

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 8th September, 2022

Thirteenth Parliament – First Sitting

(Convened by notification vide Legal Notice No.10528 of 2022)

*(The Senate met at 9.00 a.m. at the Senate Chamber
Main Parliament Buildings, Nairobi, on Thursday,
8th September, 2022, it being the first sitting of the Senate)*

*(The proceedings were opened with a prayer read by the
Clerk of the Senate (Mr. Nyegenye))*

COMMUNICATION FROM THE CLERK OF THE SENATE

WELCOME TO HON. SENATORS AND NOTIFICATION OF PLACE AND TIME OF FIRST SITTING OF THE SENATE

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, good morning. It is my singular pleasure and privilege this morning to welcome you to this first sitting of the Senate of the 13th Parliament.

I take this opportunity to congratulate all of you on your election. The people of this country have placed tremendous trust in you. My colleagues and I who work in the secretariat of the Senate have the honor and privilege to be the people that will serve you as you prosecute these great responsibilities.

Hon. Senators, Standing Order No.3(1)(a) of the Senate Standing Orders provides as follows: -

“On the first sitting of a new Senate, pursuant to the President’s notification under Article 126(2) of the Constitution, the Clerk shall read the notification of the President as published in the gazette---

I will pause to allow the Senators at the bar to take their seats.

(Several Senators entered the Chamber)

Hon. Senators, pursuant to this provision of the Standing Orders, I will now proceed to read the notification of His Excellency the President as follows and I quote: -

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GAZETTE NOTICE No.10528

THE CONSTITUTION OF KENYA

FIRST SITTING OF THE SENATE

“In Exercise of the powers conferred by Article 126(2) of the Constitution of Kenya, I, Uhuru Kenyatta, President and Commander-in-Chief of the Kenya Defence Forces, appoints that the first sitting of the Senate shall be held at the Main Parliament Buildings in the Senate Chamber, Nairobi, on 8th September, 2022 at 9.00am.”

The Gazette notice is dated 5th September, 2022 and is signed by His Excellency the President. I will now proceed to lay the Gazette notice on the Table of the Senate as required.

*(The Clerk of the Senate (Mr. Nyegenye)
laid the document on the Table)*

PAPERS LAID

LIST OF GAZETTED SENATORS

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, Standing Order No. 3(1)(b) requires that on the first sitting of a new Senate, Pursuant to the President’s notification under Article 126(2) of the Constitution; the Clerk shall lay a list of the names of the persons elected as Senators on the Table of the Senate.

I will now proceed to lay on the Table of the Senate Gazette Notice No.9955 dated 24th August, 2022 that lists the persons elected as Senators and Gazette Notice No.10537 dated 7th of September, 2022 containing the names of the persons nominated as Senators pursuant to Article 98(1)(b),(c) and (d) of the Constitution.

I thank you.

*(The Clerk of the Senate (Mr. Nyegenye) laid
the documents on the Table)*

COMMUNICATION FROM THE CLERK OF THE SENATE

PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR AFFIRMATION OF OFFICE

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, I have the following communication to make. This communication relates to the procedure that will be followed in the Administration of the Oath or Affirmation of Office.

I will pause to allow Senators at the Bar to take their seats.

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(Several Senators entered into the Chamber)

Hon. Senators, Standing Orders No.3(1)(c) requires that on the first sitting of a new Senate, pursuant to the President's notification under Article126(2) of the Constitution, the Clerk shall administer the Oath or Affirmation of Office, provided for in the Third Schedule to the Constitution, to all Senators present in the Senate, in the order set out in Standing Order No.3(2).

Standing Order No. 3(2) provides as follows:

“The Clerk shall administer the Oath or Affirmation of Office to Senators in alphabetical order using the following order of precedence—

- (a) Senators with the longest cumulative period of service in the Senate;
- (b) Senators with the longest cumulative period of service in the Senate and the National Assembly;
- (c) Senators with the longest cumulative period of service in the National Assembly;
- (d) Senators with the longest cumulative period of service in any other legislature; and
- (e) all other Senators.”

Senators at the Bar, kindly, take your seats.

(Several Senators entered into the Chamber)

Hon. Senators, it is important to observe that Standing Order No. .3(3) provides as follows-

“Pursuant to Article74 of the Constitution, no person shall assume or perform any functions of the office of a Senator before taking and subscribing to the Oath or Affirmation of Office provided for under paragraph (1).”

Standing Order No. 3(4), further provides-

“When the Clerk is administering the Oath or Affirmation of Office to Senators and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the Senate shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.”

Hon. Senators, pursuant to Standing Order No.3(1)(c), I shall now proceed to administer the Oath or Affirmation of Office to all Senators here present in the order of precedence that is set out in Standing Order No.3(2) and captured in the appendix of today's Order Paper.

In order to facilitate this process, the name of each Senator shall be called out. When called, the Senator shall proceed to the podium on my right and shall thereupon have the option to take the Oath or Affirmation of Office in accordance with their respective religious persuasion. After taking the Oath or Affirmation of Office, the Senators shall then proceed to subscribe to the Oath or Affirmation of Office at the Table on my left by signing the Oath or Affirmation Book.

The Order shall be that when called upon, you shall go to the Bar and bow, then proceed to the swearing in arena where we shall administer the Oath or Affirmation of

Office. You will then proceed to the Table on the left where you will subscribe to the Oath or Affirmation of Office. After that, you will proceed to the Bar, bow again and then resume your seat.

Hon. Senators at the Bar, kindly take your seats.

(Several Senators entered into the Chamber)

Hon. Senators, we are now ready to commence the process. I will therefore ask the Clerk-at-the-Table to call out the name of each Senator as it is set out in the appendix of the Order Paper. When you are called, you will come to the podium and we shall administer the Oath in the manner we have described.

Kindly, proceed.

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Senators-

| | |
|---------------------------------|------------------------|
| Adan Dullo Fatuma | Isiolo County |
| Madzayo Stewart Mwachiru | Kilifi County |
| Kajwang' Moses Otieno | Homa Bay County |
| Khalwale Boni (Dr.) | Kakamega County |
| Margaret Jepkoech Kamar (Prof.) | Nominated |
| Lelegwe Steve Ltumbesi (Dr.) | Samburu County |
| Boy Issa Juma | Kwale County |
| Mogeni Erick Okong'o | Nyamira County |
| Mwaruma Johnes Mwashushe | Taita Taveta County |
| Mwinyihaji Mohamed Faki | Mombasa County |
| Murkomen Onesimus Kipchumba | Elgeyo Marakwet County |
| Cheruiyot Aaron Kipkirui | Kericho County |
| Olekina Ledama | Narok County |
| Wambua Enoch Kiio | Kitui County |
| Muthama Agnes Kavindu | Machakos County |
| Haji Abdul Mohamed | Garissa County |
| Oginga Oburu (Dr.) | Siaya County |
| Kipkiror William Cheptumo | Baringo County |
| Onyonka Richard Momoima | Kisii County |
| Kathuri Murungi | Meru County |
| Maanzo Daniel Kitonga | Makueni County |
| Shakila Abdalla Mohamed | Nominated |
| Mungatana Danson Buya | Tana River County |
| Peris Pesi Tobiko | Nominated |
| Roselinda Soipan Tuya | Nominated |
| Abass Sheikh Mohamed | Wajir County |
| Joyce Chekoech Korir | Nominated |

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| | |
|-----------------------|----------------------|
| Osotsi Godfrey Atieno | Vihiga County |
| Recha Julius Murgor | West Pokot County |
| Mwenda Julius Gataya | Tharaka Nithi County |
| Kamau Joseph Githuku | Lamu County |
| Thang'wa Paul Karungo | Kiambu County |
| Nderitu John Kinyua | Laikipia County |
| Ekomwa James Lomenen | Turkana County |

Sen. Murango: Mimi, Bw. James Kamau Murango, nikiwa nimechaguliwa kama mwanachama wa Seneti, naapa kwa jina la Mwenyezi Mungu kwamba nitakuwa mwaminifu na mtiifu kwa watu na Jamuhuri ya Kenya na Rais wangu William Samoei Ruto. Kwamba nitatii---

Hon. Senators: Point of order! No! Point of order, Mr. Clerk!

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, it will not be necessary to raise points of order, the oath must be read as it is. The oath will be read as it is.

(Sen. Murango read the oath as required)

| | |
|------------------------------|--------------------|
| Murango James Kamau | Kirinyaga County |
| Beatrice Akinyi Oyomo | Nominated |
| Beth Kalunda Syengo | Nominated |
| Betty Batuli Montet | Nominated |
| Catherine Muyeka Mumma | Nominated |
| Chesang Allan Kiprotich | Trans Nzoia County |
| Chute Mohamed Said | Marsabit County |
| George Mungai Mbugua | Nominated |
| Gloria Magoma Orwoba | Nominated |
| Hamida Ali Kibwana | Nominated |
| Hezena M. Lemaletian | Nominated |
| Keroche Tabitha Karanja | Nakuru County |
| Mandago Jackson Kiplagat | Uasin Gishu County |
| Mariam Sheikh Omar | Nominated |
| Maureen Tabitha Mutinda | Nominated |
| Methu John Muhia | Nyandarua County |
| Miraj Abdullahi Abdulrahman | Nominated |
| Mundigi Alexander Munyi | Embu County |
| Ngugi Joe Joseph Nyutu | Murang'a County |
| Nyamu Karen Njeri | Nominated |
| Odhiambo Ojienda Tom (Prof.) | Kisumu County |
| Oketch Eddy Gicheru | Migori County |
| Okoit Andrew Omtatah | Busia County |
| Raphael Chimera Mwinzagu | Nominated |
| Roba Ali Ibrahim | Mandera County |
| Seki Lenku Ole Kanar | Kajiado County |

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| | |
|--------------------------------|---------------------|
| Sifuna Edwine Watenya | Nairobi City County |
| Veronica Waheti Nduati Maina | Nominated |
| Wakili Hillary Kiprotich Sigei | Bomet County |
| Wamatinga Wahome | Nyeri County |
| Cherarkey Samson K. | Nandi County |

(Sen. Crystal Kagehi Asige was not in the Chamber and was, therefore, not sworn- in on this day)

The Clerk of the Senate (Mr. Nyegenye): Next Order.

The Senator for Homa Bay County (Sen. M. Kajwang’): On a point of Order, Mr. Clerk.

The Clerk of the Senate (Mr. Nyegenye): What is your point of Order, Sen. M. Kajwang’?

POINT OF ORDER

SUSPENSION OF ELECTION OF DEPUTY SPEAKER IN ORDER TO AFFORD OPPORTUNITY TO NOMINATED SENATORS TO APPLY FOR THE POSITION

The Senator for Homa Bay County (Sen. M. Kajwang’): Mr Clerk, you sitting in today as the Speaker of the House pending election of the Speaker, I rise on a point of order just before we get into the details of the order that you have called out on Election of Speaker and Deputy Speaker of the Senate.

I rise pursuant to Standing Order No. 4 that deals with the Election of Speaker. I want to also deal with it alongside Article 98 of the Constitution of Kenya that defines the constitution of this Senate. The Senate comprises of 47 elected Senators plus a number that shall be nominated to this House.

The Clerk is sitting in as the Speaker so I will use that reference interchangeably.

Mr. “Speaker”, Sir, all the 67 Senators are equal. Once they have taken the Oath of Allegiance, they have equal right to vie for the position of Deputy Speaker of the Senate.

