MP, regarding land transactions by multinationals without the involvement of the national or county governments; Statement requested by Sen. Millicent Omanga, MP, regarding the alleged irregular ownership and use of land referenced as LR. No. 336/64, in Babadogo, Nairobi City County; Statement requested by Sen. Paul Githiomi, MP, regarding the rampant destruction of food crops by elephants in Kiriita Ward, Ndaragwa Constituency, Nyandarua County; Statement requested by Sen. John Kinyua, MP, regarding insecurity in Laikipia County, and the need to clear land around the Laikipia Nature Conservancy; Statement requested by Sen. George M. Khaniri, MGH, MP, regarding obsolete technology used by the Kenya Meteorological Department (KMD) and the Statement requested by Sen. Johnes Mwaruma, MP, regarding the status of Nyangoro Water Project in Taita Taveta County.

Mr. Temporary Speaker, Sir, these were quite a number of Statements by different Senators and the Committee dealt with them, particularly this one for Nyandarua County.

It is important for the Ministry of Lands and Physical Planning to issue title deeds to owners of Gwa kung'u Village because they do not have them and this land was allocated to them a number of years ago.

Mr. Temporary Speaker, Sir, the Committee is currently considering seven Petitions. The Committee is finalizing its meetings with the relevant stakeholders and is scheduled to conduct a Report writing retreat thereafter to conclude on the Petitions to table the Reports before the next reporting period.

Mr. Temporary Speaker, Sir, tonight, we are going to Mombasa to ensure that all these reports have been written. We will report back to this House next week and table the reports.

In respect of county visits, the Committee conducted a site visit to Nyandarua and Embu counties on 28<sup>th</sup> February, 2022, following two Statements and a Petition.

Thereafter, the Committee conducted another site visit to Bungoma and Nandi counties on 16<sup>th</sup> March, 2022 and 16<sup>th</sup> March, 2022, respectively to consider two Petitions.

Mr. Temporary Speaker, Sir, one was in Bungoma and it was finalised. It was about forest that had been gazetted. The gazetted area belonged to individuals who had title deeds for their land. This matter was sorted out and the Ministry degazetted the same

for the land to revert to the owners and now they are living there happily. The Committee accomplished the mission of ensuring that those people have been settled on their land.

Mr. Temporary Speaker, Sir, the following activities will form part of the Committee's business for the next quarter. I believe that very soon we will be adjourning *Sine Die*. I do not know whether we shall accomplish this, but I believe we should be able to do a lot. We will do what we can handle and leave the rest to the next Senate.

What is left is:

- (i) Publish Legislative Proposals it has received from various stakeholders;
- (ii) Conclude and prepare Reports on seven (7) Petitions pending before the Committee;
- (iii) Conclude all the Statements pending before the Committee and follow up on the implementation of recommendations on the Reports it has tabled in the House. You are aware that we have no Implementation Committee in this House. We have not formed one.

It is the interest of the Committee that whatever reports that have been written by the Committee should be implemented. The only way this can be done is a follow up by the Committee to ensure that the reports have been implemented.

Mr. Temporary Speaker, Sir, I thank you for giving me an opportunity to present this Report.

**The Temporary Speaker** (Sen. Kinyua): Thank you, Sen. Mwangi.

The Chairpersons of the Standing Committee on National Security, Defense and Foreign Relations and Standing Committee on Roads and Transportation are not around.

The Statement on the activities of those two committees are, therefore, deferred.

Hon. Senators, the Chairperson Sessional Committee on Public Accounts and Investments is also not around. The Statement on the activities of that Committee is also deferred

#### ACTIVITIES OF THE COMMITTEE ON NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS

#### ACTIVITIES OF THE COMMITTEE ON ROADS AND TRANSPORTATION

#### ACTIVITIES OF THE COMMITTEE ON COUNTY PUBLIC ACCOUNTS AND INVESTMENTS

*(Statements Deferred)*

**The Temporary Speaker** (Sen. Kinyua): The Senate Majority Leader, you may proceed.

#### BUSINESS FOR THE WEEK COMMENCING

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TUESDAY, 17<sup>TH</sup> MAY, 2022

**The Senate Majority Leader** (Sen. Poghisio): Mr. Speaker, Sir, pursuant to Standing Order 52(1), I hereby present to the Senate, the business of the House for the week commencing Tuesday, 17<sup>th</sup> May, 2022.