You will note that the gazettelement of the 20 nominated Senators was done just yesterday and that was less than 48 hours to the Election of the Speaker which we are about to conduct. Furthermore, you will notice that by the time the nominated Senators were gazetted and brought to this House for orientation, the period for application for the position of Deputy Speaker had already been closed.

This is extremely important because the 20 nominated Senators represent the marginalized sections of this county. They represent women, youths and persons with disability not only on this side, but it is across the aisle. What I am raising is not a partisan objection.

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The nominated Senators sitting in front of me had a right to apply for the position of the Deputy Speaker of the Senate. The foundation upon which we start this Senate shall determine and dictate whether this Senate shall always look out for the rights of the marginalised and stand for the rule of the law.

Mr. Clerk, my point of order is that we cannot disenfranchise one-third of this Senate and the 50 per cent of the population that is represented by the women Senators nominated to represent gender interests. We cannot disenfranchise 60 per cent of the population of this country who are the youth and are represented by the Senators nominated to represent them.

My objection and what I would like you to clarify is that we should not proceed with the elections of the Speaker and the Deputy Speaker, until the rights of the nominated Members of the Senate have been respected and are accorded an opportunity to put in their applications.

Mr. Clerk, we have very capable nominated Senators here. Sen. (Prof.) Kamar was our Deputy Speaker in the last Senate. I look across the aisle and see the Senator sitting on the Deputy Majority Leader Chair, whose composure and outlook shows that she can be a very good Deputy Speaker. Let us create an opportunity and a window for them to apply and then we do the right thing.

I know someone will argue that it was the work of the Independent Electoral and Boundaries Commission (IEBC) to gazette the nominated Senators. The Senate cannot take wrong decisions because IEBC took the wrong decisions.

Mr. Clerk, another objection is that applications were to be done 48 hours to this election. You amended it unilaterally in your notice and put the deadline to 2.30 p.m. of yesterday. I am not complaining about that. Whether it was at 2.30 p.m., the nominated Senators still did not have an opportunity to apply.

As a House, we cannot do things unprocedurally and trample on the rights of our women and youth, simply because the IEBC decided to be lazy and run away from their duty. You have seen the kind of mess the IEBC has brought to this country.

Mr. Clerk, let the foundation of this Senate, which some of us have sat in for quite some time, not be of impunity and denying the rights of our women and youth. It would be important the Clerk rules on this. My prayer would be that this exercise and this Order be suspended until everyone has been given an opportunity to participate in the rightful manner.

Hon. Senators: On a point of order, Mr. Clerk.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, we will need to put all the microphones off. There will be opportunities to speak. I will have to go either way.

Sen. Murkomen, proceed.

The Senator for Elgeyo Marakwet County (Sen. Murkomen): Thank you, Mr. Clerk. First, I congratulate everyone here who has been sworn in and I look forward to us working together. I know we will have an opportunity to congratulate each other later on.

Sen. M. Kajwang has raised an objection. He is a ranking Member in this House, now serving his third term. So, he should be leading by example and showing the way to the new Senators. The objection he is raising---

Hon. Senators: On a point of order, Mr. Clerk.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, I will hear Sen. Murkomen.

The Senator for Elgeyo Marakwet County (Sen. Murkomen): Mr. Clerk, the objection he is raising is premature to the extent that this House is now discussing the Election of the Speaker. The issues raised by Sen. M. Kajwang have nothing to do with the position of the Speaker. He should be setting an example for the other Senators to know that you do not anticipate debate, especially on a Motion that is not on the Floor of the House.

Mr. Clerk, we need to focus first on the Order that is called in the Order Paper; The Election of the Speaker. The entire speech of Sen. M. Kajwang is premised on an Order that has not been called. He should hold his horses until we reach that Order so that he can raise his objections.

Those of us who have issues to do with what he has raised here, will then come back when that matter is alive for purposes of discussion. Sen. M. Kajwang should acquaint himself with Standing Order No.3, which talks about the role of the Clerk as far as this Sitting is concerned.

When we reach that Order, I will invite you to strictly focus on the role of the Clerk, until we have a Speaker who can have the freedom to use Standing Order No.1 and other Orders, to make a ruling on the issue being canvassed by Sen. M. Kajwang. When the Speaker will be sitting here after we are done with our first Order, then Sen. M. Kajwang will be free to raise those issues.

Mr. Clerk, let us first stick to the Order as called. Otherwise, we will go to a frolic of our own and hon. Senators here will be delayed here for no reason. The new Senators are quietly watching, waiting and anxiously preparing themselves to debate in this House. They need a Speaker to sit there so that they can make their contributions.

Hon. Senators: On a point of Order, Mr. Clerk.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, please turn off your microphones. I will need to rule shortly. However, before I do so, I will need to hear two more representations on either side. Unfortunately, we cannot take more. The Business for today is defined in the Constitution and in the Standing Orders. Therefore, I am only able to hear two representations from either side. Thereafter, we will be ready to rule.

Sen. Dullo, proceed.

The Senator for Isiolo County (Sen. Dullo): Thank you, Mr. Clerk. The matters raised by Sen. M. Kajwang are weighty and should not be taken for granted.

Secondly, we cannot wait for the Speaker to be sworn in and then we raise them. The Standing Orders are clear, but there is also a lacuna in these Orders where Parliament did not expect this kind of a situation to arise. Before we move on, it is really important that the Clerk decides on this.

The Clerk of the Senate (Mr. Nyegenye): Hon. Members, please turn off all the microphones. As I had undertaken, I will hear one more from either side. We have heard Sen. Dullo. If there is any representation from this side, I will hear it.

The Senator for Kakamega County (Sen. (Dr.) Khalwale): Thank you, Mr. Speaker, Sir. Sorry, I beg your pardon, Mr. Clerk. I can see the attempt by Sen. M.

Kajwang, through this point of order, where he is attempting to suspend the Sitting of this House.

If, indeed, he wants to suspend this Sitting of the Senate, he knows what to do. He should go and do it. He should not hide under a Standing Order. Those are not our Standing Orders. Probably, those orders are for doing trade in fish and so forth.

(Loud consultations)

The Clerk of the Senate (Mr. Nyegenye): Sen. (Dr.) Khalwale, you are out of order. Please withdraw the objectionable remarks and proceed with your speech.

The Senator for Kakamega County (Sen. (Dr.) Khalwale): Thank you, Mr. Clerk. I profusely withdraw and wish to advance my point of order.

(Loud consultations)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, I have directed Sen. (Dr.) Khalwale to withdraw. He has done so. Therefore, he can now proceed with his speech.

The Senator for Kakamega County (Sen. (Dr.) Khalwale): Thank you, Mr. Clerk. It would be wrong for us to attempt to suspend the Senate when this is a Special Sitting. It is a special sitting to the extent that we have been invited here for a specific agenda. We have to discharge that agenda and in as much as many of us are willing to listen to his persuasion, he has to do it at the right time.

Let us proceed and elect the Speaker. When the Speaker is in the chair, he will preside over the House. When the Motion is moved to elect a Deputy Speaker, he will be free to stand in his place and try to advance what he is trying to do. The country must know about his attempt to bring in the IEBC and that this culture of us refusing to respect constitutional institutions must come to an end if we want to uphold a Republic that we call Kenya.

Mr. Clerk, you must deny him that opportunity to attempt to suspend the House.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, I said I would give two opportunities which was prospective. There was one on this side and one on the other. I will allow an opportunity for Members to speak from each side and then I will make a determination.

Sen. Olekina, proceed.

The Senator for Narok County (Sen. Olekina): Thank you, Mr. Clerk. I appreciate you recognizing this matter that is quite weighty. I have an additional clarification which I want to seek. This is under Article 108 and Standing Order No.22 which expounds on the issue of the Majority Party.

Hon. Senators: Point of Order. On point of Order, Mr. Clerk.

The Clerk of the Senate (Mr. Nyegenye): Sen. Olekina, please resume your sit.

Hon. Senators, the matter that is before us is the point of order that was raised by Sen. M. Kajwang. I undertook to give an opportunity to either side to canvas that point of

order and speak to it. No any other matter can be introduced until a determination has been made to the issue raised by him.

Sen. Olekina, I had given you the opportunity to speak to that point of order. Ordinarily, I should not let you come back because you have spent that time or misspent it. However, I will give you a special dispensation. Please canvas and stay to the point of order by Sen. M. Kajwang. Thereafter, there will be one opportunity on this side and then I must make a determination immediately thereafter.

The Senator for Narok County (Sen. Olekina): Thank you, Mr. Clerk. I will take one minute and donate the remaining minute.

The Clerk of the Senate (Mr. Nyegenye): Unfortunately, not.

The Senator for Narok County (Sen. Olekina): Mr. Clerk, the issue raised by Sen. M. Kajwang is important. We talk about inclusivity and diversity in this country. As a House of union, the Senate must lead by example. Sen. M. Kajwang raised a pertinent issue on a matter of women.

We know very well that the Wiper Democratic Party has not nominated a Senator to the Senate as I speak now. This is an issue which is holding us back. The nominated Senators are being denied an opportunity to serve as Deputy Speaker here because of the provision for nominees to submit their names before the lapse of 48 hours. Why do we not suspend this sitting, then you can brief those Senators? In your Communication to us, you had said that you would brief them at 5.00 p.m. Why do we not suspend the House; you brief them and give them an opportunity? You cannot deny them an opportunity. It is like someone wanting to vote, but he is denied an opportunity to do so. The Constitution is quite clear on that matter.

Finally, I beseech you to suspend this matter for now until the time that everyone who has been elected and sworn in can be given an opportunity to present their papers. There is no way you can disenfranchise elected Senators.

An hon. Senator: On a point of information, Mr. Clerk.

The Senator for Narok County (Sen. Olekina): I am very happy to be informed.

The Clerk of the Senate (Mr. Nyegenye): No, you have finished your speech. You cannot be informed after you have finished your speech. We have one more Senator to speak on this side, then we can make a determination.

Proceed, Sen. Cheruiyot.

The Senator for Kericho County (Sen. Cheruiyot): Thank you, Mr. Clerk. I want to react to the point of order by my good friend Sen. M. Kajwang. This is a classic filibuster. There is nothing that the minority side is looking for other than an opportunity to stage a walk-out because they can see the chances of another imminent defeat in quick succession after they suffered a quick one in the previous election. That is why---

The Clerk of the Senate (Mr. Nyegenye): Sen. Cheruiyot, please stay relevant. You know the rules of the House.

The Senator for Kericho County (Sen. Cheruiyot): Mr. Clerk, under Standing Order No.3, your powers and duties as the Clerk of this House are limited. You exercise limited jurisdiction over presiding of this House today and the activities that have been gazetted. I would like to give my sure warning that the decision and determination that

Sen. M. Kajwang is inviting you to make is not within your jurisdiction. You have conducted the first duty which is to administer Oath of Allegiance to Senators.

Hon. Senators: Point of Order! Point of Information!

The Senator for Kericho County (Sen. Cheruiyot): Mr. Clerk, I seek your protection.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, it would be appropriate that we hear Sen. Cheruiyot. If you do not agree with what he is saying, that is okay. I will make a determination later. However, I would plead that we just listen because we have important business and an important determination to make one way or the other. Please conclude your speech.

The Senator for Kericho County (Sen. Cheruiyot): Mr. Clerk, I will conclude by saying that if you grant the minority side an opportunity---

(Sen. Wambua stood up in his place)

The Senator for Kericho County (Sen. Cheruiyot): Protect me from Sen. Wambua. I understand that he is anxious because his party leader is one of the candidates. Probably that is why---

(Laughter)

The Clerk of the Senate (Mr. Nyegenye): Sen. Cheruiyot, please conclude your speech.

The Senator for Kericho County (Sen. Cheruiyot): Mr. Clerk, I will conclude once I am protected.

The Clerk of the Senate (Mr. Nyegenye): Sen. Wambua, please resume your seat.

The Senator for Kericho County (Sen. Cheruiyot): You know, Mr. Clerk---

The Clerk of the Senate (Mr. Nyegenye): No, please conclude.

Hon. Senators, this is the first sitting. We are on full display of the public. We want to show that we deal with our affairs in a dignified manner. Sen. Cheruiyot is about to conclude his speech. I will make a determination of how we shall proceed. Kindly allow Sen. Cheruiyot to conclude his speech. Sen. Cheruiyot, kindly do so in not more than one minute.

The Senator for Kericho County (Sen. Cheruiyot): Thank you, Mr. Clerk. I was pleading for your protection because in all fairness and dignity, we listened to our colleagues in as much as we did not like what they were saying. Therefore, it is incumbent for them to also listen to us as we make our remarks.

I plead that you make the right decision, which is to allow us to elect the Speaker of this House. Immediately after that, Members of the minority side can then complain about everything, including the weather today, if that is the reason why they do not want to vote.

(Loud consultations)

The Clerk of the Senate (Mr. Nyegenye): Order, Order.

The Senator for Kericho County (Sen. Cheruiyot): Finally, as is the tradition of this House---

An hon. Senator: You must withdraw.

The Senator for Kericho County (Sen. Cheruiyot): Mr. Clerk, if any of our nominated colleagues had the intention of running for the Office of the Deputy Speaker, I am sure they would have put it before you in writing and as the umpire in this exercise you would have either waived the time barrier---. Do we have any evidence or is Sen. M. Kajwang' simply wasting the time of this House?

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, I made a determination. Unfortunately, I will not allow any additional points of order because we made a clear determination that we shall hear two on either side.

The matter which Sen. M. Kajwang' canvased is quite clear and all the parties have spoken to it. I will make a determination at this point.

Sen. M. Kajwang' raised the issue about application of Standing Order No.4 and Article 98 of the Constitution. He said that basically, all Senators are equal and they have an equal right and opportunity to vie for the position of Deputy Speaker. Their late gazettelement therefore disenfranchised them because they have not been availed the opportunity to put forth their interest. His prayer is that Order No.4, which is election of the Speaker be suspended.

Sen. Murkomen responded to this point of order. In his view, it is premature on account of the Order that we are at. He also added that the Clerk's role is limited and that, by dint of Standing Order No.3, he is not able to make a determination on this matter.

Sen. Dullo said that this is a substantive matter and therefore we cannot wait for the substantive Speaker. Sen. (Dr.) Khalwale, basically said that this was a roundabout way to try and suspend the sitting. He added that the right time to canvas this point of order will be at Order No.5.

Sen. Olekina spoke on inclusivity, diversity, House of union and the need for suspension, so that Senators who were belatedly gazetted are briefed and allowed the opportunity to participate. Sen. Cheruiyot called it a classic filibuster and said that the jurisdiction of the Clerk, under Standing Order No.3, is limited and it is not within my jurisdiction.

There are only two points over which I will make my determination. Looking at the first one, it may not be necessary to go to the second. The first one is whether, by the application of Standing Order No.3 (4), the Clerk has the jurisdiction to make a determination on the matters in issue.

Standing Order No.3 (4) states that-

“When the Clerk is administering the Oath or Affirmation of Office to Senators and before the Clerk has administered the Oath or Affirmation of Office to the Speaker, any question arising in the Senate shall be determined by the Clerk who shall, during that period, exercise the powers of the Speaker.”

I determine that the Clerk has full jurisdiction for all purposes up to and until a substantive Speaker is elected and sworn in. To rule otherwise would mean that the House would generate into disarray and there would be no one to make a determination.

Our Constitution could not have contemplated a situation like that but that was not provided for. Hon. Senators, my determination is that there is jurisdiction for the Clerk to rule on the matter that has been raised.

Regarding the matter raised by Sen. M. Kajwang, the objection by Sen. Murkomen is correct and appropriate. As it is well known, the business of this House is canvassed by Orders as they are read out. At this time, the Order that has been read is Election of the Speaker. Who can tell whether we will have election of the Deputy Speaker? It is not known at this time.

I, therefore, rule that we proceed with the business of Order No.4. If we proceed to Order No.5 and there is objection, that objection will be canvassed and entertained and a determination will be made.

Order No.4 having been read and a determination made---

An Hon. Senator: Point of order.

The Clerk of the Senate (Mr. Nyegenye): Unfortunately, I cannot entertain a point of order again on this matter.

(Loud consultations)

Hon. Senators, I will listen to Sen. Omogeni, but this cannot be the matter over which the Speaker has made a determination.

POINT OF ORDER

CIRCULATION OF CVs OF QUALIFIED CANDIDATES FOR POSITION OF SPEAKER

The Senator for Nyamira County (Sen. Omogeni): Thank you, *Bw.* Clerk. I am rising on a procedural issue regarding the election of the Speaker. I want to draw your attention to Standing Order No.5 (5) which states as follows-

“Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall—

(a) publicise and make available to all Senators, a list showing all qualified candidates; and

(b) make available to all Senators, copies of the curriculum vitae of the qualified candidates.”

Mr. Clerk, other Senators will confirm, that we have not been supplied---

(Loud consultations)

The Clerk of the Senate (Mr. Nyegenye): The Senator will be heard. Kindly conclude.

The Senator for Nyamira County (Sen. Omogeni): Mr. Clerk, the obligation is on you to circulate to all of us the CVs of all the qualified candidates. However, a number of us have not received the CVs.

Therefore, Mr. Clerk, before we proceed with the business of electing the Speaker, I urge you to give us time to go through them. I also beg to move that the election of the Speaker be suspended to enable us get copies of the CVs and to go through them before the House can reconvene to undertake this important task.

The Clerk of the Senate (Mr. Nyegenye): I do not see any concern from this side.

Sen. Omogeni, you are absolutely correct in the observation that you have made. We are conscious about this obligation and duty. The Office of the Clerk made every effort to publicise and make available to all Senators a list showing all qualified candidates. Indeed, we went public in the press.

Additionally, we made it available to Senators in this Chamber yesterday. We had asked all Senators to assemble here and part of the business---

(An hon. Senator spoke off record)

The Clerk of the Senate (Mr. Nyegenye): Kindly allow the speaker to be heard.

The opportunity was availed here. We made it public and asked all Senators to be present in order to make them available in terms of the obligation under the Standing Order No.5. That notwithstanding, I direct that copies be made available to those who do not have them.

Unfortunately, I will not suspend the sitting. The copies will nevertheless, be made available at this time. They were made available yesterday. Since we have soft copies, I also ask that they be sent to the WhatsApp group---

(Loud consultations)

Hon. Senators, I want to draw your attention to Standing Order No. 2(2). Which states that-

“In these Standing Orders, whenever a document is required to be provided or made available to Senators, the document shall be considered to have been so provided or made available if placed in the Senator’s pigeon-holes or in such other place or availed in such other manner as the Speaker may direct”

Hon. Senators, the CVs have been provided in your gadgets.

The Senator for Mombasa County (Sen. Faki: On a point of order.

(Loud Consultations)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, let us have some order. The business at hand is far too important and we will proceed with it. I have made a determination and drawn attention to the rules. Yesterday, we made available hard copies and soft copies in the gadgets that are in the Chamber.

If anyone is unable to access the gadgets that are in the chamber, our Serjeant-at-Arms are available to help you access them. Additional copies are being provided at this time. Therefore, we will proceed now.

(Loud consultations)

Order, hon. Senators. Having undertaken the business of administration of oath or affirmation of office, we will now proceed.

(Loud consultations)

Sen. Faki, what is your point of order?

The Senator for Mombasa County (Sen. Faki): Asante Bw. Karani. Nimesimama kulingana na Kanuni ya Kudumu ya 22 ya Seneti, kuhusiana na chama ama muungano wa vyama ambao ndio wengi katika Bunge hili.

Swala hili lina umuhimu kwa sababu kura itapigwa na miungano miwili. Kuna muungano wa Kenya Kwanza, na muungano wa Azimio. Ni wazi kwamba, muungano wa Azimio ulikuwa unajumuisha chama kinachojulikana kama United Democratic Movement (UDM).

Na hivi sasa, chama cha UDM kimekaa kwa upande wa Kenya Kwanza. Ni chama ambacho katika sheria ya vyama vya kisiasa, kilikuwa katika Muungano wma Azimio na mkataba huo haujafutwa wala kubatilishwa kisheria.

Haiwezekani kwamba sheria hii ya vyama ambayo tuliipitisha juzi tu katika Bunge hili, inaweza kudharauliwa, kunajisiwa wakati ambao sisi Maseneta tuliopitisha sheria hiyo tuko hapa.

Mpaka sasa, hakujakuwa na talaka baina ya chama cha UDM na muungano wa Azimio. Kwa hivyo, uwepo wao katika muungano wa Kenya Kwanza ni kinyume cha sheria. Sisi kama Bunge la Seneti hatuwezi kukubaliana na swala hilo.

Kiongozi wa chama hicho, Sen. Ali Roba yuko hapa na ni Muislamu. Kwa hivyo, anajua kwamba ni haramu kwa mke wa mtu kwenda kwa bwana mwingine bila kupata talaka.

(Loud consultations)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, we run the risk of the sitting degenerating into matters that are not at the present time before the Floor of the House. I will deal with the matter that I allowed Sen. Faki to speak to summarily.

In terms of where the Senators are sitting, I draw attention to Standing Order No. 255 about sitting in the Chamber. It makes it clear that any Senator can sit at any place in the Chamber with the exception of certain seats, which are reserved for the Deputy Speaker, the Majority and Minority Leaders and Senators with disabilities.

Therefore, at this time, the matter of where you sit in the Chamber is not in issue. It is open for any Senator to sit on either side if they so choose.

The matter of political parties and coalitions can also wait. The business we have at the present time is the business of the election of the Speaker. Under Standing Order

No. 6, this is an election by secret ballot. Thus, the matter of political parties and political affiliation will not be an issue at all for the purposes of the election.

We will have an election in which the ballot boxes will be here, the ballot papers will be given, the election will proceed and we will count accordingly.

I am unfortunately unable to entertain further points of order now. It is appropriate----

(Loud consultations)

Hon. Senators, is there a Senator who at this time does not have a copy of the CVs?

The Senator for Nyamira County (Sen. Omogeni): On a point of order.

The Clerk of the Senate (Mr. Nyegenye): What is your point of order?

The Senator for Nyamira County (Sen. Omogeni): The business we are about to undertake is very important. All Senators who are in this House went through a very rigorous process before we were cleared by the Independent Electoral and Boundaries Commission (IEBC), to run for our respective elective seats.

Mr. Clerk, I had just raised a point of order and you have directed that I be supplied with CVs of all candidates whom we are about to elect as our Speaker.

I thank you because your order has been complied with. I have now been given six CVs. What is worrying me and I seek the direction of your office, is that the CVs that I have been given do not have very critical clearances of Chapter Six of the Constitution of Kenya 2010.