On Tuesday, 17<sup>th</sup> May, 2022, the Senate Business Committee (SBC) will consider and approve the business for Tuesday, 17<sup>th</sup> May, 2022 which is projected to also contain business that will not be concluded in today's Order Paper. The SBC will further consider Bills at the Second Reading and Committee of the Whole stages as well as Motions as contained in the Programme of Senate Business.

On Wednesday, 18<sup>th</sup> May, 2022, the Senate will continue with business that will not be concluded on Tuesday, 17<sup>th</sup> May, 2022 and any other business scheduled by the SBC.

On Thursday, 19<sup>th</sup> May, 2022, the Senate will continue with business that will not be concluded on Wednesday, 18<sup>th</sup> May, 2022 and any other business scheduled by the SBC.

There are sixteen (16) Bills at the Second Reading stage, nine (9) of which have been listed in today's Order Paper for Division at Orders Nos.9 to 18. Additionally, there are eleven (11) Bills that are at the Committee of the Whole stage; seven (7) of which have also been listed in today's Order Paper for Division at Orders Nos. 21 to 27.

Cognizant that the end of the term of the Twelfth Parliament is nigh, and observing that there is critical business pending before the House, including the County Allocation of Revenue Bill (Senate Bills No.1 of 2022) and the County Governments Additional Allocation Bill (Senate Bills No.2 of 2022), among others; I take this opportunity to urge hon. Senators to avail themselves for the voting process for a speedy transition to the next stage of the Bills. I also urge respective Movers of the Bills and Senators moving amendments to avail themselves in the Chamber to prosecute the business accordingly.

In this regard, I also urge Standing Committees to expedite consideration of the business pending before them and table the reports accordingly, pursuant to the Standing Orders.

In conclusion, I wish to aver that we have a brief period to prosecute the pending business before the Senate. Considering that the Senate is scheduled to adjourn on Thursday, 19<sup>th</sup> May, 2022 for a short recess until 6<sup>th</sup> June, 2022. In light of this, I urge the offices of the Senate Majority Whip and the Senate Minority Whip to ensure that the requisite number of Senators is attained for the House to undertake the divisions before we proceed for this recess.

Additionally, I urge all of us to redouble our efforts in order to conclude all business before the Senate.

I thank you and hereby lay the statement on the Table of the Senate.

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*(Sen. Poghisio laid the document on the Table)*

**Temporary Speaker** (Sen. Kinyua): Next Order!

### **BILLS**

*First Reading*

THE COUNTY GOVERNMENTS ADDITIONAL  
ALLOCATION BILL (SENATE BILLS NO. 2 OF 2022)

*(Order for First Reading read - Read the First Time and  
ordered to be referred to the relevant Committee)*

**The Temporary Speaker** (Sen. Kinyua): Hon. Senators, we cannot prosecute Order Nos.9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21and 22 because they are all supposed to go for Division and we do not have requisite quorum. I, therefore, defer those Orders.

### **BILLS**

*Second Reading*

THE COUNTY ALLOCATION OF REVENUE  
BILL (SENATE BILLS NO. 1 OF 2022)

*(Bill deferred)*

### **BILL**

*Second Reading*

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

*(Division)*

*(Bill deferred)*

### **BILL**

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*Second Reading*

THE PERSONS WITH DISABILITIES (AMENDMENT)  
BILL (SENATE BILLS NO. 29 OF 2020)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE ELECTION CAMPAIGN FINANCING (AMENDMENT)  
BILL (SENATE BILLS NO.51 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE EMPLOYMENT (AMENDMENT) BILL  
(SENATE BILLS NO. 54 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE COTTON INDUSTRY DEVELOPMENT BILL  
(SENATE BILLS NO. 55 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE SUGAR BILL (NATIONAL ASSEMBLY BILLS NO. 68 OF 2019)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE PUBLIC PROCUREMENT AND ASSET DISPOSAL  
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 32 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE SACCO SOCIETIES (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILLS NO. 55 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE SUSTAINABLE WASTE MANAGEMENT BILL  
(NATIONAL ASSEMBLY BILLS NO. 22 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE NATIONAL COHESION AND PEACE BUILDING  
BILL (SENATE BILLS NO. 19 OF 2021)

*(Division)*

*(Bill deferred)*

**BILL**

*Second Reading*

THE COUNTY E-HEALTH BILL  
(SENATE BILLS NO. 39 OF 2021)

*(Division)*

*(Bill deferred)*

**MOTION**

ADOPTION OF AUDIT REPORTS FOR COUNTY EXECUTIVES FOR  
FYs 2018/2019, 2016/2017, AND 2017/2018 (VOLUMES I, II AND III)