To elect somebody to sit in that office, the Curriculum Vitae (CVs) must be accompanied by clearance from the Ethics and Anti-Corruption Commission (EACC).

(Loud consultations)

If you do not respect Chapter Six of the Constitution, that is up to you.

Mr. Clerk, the CVs that I have been given do not have ---

(Loud consultations)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, please let us listen to Sen. Omogeni in silence. Sen. Omogeni, please conclude in one minute. Your point has been made.

The Senator for Nyamira County (Sen. Omogeni): Mr. Clerk, I do not know why my colleagues thrive in shouting. Please listen to me.

The Clerk of the Senate (Mr. Nyegenye): Address the Chairperson.

The Senator for Nyamira County (Sen. Omogeni): It is your business; if your side does not respect integrity.

The Clerk of the Senate (Mr. Nyegenye): Sen. Omogeni, please address the Chairperson.

The Senator for Nyamira County (Sen. Omogeni): Mr. Clerk, we cannot proceed to elect a Speaker before we are satisfied as Senators that they comply with

Chapter Six of the Constitution. That is why I raised a point of order, that I be supplied with the CVs.

I need to see a certificate from EACC, a certificate of compliance from Kenya Revenue Authority (KRA) and a certificate of good conduct from the Directorate of Criminal Investigations (DCI).

Mr. Clerk, we cannot proceed to elect a Speaker to preside over a House of people who have complied with Chapter Six, whereas the Speaker has not complied. In addition to the CVs that have been provided, I request that we also get all documents relating to Chapter Six of the Constitution.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, I will allow one response from the other side before I make a determination. Proceed Sen. Cheptumo.

The Senator for Baringo County (Sen. Cheptumo): Thank you, Mr. Clerk. There is a very deliberate intention to delay the proceedings of this House.

(Sen. M. Kajwang' stood up in his place)

The Clerk of the Senate (Mr. Nyegenye): Sen. M. Kajwang' please resume your seat.

The Senator for Baringo County (Sen. Cheptumo): Mr. Clerk, you had decided that as we are supplied with CVs, the proceedings of the House will continue.

The satisfaction as to the qualifications of who may run as a Speaker is done before the House business. It is not for us to come to this Chamber and purport to dictate who is supposed to stand for Speaker. That was done before. I plead with you to proceed with the business of the House as the CVs are being supplied.

(Sen. Cheptumo resumed his seat)

The Clerk of the Senate (Mr. Nyegenye): Resume your seat. I want to make a determination at this point in time.

Sen. Omogeni has raised an issue about the documents that have been provided.

Standing Order No. 5(5), which he had cited says-

“Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall-

(a) Publicise and make available to all Senators, a list showing all qualified candidates; and

(b) Make available to all Senators, copies of the curriculum vitae of the qualified candidates.”

It is clear that the intention of this is so that voters can know the profile and qualification of the candidates. No particular format of the CV is prescribed in law.

The matter of eligibility and clearance is under Standing Order No. 5 and is vested in the Office of the Clerk to determine. Concerns about eligibility can be the subject of petition otherwise than the present time. The determination of eligibility was made at that time the CV having been provided. Any Senator who does not have copies of the CV can be provided.

Hon. Senators, it should not be the case that any Senator is asked to leave the Chamber on the day of the first sitting.

I request any Senator who has not received a copy of the CV to please raise their hand so that we can provide them at this time.

(Loud consultations)

Hon. Senators, I have made a determination which I would like to be complied with. Please do not speak until you have been provided an opportunity. We are providing copies of the CVs to all Senators. Provision of CVs is the only business I am dealing with at this time.

(Loud consultations)

Hon. Senators, I am not entertaining any other point of order at this time. Is there any Senator who does not have a copy of the CVs?

(Loud consultations)

No, the only business is provision of CVs. Please provide a copy of CVs to Sen. Shakila Abdalla.

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, we have concluded the business of administering Oath or Affirmation of Office. We will proceed to the next business, which is election of the Speaker.

Hon. Senators: Point of order. On a point of order, Mr. Clerk.

The Clerk of the Senate (Mr. Nyegenye): I am not entertaining points of order at this time.

COMMUNICATION FROM THE CLERK OF THE SENATE

PROCEDURE TO BE FOLLOWED IN ELECTING THE SPEAKER

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, under Standing Order No. 4 –

“A Speaker shall be elected when the Senate first meets after a General Election and before the Senate proceeds with the dispatch of any other business, except the administration of the Oath or Affirmation of Office to Senators present.”

(Loud consultations)

Please, you are out of order.

Pursuant to the Standing Orders, a number of activities were required for the election of the Speaker before this sitting. I am therefore proceeding to detail to the

Senate, each such activity and the manner in which we have complied with the Standing Order.

First, under Standing Order No. 5(1)-

“Upon the President notifying the place and date for the first sitting of a new Senate pursuant to Article 126(2) of the Constitution, the Clerk shall, by notice in the *Gazette*, notify that fact and invite interested persons to submit their nomination papers for election to the office of the Speaker.”

(Sen. Murkomen and other Senators consulted loudly)

Sen. Murkomen and all Senators, the Chairperson is on the Floor. I have ruled that I will be heard on this matter.

Vide gazette notice number 10531 dated 5th, September 2021, and *vide* an advertisement in the *Daily Nation* newspaper---

(Sen. Keroche walked into the Chamber)

Sen. Keroche, please find a seat.

(Senators consulted loudly)

Hon. Senators, Sen. Keroche is new and you are harassing her. Sen. Keroche, please find a place to sit.

For the benefit of the new Senators, when the Speaker is on his feet, you remain seated in your place. If you should be standing somewhere, you freeze. I have given a special dispensation to the new Senators.

I have explained that we issued a gazette notice number 10531 and we also put an advertisement in the *Daily Nation* and *The Standard* newspapers on 6th September, inviting persons to submit nomination papers for election to the office of Speaker of the Senate.

(Several Senators walked out of the Chamber)

Hon. Senators, Standing Order No. 54 requires that the Clerk maintains a register in which is to be shown the date and time when each candidate's nomination papers were received and to ascertain that every such candidate for election to the Office of the Speaker is qualified to be elected as such under Article 106 of the Constitution.

I hereby confirm that a register was maintained in accordance with the requirements. Standing Order No. 55 requires that immediately after the close of the nomination period, the Clerk will publicize and make available to all Senators a list showing all qualified candidates and also make available to all Senators, copies of the curriculum vitae of the qualified candidates.

We made available the copies of the curriculum vitae as I have explained, in this chamber yesterday, in the gadgets that are in the chamber and at this time to all the Senators that are present here.

I, therefore, confirm Hon. Senators, that a list showing all qualified candidates was also publicized and was made available to Senators. I further confirm that I made available to Senators copies of the curriculum vitae.

For the position of the Speaker of the Senate, the following seven candidates were validly nominated as at the close of the nomination period. They are the following;

1. Aluochier Isaac Aluoch Polo
2. George Bush
3. Karuri Fredrick Muchiri
4. Kingi Amason Jeffah
5. Kinyua Beatrice Kathomi
6. Kuria Gorge Njoroge
7. Musyoka Stephen Kalonzo.

Hon. Senators, pursuant to Standing Order No. 8, a candidate may by written notice to the Clerk, withdraw his or her candidature before a ballot is started.

In this regard, I wish to draw the attention of the Senate and Hon. Senators, that, this morning 8th September, 2022 by a letter reference WDM/SEN/GC/22, dated 8th September, 2022 and addressed to the Clerk of the Senate, His Excellency Hon. Musyoka Stephen Kalonzo withdrew his candidature for the position of Speaker of the Senate and his name will accordingly not be appearing on the ballot paper.

(Loud Consultation)

Order, Hon. Senators.

(Several Senators walked out of the Chamber)

Sen. Dullo, please take your sit. Order, Hon. Senators.

Hon. Senators, Standing Order No. 61 provides that the election of the Speaker shall be by secret ballot and polling booths are being provided.

Please provide polling booths on either side of the table for the marking of ballot papers. Place it in such a manner that when it is marked, the candidate cannot be seen.

Hon. Senators, Standing Order No. 62 states that-

“The Clerk shall at the commencement of each ballot cause the ballot box, empty and unlocked, to be displayed to the Senate and shall in the presence of the senate lock the box, which shall, thereafter, be kept in the full view of the Senate until the conclusion of the ballot.”

I direct the Serjeant-at-Arms to display to the Senate. Display to the Senate an empty and unlocked ballot box.

*(The Serjeant-At-Arms displayed the ballot box,
empty and opened)*

I further direct the Serjeant-at-Arms to place the ballot box on the table of the Senate and to seal the ballot boxes.

(The Serjeant-At-Arms placed the ballot box on the Table and sealed it.)

Hon. Senators, pursuant to Standing Order No. 63, we will now be proceeding to the election of the Speaker to the ballot. Each Senator will be called out.

Hon. Senators, when we call you out, you will come to the table where we will give you one ballot paper and you will proceed to one of the two polling booths. If you are sitting on this right side, you will proceed to this right side and if you are sitting on my left, please proceed to the left booth where you will mark your ballot, placing a mark in the space opposite the name of your preferred candidate.

Please remember that it is a secret ballot. You will, therefore, go to the booth, mark, fold the ballot, then come and place it in the box and resume your sit. You will not need to go to the Bar and bow. Just walk here to the table, you will get one ballot paper, mark it, a pen is provided in either booth, you will fold it, place it in the box and you will resume your seat. Other Senators who have not been called are requested to remain in their seats.

Thank you very much and we are ready to begin.

(Voting in progress)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, Standing Order No.6 requires that we proceed to count the votes when the Clerk is satisfied that all Senators who were present and wished to vote have placed their ballot papers in the ballot box. We ascertain that all Senators present and who wished to vote have voted.

We then direct that the ballot box be unlocked so that we examine the ballot papers. Before we do so, we had six candidates on the ballot papers. If any Senator wishes to be an agent for the purposes of ascertaining the ballots on behalf of any candidate, I will invite you here as we open the ballot box.

Anybody who wants to be an agent for candidate Aluoch Isaac Aluochier Polo to witness the counting? Anyone who wants to be an agent for George Bush? Anyone who would like to be an agent for Karuri Fredrick Muchiri? Any Senator who wants to be an agent for Kingi Amason Jeffah? I can see Sen. Methu. You will stand by just to witness.

Anyone who would like to be agents for Kinyua Beatrice Gathomi and Kuria George Njoroge? It will be good to have other Senators witness that we are counting the votes properly. No volunteers present to witness?

I now direct that the ballot box be opened.

(The Clerks-at-the-Table opened the ballot box)

You will empty the contents on the Table then pick one at a time and display to everyone. Please use the microphone to read and show to all those present.

(The Clerk-at-the-Table proceeded to count the votes)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, please resume your seats.

I wish to announce the results of the election for the Speaker, the ballot that we have just undertaken.

| NAME | | VOTES |
|-----------------------------|---|-------|
| Aluochier Isaac Aluoch Polo | - | 0 |
| George Bush | - | 0 |
| Karuri Fredrick Muchiri | - | 0 |
| Kingi Amason Jeffah | - | 46 |
| Kinyua Beatrice Kathomi | - | 0 |
| Kuria George Njoroge | - | 0 |
| Total votes cast | - | 46 |

Pursuant to Standing Order No.7 which deals with the election threshold-
 “A person shall not be elected as Speaker unless he or she is supported in a ballot by the votes of two-thirds of all the Senators”

All the Senators for that purpose are 67. Two-thirds of 67 is 45.

If no candidate is supported by the vote of two-thirds of all the Senators, a fresh election shall be held. This is not the case.

Therefore, Amason Jeffah Kingi having received 46 votes, which is the highest number of votes and having met the threshold of two-thirds, is duly declared to be elected as Speaker of the Senate.

(Applause)

Before we go to the swearing, Standing Order No. 10 rules on custody of ballot papers immediately the results are declared, which I have. All the ballot papers used in the election of Speaker shall be packed and sealed in the presence of the Senate. We want to pack them in the presence of the Senate. All the ones that have been used should be sealed.

(The used ballot papers were collected and sealed)

They will be kept in the custody of the Clerk for a period of six months and thereafter be destroyed.

Standing Order No.12 now applies on the swearing in of the Speaker. It says –

“Immediately following the election of the Speaker, the Clerk shall administer the oath or affirmation of office to the Speaker in the presence of the assembled Senate.”

I will now proceed to direct that the Serjeant-at-Arms proceeds forth and finds the said Amason Jeffah Kingi and brings him to the Chamber, where upon we shall administer the oath to him.

Immediately thereafter the duly elected Speaker will take the Chair and the Clerk will resume his place at the Table as Clerk.

(The Clerk accordingly directed the Serjeant-at-Arms to search for the said Hon. Amason Jeffah Kingi and bring him to the Chamber)

(On arrival of Hon. Kingi in the Chamber, he was escorted to the Chair by Sen. Veronica Maina, Sen. Madzayo and Sen. Cheruiyot)

(On arrival at the Chair, the Clerk thereupon administered the Oath of Allegiance to the Speaker-elect, Hon. Kingi)

(The Speaker, Hon. Kingi, then took the Chair, and the Mace, which before lay under the Table, was placed upon the Table)

The Clerk of the Senate (Mr. Nyegenye): Hon. Senators, the Speaker of the Senate.

(Applause)

COMMUNICATION FROM THE CHAIR

ACCEPTANCE SPEECH BY HON. KINGI UPON ELECTION AS THE SPEAKER OF THE SENATE

The Speaker (Hon. Kingi): Hon. Senators. Order Members.

(Laughter)

Distinguished guests, ladies and gentlemen, I am profoundly humbled and overwhelmed by the great honor and privilege you have bestowed upon me by electing me as your Speaker of the Fourth Senate and the 13th Parliament of the Republic of Kenya.

I am deeply humbled by the immense confidence and trust that you have placed on me. I therefore accept with humility and pledge that I shall perform to my utmost ability the constitutional responsibilities and duties of the office of the Speaker of the Senate for the next five years with due diligence and decorum.

Distinguished Senators allow me with great pleasure to congratulate and salute all of you; the new Senators of the fourth Senate for emerging triumphant in the just concluded general elections after bruising political contests. The election to the high office of Senator to the various counties and constituencies is a demonstration of the faith and confidence that the electorate have in your capabilities to serve, transform and improve their welfare and wellbeing. Today you are invited to grapple with the challenges and work towards meeting the high expectations of the Kenyan people.

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Hon. Senators, I also wish to recognise my worthy opponents; Mr. Isaac Aluochier Polo, Ms. Beatrice Kathomi Kinyua, Mr. George Bush, Mr. Fredrick Muchiri Karuri and Mr. George Njoroge Kuria for the valiant mature and well fought competition. We have ably demonstrated that we can compete democratically and without rancour in a dignified race. *Hongera kwenu.*

I also extend congratulations to our newly elected colleagues in our sister House; the National Assembly and wish them every success as we begin to execute our national duties of jointly steering our beloved country to greater heights.

In embracing the spirit of devolution, I am delighted by the rich blend of membership of the Fourth Senate drawn from former Members of the National Assembly, Governors and Members of the County Assemblies (MCAs).

I note that nine former Members of the National Assembly and four MCAs have joined the Senate while some have returned after a hiatus. They will bring with them invaluable experience that will enrich the House. We are also fortunate to have diverse blend of professionals joining the Senate, including top legal minds no-less-than a Senior Counsel, scholars, doctors, renowned members of the civil society among others.

I also take this opportunity to acknowledge the contribution of Senators from the third Senate who did not return including the eight Members of the third Senate who were elected as governors. I am confident that they will continue to serve Kenyans in the different capacities. Kenyans from all walks of life deserve a pat on the back for demonstrating to the entire world that we have a mature and vibrant democracy following the peaceful general elections held on 9th August, 2022 and the subsequent Petition filed and concluded in the Supreme Court.

Distinguished Senators, permit me at this juncture to pay my singular special tribute to my immediate predecessor, The Rt. Hon. Kenneth Makelo Lusaka, EGH, MP, who was recently elected as the Governor of Bungoma County. He ably presided over the Third Senate and perhaps one of the most challenging periods in our country's history.

Historically, the first Senate was established in 1963 and functioned until 1966 when it was dissolved and merged with the House of representatives to form the National Assembly. The First Senate under the 2010 Constitution was inaugurated on the 28th March, 2013, primarily to oversee the implementation of the devolved system of governance.

Hon. Senators, it is worth mentioning that at the onset of devolution Senate was sailing in uncharted waters. None of the political leadership and pioneer Senators had a clear idea what the task ahead entailed. As Speaker Lusaka noted on the 31st August, 2017, they had to '*learn how to swim by swimming*'. It was largely trial and error first.

The Senate of the 12th Parliament to a great measure played an instrumental role in improving the legislative regime, work systems and coherence of key processes that have gradually bolstered devolution implementation. My predecessors and the leadership team, guided by unit of purpose and the will to actualise devolution-initiated work systems, spearheaded a series of retreats, workshops and seminars that rapidly crafted the framework of transiting and administering Senate in the 11th and 12th Parliaments.

As the renowned American writer and political commentator, Walter Lipmann wrote, “*the final test of a leader is that he leaves behind in other men and women for that matter the conviction of the will to carry on.*” We salute both the Rt. Ekwe Ethuro and The Rt. Hon Kenneth Lusaka, and their leadership teams for their remarkable contributions. The fourth Senate must now build on the decade of institutional maturity.

Hon. Senators, permit me, to also appreciate and laud the Clerk of the Senate, Mr. Jeremiah Nyegenye and his team for the unwavering and steadfast support and for making the appropriate preparations for this momentous occasion.

Hon. Senators, devolution as an oval development model was meant to ensure balanced, equitable and just development in all regions of Kenya. I can submit without fear of contradiction that so far it is working. I welcome and associate myself with the positive spirit exhibited and pronouncements made that the newly elected governors to change their strategy of engagement and work more closely with the Senate, the National Assembly and the national Government.

In addition, the pledge and commitment currently being witnessed to intensify the fight against corruption in the respective governments is highly commendable. Kenyans are looking forward to a new dawn and expect Senators to aggressively defend devolution and county governments better. We must ensure devolution works for the people and more accountability is therefore exercised.

Distinguished Senators, the critical question is; what is next for the Fourth Senate? How do we build on the achievements of the First, Second and Third Senates? Fundamentally, the Senate must continue to play its constitutional mandate and role more vigorously. Just to reiterate and remind ourselves, the primary mandate of the Senate is to represent the counties and the governments and protect the interests of the counties and hence, successfully implement devolution.

The Senate is involved in law making by considering, debating and approving Bills concerning counties, determines the allocation of revenue among counties, exercises oversight over the national revenue allocation to counties and participates in oversight of State officers by considering and determining any resolution to remove the President and Deputy President.

Distinguished Senators, the Senate is the bastion of devolution. Devolution has been a game changer and has significantly transformed our country. The county governments are currently receiving billions of shillings courtesy of the Senate’s intervention, to finance various development programs and provide essential services that are aimed at improving the wellbeing and welfare of the Kenyan people.

Massive infrastructural projects have been built throughout the country including roads, education and health facilities as well as housing projects.

In addition, local entrepreneurs, youth and women have greatly benefitted in terms of securing businesses and employment opportunities. Distinguished Senators, since 2013 without doubt, devolution has dramatically altered the political and socio-economic fabric of our country.

Kenyans are currently reeling and undergoing tough economic times. The Senate is duty-bound to be more sensitive to the dictates and aspirations of the ordinary *mwananchi*.

Hon. Senators, going forward, with the rich blend of its membership, it is incumbent upon the Fourth Senate to play its due constitutional role and ensure that national Government and county governments deliver on their mandate to improve or lighten the burden of our people. Hence, we cannot rest on our laurels.

We must build on the foundation already created, achievements made and strive to make devolution work more effectively and better. We must initiate and enact more devolution-compliant legislation and Bills, since our predecessors have identified a number of grey areas in our devolved system of governance.

We will adopt a proactive approach in our pursuit to make the Senate an effective governance institution to Kenyans and let the Senate be their sanctuary in times of distress. I urge and encourage Kenyans to make the Senate their beacon of sobriety and hope.

The Fourth Senate will strive to reach out and harmoniously work with the National Assembly. Hitherto, supremacy wars witnessed in the past between the two Houses have tended to ferment unnecessary acrimony and grandstanding, which adversely impacted on legislative outputs.

I call upon and encourage the Hon. Senators here to address emerging contentious legislative challenges and resolve them within stipulated mediation frameworks, while adopting collegiate approaches, noting that these processes are intended to serve the best interest of the people. That is how tangible and progressive milestones will be realized by our bicameral Parliament.

Hon. Senators, I also wish to urge the Hon. Senators to adopt and nurture bi-partisan and collegiate leadership approaches that will transform and invigorate the Senate to embrace the various political shades and interests represented in the Thirteenth Parliament and ensure they find their rightful space.

Under the new Senate leadership, we will endeavour and ensure to do the following-

1. The Senate work strategy will be reviewed as appropriate to enable Senators perform their constitutional and leadership responsibilities through systems that are predictable and adequately facilitated to enable them deliver effectively and quality services.
2. Dynamic and innovative programmes and activities of the Senate guided by the need to respond to key priorities of the counties shall be initiated to respond to identified challenges.
3. The Senate will continually bolster and strengthen internal collaborative linkages, deepen existing partnerships and engagement between the Senate, National and county government departments and agencies; regional and international development partners as well as non-state actors to work closely and harmoniously with the devolution family.
4. Learning and leadership are indispensable to each other. We will ensure continuous capacity development and empowerment of Senators and their secretariats so that they constantly update their skills and expertise; and ensure

they acquire requisite parliamentary exposure to enable them handle complex and new frontiers of legislative and public affairs.

5. The Senate will endeavor to be responsive to emergent situations and re-ignite the manner in which ‘traditional’ legislative services and relations with various stakeholders and counties are offered

Hon. Senators, elections come and go. We have concluded the electoral phase and must now proceed to the critical transitional and development phases, after the delicate ballet dance of politics. We have to overcome and begin to heal from challenges borne out of divisive political alignments. I urge and call upon our people to refocus, embrace unity and move forward. No Kenyan should feel left out. It is now time to put behind us political rivalries, roll our sleeves and together focus on building the new Kenya that we all desire.

Kenyans expect from us nothing short of servant, responsive and effective leadership. Let us aspire to be forthright in the performance of our legislative functions especially in undertaking oversight roles, so that the citizenry can build trust, find refuge and solace in the Senate of the Republic of Kenya. We should neither entertain nor accept any discourse that would divide or polarize Kenyans.