THAT, the Senate adopts the Report of the Sessional Committee on County Public Accounts and Investments on consideration of the Reports by the Auditor General on the Financial Statements of the following County Executives for the Financial Year 2018/2019- Embu; Homa-Bay; Kericho; Kilifi; Kirinyaga; Kisii; Kwale; Machakos; Mombasa; Nandi; Baringo; Bomet; Garissa; Kajiado; and West Pokot as contained in Volume 1 of the Report and the following County Executives- Isiolo; Kakamega; Kisumu; Laikipia; Mandera; Marsabit; Nakuru; Narok; Nyandarua; Samburu; Taita Taveta; Trans-Nzoia; Uasin- Gishu; Vihiga; and Wajir, as contained in Volume

2 of the Report, Laid on the Table of the Senate on Thursday  
2<sup>nd</sup> December, 2021.

*(Division)*

*(Motion deferred)*

### **MOTION**

#### **ADOPTION OF THE SPECIAL AUDIT REPORT ON UTILIZATION OF COVID 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.

*(Division)*

*(Motion deferred)*

Hon. Senators, further, Order Nos. 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35 also deferred because we do not have the requisite quorum to execute them.

### **COMMITTEE OF THE WHOLE**

#### **THE INTERGOVERNMENTAL RELATIONS (AMENDMENT) BILL (SENATE BILLS NO. 37 OF 2021)**

*(Division)*

*(Committee of the whole deferred)*

### **COMMITTEE OF THE WHOLE**

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

*(Division)*

*(Committee of the whole deferred)*

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**COMMITTEE OF THE WHOLE**

THE PRESERVATION OF HUMAN DIGNITY AND PROTECTION  
OF ECONOMIC AND SOCIAL RIGHTS BILL (SENATE BILLS NO. 21 OF 2021)

*(Division)*

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE LIFESTYLE AUDIT BILL (SENATE BILLS NO. 36 OF 2021)

*(Division)*

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE SPECIAL NEEDS EDUCATION BILL  
(SENATE BILLS NO. 44 OF 2021)

*(Division)*

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE MENTAL HEALTH (AMENDMENT) BILL  
(SENATE BILLS NO. 28 OF 2020)

*(Consideration of National Assembly Amendments)*

*(Division)*

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE IRRIGATION (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILLS NO. 12 OF 2021)

*(Division)*

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE COUNTY ALLOCATION OF REVENUE  
BILL (SENATE BILLS NO.1 OF 2022)

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE ELECTIONS (AMENDMENT) (NO.3) BILL  
(SENATE BILLS NO.48 OF 2021)

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

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

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE STREET VENDORS (PROTECTION OF LIVELIHOOD)  
BILL (SENATE BILLS NO. 7 OF 2021)

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

THE COUNTY RESOURCE DEVELOPMENT BILL  
(SENATE BILLS NO. 45 OF 2021)

*(Committee of the whole deferred)*

**COMMITTEE OF THE WHOLE**

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THE COMMUNITY GROUPS REGISTRATION BILL  
(NATIONAL ASSEMBLY BILLS NO. 20 OF 2021)

*(Committee of the whole deferred)*

Hon. Senators, the Mover of business listed as Order Nos. 36 and 37 are not in the Chamber. Those Orders are, therefore deferred

**MOTIONS**

ADOPTION OF THE REPORT ON THE INQUIRY  
INTO THE ECDE LANDSCAPE

THAT, the Senate adopts the Report of the Standing Committee on Education on the inquiry into the Early Childhood Development Education (ECDE) landscape in the country laid on the Table of the Senate on Tuesday, 10<sup>th</sup> May, 2022.

*(Motion deferred)*

ADOPTION OF THE REPORT ON CONSIDERATION OF  
THE CONTROLLER OF BUDGET REGULATIONS, 2021

THAT, the Senate adopts the Report of the Sessional Committee on Delegated Legislation on its consideration of the Controller of Budget (COB) Regulations, 2021, laid on the Table of the Senate on Tuesday, 10<sup>th</sup> May, 2022 and pursuant to Section 18 of the Statutory Instruments Act, 2013 annuls the Controller of Budget Regulations, 2021.

*(Motion deferred)*

**ADJOURNMENT**

**The Temporary Speaker** (Sen. Kinyua): Hon. Senators, there being no other Business on the Order Paper, the Senate stands adjourned until Tuesday 17<sup>th</sup> May, 2022 at 2.30 p.m.

The Senate rose at 4.40 p.m.

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