Hon. Senators, as I conclude, I wish to undertake that under my stewardship, my commitment to you, Hon. Senators and the people we represent, is to be a faithful and impartial servant; ready to discharge my diverse roles and responsibilities with due diligence and in accordance with the Constitution of Kenya and the Senate Standing Orders.

Finally, to quote the former United States President, John F. Kennedy:

“Ask not what your country can do for you – ask what you can do for your country”.

We have a collective, solemn and patriotic duty and responsibility to rally fellow leaders and Kenyans to put the interests of our country first and move it to the next level of development and prosperity.

On my part, I shall respect and uphold the rule of law, legality and nurture the culture of constitutionalism. I shall protect and defend the Constitution of the Republic of Kenya and always safeguard the mandate and role of the Senate.

Hon. Senators, I welcome you all to join me as we embark on this journey together. May God bless the Senate and may God bless our Country. Thank you.

Next Order!

The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale): On a point of order, Mr. Speaker, Sir!

(Loud consultations)

The Speaker (Hon. Kingi): Yes, Senator for Kakamega County. What is your point of order?

The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale): Thank you, Mr. Speaker, Sir. You will pardon me. I wanted to acknowledge what has just happened.

However, we have agreed collectively that it can wait until after the second Order of electing the Deputy Speaker.

The Speaker (Hon. Kingi): Very well, Senator for Kakamega County.
Next Order!

COMMUNICATION FROM THE CHAIR

PROCEDURE TO BE FOLLOWED IN ELECTING THE DEPUTY SPEAKER

Hon. Senators, Standing Order No.13 provides that:

“As soon as practical after the election of a Speaker following a General Election, a Deputy Speaker shall be elected.”

Standing Order No.13 (4) further provides that:

“The procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker.”

A number of activities were required for the election of the Deputy Speaker before this Sitting. I will proceed to detail each of such activity and the manner in which we have complied with the Standing orders.

First, Standing Order No.5 (1) requires that:

“Upon the President notifying the place and date for the first sitting of a new Senate pursuant to Article 126(2) of the Constitution, the Clerk shall, by notice in the *Gazette*, notify that fact and invite interested persons to submit their nomination papers for election to the office of the Speaker.”

Vide *Gazette* Notice No.10532 dated 5th September, 2022, an advertisement in *The Daily Nation* and *The Standard* newspapers of 6th September, 2022, the Clerk of the Senate invited persons to submit their nomination for elections to the Office of the Deputy Speaker of the Senate.

Secondly, Standing Order No.5 (4) requires that:

“The Clerk shall maintain a register in which shall be shown the date and time when each candidate’s nomination papers were received and shall ascertain that every such candidate for election to the office of Speaker is qualified to be elected as such under Article 106 of the Constitution.”

Hon. Senators, for the position of Deputy Speaker of the Senate, the following candidates were validly nominated as at the close of the nomination period-

1. Madzayo Stewart Shadrack Mwachiro ID No.1059777
2. Murungi Kathuri ID No.11544617

Standing Order No. 6(1) as read together with Standing Order 13(4) provides that the election of the Deputy Speaker shall be by secret ballot.

*(The Speaker (Hon. Kingi) consulted
with the Clerk-at-the-Table)*

Hon. Senators, pursuant to Standing Order No.8, a candidate may, by written notice to the Clerk, withdraw his or her candidature before a ballot is started. In this regard, I wish to draw the attention of the hon. Senators that this morning, via a letter dated 8th September, 2022 and addressed to the Clerk of the Senate, Sen. Madzayo Stewart Shadrack Mwachiro withdrew his candidature for the position of Deputy Speaker of the Senate.

Hon. Senators, Sen. Madzayo Stewart Shadrack Mwachiro having withdrawn his candidature for the position of Deputy Speaker of the Senate, we now have only one duly nominated candidate for the position of the Deputy Speaker of the Senate.

Standing Order No.11 as read together with Standing Order No. 13(4) provides that if there is only one candidate who has been duly nominated as Deputy Speaker at the expiry of the nomination period, that candidate shall be declared forthwith to have been elected Deputy Speaker without any ballot or vote being required.

Consequently, pursuant to the provisions of Standing Order No.11 as read together with Standing Order No. 13(4), I hereby forthwith declare Sen. Murungi Kathuri to be duly elected as the Deputy Speaker of the Senate.

I shall now proceed to administer the Oath or Affirmation of Office on the Deputy Speaker.

(Sen. Murungi Kathuri took the Oath)

The Speaker (Hon. Kingi): Hon. Senators, we have prepared for you a reception at the courtyard. Therefore, after the House rises, we expect all the Senators to come for the reception.

The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale): On a point of Order, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Yes, Senator for Kakamega.

POINT OF ORDER

CONGRATULATIONS TO THE NEWLY ELECTED SPEAKER/DEPUTY SPEAKER OF THE SENATE

The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale): Thank you, Mr. Speaker, Sir. This is a very important day. We are actually writing the history of this nation. Therefore, I request that you allow those of us who wish to congratulate you, one-and-a-half minutes each to do so.

Mr. Speaker, Sir, if you so permit, allow me to congratulate you for winning this position. My colleagues here have voted for you maybe because of the good campaigns that you did. You can recall what we went through. I, however, voted for you for that and two more reasons.

First, I know that you believe in Parliament. You believe in the power of legislation. How do I know this? When you were the Governor of Kilifi County and I was the Chairperson of the Senate County Public Accounts Committee (CPAIC), I visited your county amongst many others. You were the first governor to build a modern

debating chamber for Members of the County Assembly (MCAs). I saw that as a commitment from a leader who believes in the role of law making. That is why I voted for you.

Mr. Speaker, Sir, I was touched because I believe in family and children are the beginning of a family. When I again visited your county, I saw the kind of infrastructure you had put in place for Early Childhood Development Education (ECDE) and thought you were truly a leader. I congratulate you.

I also congratulate the Clerk. He has led us very well this morning. There were futile attempts to scuttle this process, but we have succeeded.

Mr. Speaker, Sir, there was another form of history that was made this morning. One of your opponents, who was going to challenge you, had collected papers to run for both the Speaker of the Senate and the National Assembly. Later on, he said that he would vie for the Speaker of the National Assembly, but again he changed his mind and said he was going to run for the position of the Speaker of the Senate.

The Senator for Kilifi County (Sen. Madzayo): Hoja ya nidhamu!

The Speaker (Hon. Kingi): Senator for Kakamega, please, confine yourself to the congratulatory message that you want to deliver.

The Senator for Kakamega County (Sen. (Dr.) Boni Khalwale): Mr. Speaker, Sir, I was building my congratulations, but since Sen. Madzayo thinks that he knows where I am going, I will allow him that latitude.

I would like to conclude by saying that as Kenyans, we must take institutions seriously. If, indeed, we take institutions seriously, then the merry-go-round that we have seen this morning was not necessary. Every minute spent here is spending public funds. I appeal to my brothers on the other side that we treat this institution with the seriousness it deserves.

Mr. Speaker, Sir, scanning around, you will allow me to brag a little bit. I know you well. You will recall that in those difficult days when you came to Parliament as a young professional, I welcomed you. At that time, you were very handsome, but you have become even more handsome.

(Laughter)

I am confident that because you have become older, you are wiser. Let us lead this Republic of Kenya, so that devolution works. We do not want to demand that we are the “Upper House”. We should prove that we are the “Upper House” by teaching the “Lower House” how work is done in Parliament.

I thank you.

The Speaker (Hon. Kingi): Hon. Senators, let us take at least two minutes, so that we can have as many as possible to also deliver their messages.

Let us listen to the Senator for Kilifi County.

The Senator for Kilifi County (Sen. Stewart Madzayo): Bw. Spika, kwanza kongole kwa ushindi wako kutokana na kura ulizopigiwa kuwa Spika wa Seneti. Itakuwa safari ndefu sana na ninajua mengi yanatarajiwa kutoka kwako kama Spika wa Seneti.

Bw. Spika, vile vile, nawapa kongole hawa ndugu zangu ambao wamesimama nawe. Upande huo mwingine kuna Sen. Murkomen, Sen. Cheruiyot, Sen. Cherargei na

wengineo ambao wamesimama nawe ili kuhakikisha kuwa unapata ushindi. Ushindi huo si wako bali ni wa Wakenya wote.

(Applause)

Kiti ulichokalia kinatazamwa na Wakenya wote. Uko hapo kama Spika wa Seneti. Kuna upande wa Upinzani na walio wengi ambao wako upande wa Serikali.

Nina imani kwa kuwa mimi nawe tumetoka mbali sana. Tulizaliwa pamoja na tumekuwa tukiishi pamoja. Najua kwamba unaweza kazi na utaifanya vilivyo kutokana na elimu, tajiriba na ujasiri wako.

Mwisho ni kuwapa kongole Maseneta wapya katika hii Seneti. Ni safari ndefu na najua tutakuwa tukikwaruzana. Hata hivyo, nadhani mnafahamu kuwa Seneti ni *bipartisan*. Tukiwa hapa, hakuna kusema kuwa uko katika chama hiki au kile kwa sababu sisi tunashirikiana.

Bw. Spika, kongole kwa safari uliyoanza leo.

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

The Senator for Elgeyo Marakwet County (Sen. Kipchumba Murkomen): Mr. Speaker, Sir, I know there will be an opportunity for us to say much thereafter when we resume as a Senate. I take this opportunity to congratulate you and the Deputy Speaker, Sen. Kathuri, on being elected as Speaker and Deputy Speaker respectively.

This is a momentous time in our history. For the first time, the Republic of Kenya has produced a Speaker of Parliament who comes from the Coast Region. Again, for the first time, we have an opportunity to demonstrate that the entire country, through the leadership of Kenya Kwanza team, has a proper face of Kenya.

I am a proud member of Kenya Kwanza team on this side. Speaking for the side that I belong to, I was among a team of Senators here, including Sen. Kinyua, Sen. (Dr.) Lelegwe, Sen. Cheruiyot and Sen. Cherargei that was taunted for many days in the previous Parliament for almost three years. Every time a vote was taken, we were always asked about our numbers. I am happy that our numbers have counted today.

I am also happy that we have a new dawn in this Republic, with a new President, William Samoei Ruto. I am really amazed and that is why I am using the word “President” because it was not feasible in the eyes of men a few months ago. President William Samoei Ruto is a deep believer of devolution.

Mr. Speaker, Sir, we have had a fight for a long time. There has been a supremacy battle for 10 years between this Senate and the “Lower House”. With your election and that of your brother in the other House, I do not want to pre-empt; sitting down with the President who believes in devolution and the Senate, I believe we will end this supremacy battle.

The beginning of that ending is for both you and your brother in the National Assembly to sit down and instruct lawyers who went to court to represent the National Assembly and the Senate to record a consent on the operation of Article 110 of the Constitution on movement of Bills from both Houses of Parliament.

(The amber light was switched on)

Mr. Speaker, Sir, as a former leader in this House, allow me just a minute because this is extremely important. I am privy to a conversation you have had with the President and your brother, who is vying for a position in the National Assembly. If that can be done by next week, it will be a quick win on matters devolution and the stature of the Senate in this Republic. This House has always prayed that we have a leadership that believes in strengthening devolution and protecting the functions of Senators.

There is a pending Bill regarding how to deal with oversight and responsibilities of this House. Again, that will be a quick win and it will make this Senate strong.

If these things can be achieved in the next two to three weeks, we will have achieved something far much more than what we achieved in the last 10 years.

For instance, the last 10 years have been years of fighting for supremacy and strengthening of this House. I believe through you, with the Kenya Kwanza team and the leadership of President William Samoei Ruto, this House will be a House of honour.

Lastly, 98 per cent of the time in this House, we do things bipartisan. It is rare that we will disagree because devolution in Elgeyo-Marakwet is devolution in Kilifi. I believe that through your leadership and negotiation skills both as a lawyer and as a person who has led a county for 10 years, you will lead this House to demonstrate nationalism, patriotism and make sure that all the times, we use consensus to agree on the things we are going to do in this House.

You are the best choice and this is no accident. You have been elected by these men and women, but also God has permitted you to lead because this is the right time to lead this Senate.

I thank you.

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

The Nominated Senator (Sen. Soipan Tuya): Thank you, Mr. Speaker, Sir. Allow me to take this opportunity to give my hearty congratulations to you and Hon. Kathuri, who has been duly elected as the Deputy Speaker of this House.

At the onset, Sen. Kathuri and I having come from the other House, we are going through a Damascus moment because we have just realised that, indeed, this is the “Upper House.” I am serving my third term and so is Hon. Kathuri.

I congratulate you Mr. Speaker, Sir. I know and believe, as my vote went to you, that as a former two-term governor, you are best placed to take the business that is transacted in this House to the next level and afford the House of the Senate and matters devolution, the seriousness and commitment that they deserve. Your election and that of the Deputy Speaker comes at an opportune time when we have a President who is fully committed and bought into supporting devolution.

I congratulate you.

As we go forward, we shall have many more things to say and you have our full support together with your Deputy Speaker to be able to steer this House and Kenya.

This is a proud day for the people of the Coast Region, Meru County and Kenyans at large. This is a moment where we shall witness the face of competent Kenyans in the legislative space of this country and all other spheres of leadership.

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

The Senator for Mombasa County (Sen. Mohamed Faki): Asante Bw. Spika kwa kunipa fursa hii. Kwanza, nachukua fursa hii kukupa kongole kwa kuchaguliwa kama Spika wa Bunge la Seneti.

Vile vile, ninachukua fursa hii kumpa kongole Naibu Spika, Mheshimiwa Kathuri ambaye pia Bunge lilokwisha tulikuwa tunamwita Kathuri ka mashinani kwa sababu alikuwa anacheza mpira wiga na ni mtanashati sana.

Vile vile, ninachukua fursa hii kuwapa kongole maseneta wenzangu wote ambao wamechaguliwa katika Bunge hili la 13. Tuna kazi kubwa ya kufanya, kwa hivyo tungeomba kwamba tushirikiane na tuweze kufanya kazi pamoja ili kupeleka mbele maslahi ya wakenya na wapiga kura wetu kwa jumla.

Mheshimiwa Spika umechaguliwa wakati bunge la Seneti kama ulivyozungumza lina vita vya ubabe na Bunge la Kitaifa ambalo linachukua fursa ya ukaribu nafikiri waliokuwa nayo na Serikali iliondoka, kuhakikisha kwamba zile miswada zote ambazo inapitishwa na bunge la Seneti inaendelea kukaliwa.

Kuna sheria nyingi ambazo tulipitisha na hazikutumika kwa sababu zilikuwa zinakufa katika lile Bunge la Kitaifa. Kwa hivyo, kwa uzoefu wako na kazi zako nzuri tunahakika kwamba swala hilo halitaweza kutokea katika Bunge hili la 13. Vile vile, Mheshimiwa Spika, nimekusikia ukigusia katika hotuba yako kwamba utahakikisha kwamba maseneta wamewezeshwa kufanya kazi zao za usimamizi. Hiyo ni shida kubwa ambayo tumekuwa nayo. Vile vile, tutawaomba iweze kurekebisha ili kazi zetu zifanyike.

Tunaona kwamba matunda ya ugatuzi yanafikia wananchi katika nchi yetu ya Kenya. Bila ya kusahau, ningependa pia kumpa kongole Mhe. Miraj ambaye ni mtoto wa dadangu na nimefurahi kwamba pia yeye ameweza kuingia katika Bunge la Seneti.

Ninamhakikishia kwamba tutaweza kumshika mkono katika Bunge hili pamoja na wale wabunge wote wengine wageni ili tuhakikishie kwamba wanatekeleza majukumu yao bila ya matatizo na wanakuwa wenye kusaidia Bunge hili kufikia malengo yake.

Asante Mheshimiwa Spika kwa kunipa fursa hii.

The Speaker (Hon. Kingi): Proceed Senator for Laikipia.

The Senator for Laikipia County (Sen. John Kinyua): Asante sana Bw. Spika. Ninataka kuchukua fursa hii kukupongeza na kumpa heko naibu wako Mhe. Kathuri.

Ninawapongeza maseneta wote waliochaguliwa na kushukuru mwenyezi Mungu kwa kutupa fursa hii yakuweza kufika katika Seneti hii. Hasa ninawapongeza watu wa Laikipia kwa kunipigia kura na pia Rais William Samoei arap Ruto. Nasema asante sana.

Bw. Spika, nilipokuwa nikipiga kura yangu nilijiuliza maswali matatu. Jambo la kwanza, nilitaka Seneta aliyebobea katika kazi ya gatuzi zetu na ninajua wewe umebobea kabisa.

Swali la pili nililojiuliza ni kwamba, ni Seneta ambaye ataelewa mambo ya Serikali Kuu. Nikakumbuka dhahiri shahiri ya kwamba wewe ulikuwa Waziri; nikajua hapo tena umepata ndipo.

Swali la tatu ambalo nilijiuliza ni kwamba awe mtu mtenda kazi tena vile ambavyo atachangia katika Kiswahili, kwa sababu mimi napenda kuongea Kiswahili katika Seneti yetu. Nikajiuliza yule Seneta ambaye atafanya Kiswahili kitukuke alafu

twende katika upeo wa pili au wajuu zaidi na ukapata ndio. Kwa hivyo, sikuwa na shaka rohani ya kwamba Spika tuliyenaye amebobea katika kazi yake.

Mimi najua ya kwamba tutatoka kikao hiki tukiwa sisi wote tumekubaliana na ninajua ya kwamba sisi sasa tukiwa hapa kama Seneti tutatembea pamoja.

Nimemsikia Mhe. Sen. Soipan akisema ya kwamba yeye mwenyewe amekubali ya kwamba hili ndilo jumba kuu ambalo litaendelea kufanya maswala ambayo yanafanywa katika majumba makuu ya jumhuri ya Kenya na hata dunia kwa jumla.

Kwa hivyo, nakupongeza na kukutakia mema. Nina kuhakikishia kwamba nitakuunga mkono na naibu wako Mhe. Kathuri ili Seneti hii iendelee kufanya kazi yake.

Bw. Spika, umesema ya kwamba utakuwa mbele kuona kwamba kutakuwa na pesa zitakazotumika kufanya uangalizi. Kwa Kizungu inaitwa *oversight fund*. Utatilia mkazo tuweze kuzipata ili tufanye kazi yetu kwa uadilifu kama tulivyoapa. Mimi nitakuwa mbele kufanya kwa uaminifu na uangalifu na “ewe Mwenyezi Mungu, nisaidie”.

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

The Senator for Mandera County (Sen. Ali Roba): Thank you Mr. Speaker, Sir. Considering that this is my Maiden Speech, I take this opportunity to congratulate you together with the Deputy Speaker that has been elected.

I also congratulate the Senators who have been sworn in just before the election of the Speaker and Deputy Speaker. I also appreciate our colleagues who were on the other side, who supported you and chose to vote you in together with the Deputy Speaker.

Mr. Speaker, Sir, having worked with you for the last 10 years in devolution as pioneer governors, there has never been a better time to expect renewed support for devolution from the Senate.

The Senators have done very well. You, Governor *Emeritus* of Uasin Gishu County, Sen. Mandago and I have served two terms as governors. With clear understanding of first-hand experience on devolution and Senate with its important role of supporting devolution, we have new hope that devolution is going to achieve even better than before.

Some time back, in an informal meeting somewhere, I said that the era of legislating for posterity will get a boost with you being elected as the Speaker of this Senate.

Congratulations! I look forward to strengthening devolution.

The Speaker (Hon. Kingi): Senators, I will allow maybe four more before we rise. Of course, there is going to be an opportunity for all of you to give your congratulatory messages, but for purposes of this session, allow me to give four Senators; three from this side and one from the other side.

Senator for Kilifi County, I thought you have already made your--- I can see you are complaining a lot.

We will give two lady Senators, and will start with Sen. Orwoba.

The Nominated Senator (Sen. Gloria Orwoba): Mr. Speaker, Sir, I take this opportunity to congratulate you and our Deputy Speaker as well. When we put in our votes for you and the Deputy Speaker, it is because I know that being a newly Nominated

Senator, who is a woman, we are looking forward to a House where we can give meaningful contributions as nominated Senators, and particularly, as women.

I do not have much to say today, but to congratulate you and the Deputy Speaker.

I urge my fellow nominated Senators, particularly the women, that we must try to change the notion that nominated women Senators cannot give meaningful contributions.

I look forward to participating in this House.

The Speaker (Hon. Kingi): Due to the demand from Members, we are going to open it a bit further. We are going to be more generous. Therefore, I will allow Sen. Cherarkey to take the Floor.

The Senator for Nandi County (Sen. Samson Cherarkey): Thank you Mr. Speaker, Sir. From the onset, on behalf of the great people of Nandi County and myself, I congratulate you plus your Deputy. We wish you well.

Mr. Speaker, Sir, I have worked with you before when I was the Senate Chairperson of the Justice and Legal Affairs Committee, in a party which used to be called Jubilee back then. You were also the Chairperson of Council of Governors (COG) committee on legal affairs.

Secondly, when you used to appear before County Public and Investment Committee (CPAIC) where I was a Member, you were our very good client. We have interacted on various sessions and I am happy that you are coming to the House with immense knowledge on devolution. You have been a legislator and a Cabinet Secretary. We look forward to working closely.

Finally, I agree with Sen. Murkomen. I was the Chair who drafted the pleadings and he was our able Majority Leader - and I hope he remains so – where, led by the former Speaker, we walked from here to Milimani High Court because of 24 legislations that were non-concurrent by the ‘Lower House’. I hope with the election of our brother in the ‘Lower House’ and yourself, you can come to a concurrent point, so that we can proceed.

I thank our colleagues from this other side. You got 46 votes in round one, which is far beyond what was needed. I appeal to our colleagues wherever they are to come back to the House. This is not the time to “resist”. We need to build this Nation through the bottom-up approach and our able President Dr. William Ruto and Kenya Kwanza Alliance.

I thank Sen. Madzayo. At least he has stood firm and he is happy that the seat is coming back. I know it has been written in some 411 that *Azimio* Senators have joined *Kenya Kwanza*. There is no problem, the Government is big. So, let it be. Sen. Madzayo, you did the right thing. All the Senators in *Azimio* who voted for you have done a fantastic job. I agree with Sen. Murkomen that we now have the numbers.

Mr. Speaker, Sir, thank you and all the best.

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

The Senator for Busia County (Sen. Andrew Okoiti Omtatah): Mr. Speaker, Sir, I rise to thank and congratulate you on your election and that of your able Deputy, with whom we had a chat yesterday. I also congratulate all Senators who have been elected or nominated to this House. Mine is to wish you well and pray that the Almighty God grant

you the grace to steer this House, knowing that you are the Speaker of the Senate of the Republic of Kenya, not a Speaker of any faction.

Secondly, I pray that when you settle down, you try to work for a balance of arms in the Parliamentary Service Commission. Looking at the composition, the Senate has been elbowed out. Functions that the Senate and the Members of the Senate should perform in the Parliamentary Service Commission are not being performed. The National Assembly seems to have grabbed everything.

I will be praying that going forward, the Parliamentary Service Commission should have proper representation from the Senate, so that the issues of the Senate can be taken on board.

Finally, I thank you for the invitation you have given us to work as a team. I pray that we will be able to do so. I remained behind and voted, and since nobody voted against you, it is obvious that I voted for you. That does not mean that I have joined the Kenya Kwanza Alliance. I am a Member of the National Reconstruction Alliance (NRA) and I will guard my autonomy jealously. I will vote on issues; on conviction. I will not be whipped to vote on anything.

That is all. Thank you.

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

The Senator for Baringo County (Sen. William Cheptumo): Thank you Mr. Speaker, Sir. I congratulate you on your election as our Speaker.

In 2007, we were together with you in this Chamber during the Grand Coalition Government. I also served with you in the Cabinet and, thereafter, you served as a governor for two terms. You are a member of the legal profession.

This House is lucky to have you as our Speaker. Having held sessions with you to walking part of the journey with you, I am confident that this House will benefit from your experience and leadership, together with my colleague the Deputy Speaker whom I was with in the National Assembly for two terms.

Mr. Speaker, Sir, you are coming on board at a very critical time in our country when we have a new Government, which is clear on how it would like to drive this country forward. There will be a number of laws to be passed by this House and the National Assembly. With your directions and leadership, I am very certain that our President will move this country forward because as a House, we are going to help him to ensure that the relevant laws we pass will see the light of day.

I listened to your acceptance speech and you assured the country and these Members that you are going to ensure that devolution thrives because that is the way to go. We are going to give you the necessary support. When I was in the other House, I chaired the Committee on Delegated Legislation. There were a number of areas where this House wanted to be facilitated to perform its functions.

With the new spirit, I hope that you and your brother on the other side will agree to work together. The sideshows and competition as to which is the 'Upper House', which we know, is of course this one or the 'Lower House' shall be a thing of the past. We want to pass laws, regulations and rules for posterity. With the guidance of your leadership, I believe this country will witness a very progressive Government, which is going to be led by Dr. William Samoei Ruto, a man who has come from very---

The Speaker (Hon. Kingi): Sen. Mohamed Chute, you may proceed.

The Senator for Marsabit County (Sen. Mohamed Said Chute): Mr. Speaker, Sir, I take this opportunity to thank the Almighty God for the opportunity that he gave us to serve our country.

Secondly, I take this opportunity to congratulate you and your able Deputy for this election. I congratulate fellow Senators; both nominated and elected for this opportunity.

Thank you very much.

The Speaker (Hon. Kingi): Sen. Miraj, you can proceed.

The Nominated Senator (Sen. Miraj Abdillahi): Shukurani Bw. Spika. Nakushukuru kwa kunipa fursa hii ili niweze kukupongeza kwenye nafasi hii uliyoipata. Nimeinua mkono sana kwa sababu nilitakaa wakenya wasikie sisi wapwani ni watu wa aina gani.

Sisi wapwani ni watu wakarimu na Serikali ya William Samoei Ruto pamoja na wajumbe wote waliokupigia kura ya kwamba hii Serikali tuliyoiunda ni serikali ambayo hata wachache wenye tajiriba na uwezo wa kutenda kazi watapata fursa yo kuongoza katika serikali ya William Ruto.

Mimi kama mtoto wa mama mboga, ahadi zetu nyingi tulipokuwa katika kampeni zetu tulisema kwamba kura ya mara hii itakuwa kura ya malengo na maono na sio ukabila.

Ninawapongeza ndugu zangu kina Sen. Murkomen ambao walikuwa na idadi ya kupigia mtu ambaye angetoka upande wa bara lakini wakatupa sisi wapwani nafasi, kwa sababu ndugu yetu, Mhe. Kingi, una uwezo na tajiriba ya kulipeleka bunge hili mbali.

Kongole na ninakukumbusha ya kwamba sisi wapwani ni wastarabu na watu wenye kuweka watu pamoja. Kwa hivyo, Mwenyezi Mungu akuongoze na akuwezeshe kuiinua tena sura ya mpwani katika taifa la Kenya.

Asanteni.

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

I am doing this purposely because we need to balance regions, but we will give each one of you an opportunity to say something.

The Senator for Tharaka-Nithi County (Sen. Julius Gataya): Thank you very much, Hon. Speaker, Sir. Today is a big day for Kenyans because you and your brother, Kathuri Murungi, who happens to be my neighbour at home, have been voted overwhelmingly by almost every Member who was in this House simply because people know you.

I have been a Member of the County Assembly (MCA) for 10 years or two terms. I have been following what you have been doing in Kilifi as a Governor. You also served as a Cabinet Secretary for East African Community at one time. I think this House has made a very right decision to make you the Speaker of this House.

I want to extend my congratulations to my brother, Sen. Kathuri Murungi. We commonly call him "*Kathuri ga mashinani.*" He is my neighbour who anybody would describe as very sober and humble. I want to assure you that you will get the maximum cooperation and assistance from Sen. Kathuri Murungi as your Deputy.

We are so happy that today you have brought this reflection that you are a true Kenyan who has invited vote across the county, so in this regard as a House, we promise that we shall support you and give you the maximum support throughout the journey for the five years that we shall be here.

The Speaker (Hon. Kingi): Senator of Turkana County, you have the floor.

The Senator for Turkana County (Sen. Ekomwa James Lomenen): Mr. Speaker, Sir, I thank you for this golden opportunity. I take this opportunity to thank the Almighty God for giving you this opportunity.

I come from the furthest corner of this nation, Turkana County. In that County, there are so many extreme challenges. However, with the confidence that we have in you, we will try our level best to make sure that those challenges facing the northern part of Kenya are resolved.

I take this opportunity to thank all Senators who were elected in their respective places and area and counties. I also thank the Deputy Speaker who is my friend. We have been with him for two terms in the National Assembly. With the experience we have from the National Assembly, we will support the Senate, so that it becomes an 'Upper House' and not the 'Lower House.' I trust you and the people I represent also trust you.

Mr. Speaker, Sir, this Senate is just like a polling station with 67 Members. Handling a polling station is very easy. Personally, I take care of over 300 polling stations. I have confidence in you that you will take care of the welfare of these Senators. As you take care of us, we will be sure and have confidence that the citizens, we represent will automatically be taken care of because Senators have been taken care of.

I congratulate you and pray that God will give you enough grace and wisdom to represent and support this House.

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

The Senator for Uasin Gishu County (Sen. Jackson Mandago): Mr. Speaker, Sir, may I first take this opportunity to congratulate you and your able Deputy on your election. Secondly, I congratulate my fellow Senators who have been elected to serve in this House.

Mr. Speaker, Sir, I served with you in the Council of Governors (CoG) for two terms. I am happy that we have Members in this House who were in the other House and they now acknowledge that this is the 'Upper House' and that, indeed, they erred in passing legislations that undermined devolution.

I am happy the wheel of devolution has rotated 360 degrees and we now have Members who were in the National Assembly, the Cabinet, former governors and Members of County Assembly (MCA). We also have a Speaker who has rotated 360 degrees in terms of administration from Parliament, Cabinet, Governor and now the Speaker of the Senate.

As Senators, we have a golden opportunity to truly make devolution work, by utilizing the capital that we have in the goodwill of President William Ruto to support devolution.

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

The Nominated Senator (Sen. Maureen Tabitha Mutinda): Mr. Speaker, Sir, I take this opportunity to highly congratulate you. Being a Nominated Senator, it is a first

journey. I am delighted to be part of the process that I have seen today; a process for the changes that we want to make in this country.

I congratulate the Deputy Speaker, who is also my neighbour on the other side. This is an indication of the wonderful leadership that Kenya Kwanza is going to offer – peaceful proceedings and teamwork in this nation. I believe through these processes, we will deliver and serve Kenyans. God bless you.

The Speaker (Hon. Kingi): Senator for Nyandarua County, proceed.

The Senator for Nyandarua County (Sen. Methu John Muhia): Thank you, Mr. Speaker, Sir. First, allow me to congratulate you for your well-deserved win. I do not know whether they have told you that I was your agent in this election. Therefore, most likely, I will see you after this Sitting.

(Laughter)

I also thank the Clerk for conducting the morning session very well. My colleagues have mentioned that today is a big day. I have just been told by Sen. Murkomen that you have made history today for being the first Speaker to be elected on the first round. Congratulations! It tells you the direction the people of Kenya have taken because they speak through their representatives. They want a united Kenya and to move forward.

Our senior, Sen. (Dr.) Khalwale, mentioned that we have many reasons to vote for you. I also had many reasons to vote for you. One was because you campaigned very well. Secondly, I believed you were the best candidate. Thirdly, my senior, Sen. Murkomen, has always reminded me about loyalty, faithfulness and fidelity. I have not forgotten.

Fourth, I have known you from the past. By the way, your history and mine is almost similar and that is why I also voted for you. You became a Member of Parliament for Magarini Constituency at 32 years. I am coming in as the Senator for Nyandarua County at 31 years. You understand the challenges that young Parliamentarians face and can address them because you have been there.

I joined Pwani University in 2013. You were the Governor for Kilifi County and I ran for member of Pwani University Student Council. I come from a small village called Karoboithi and a humble background as well. I did not have anything to push me there. I came to your office to ask for help and you helped me despite not knowing me. I requested for posters and you give me posters and more.

My mother, Ms. Janet Wanjiru, is there and she knows that you paid my fees for the remaining part of the term. Thank you very much. The other day when you came to ask for my vote, I reminded you of all these things and told you it is my turn to pay back. You did not know me then and I did not need to know you now to vote for you.

Mr. Speaker, Sir, I wish to speak to our colleagues who walked out of the House this morning. They were not elected by their people to walk out of the Chamber of Parliament. They are supposed to be here to express themselves. Walking out is disdain to the people who elected them. You were elected to the Senate, but you walk out of the

Senate. It beats the purpose as to why you ran for office. You should have rather let other people come to represent their counties.

Finally, I am also coming from a “Lower House”. I have been a big and a small man at the Nyandarua County Assembly. I was the personal secretary to the Speaker of the County Assembly – Hon. James Ndegwa Wahome, who is in the Speaker’s Gallery. He gave me an opportunity to serve in his office. You will not have deficiency in your office. I have all the experience that you need and I will be able to help.

Thank you, Mr. Speaker, Sir, and congratulations from the people of Nyandarua County and I.

The Speaker (Hon. Kingi): Thank you. Sen. Veronica Maina, proceed.

The Nominated Senator (Sen. Veronica Waheti Nduati Maina): Mr. Speaker, Sir, may I take this opportunity to congratulate you on your election as the Speaker. I believe this is a great moment for Kenya. We have got the best Speaker we could get in the Senate today. We looked at the Curriculum Vitae (CVs), which were presented and I can affirm and endorse you as the right Speaker for this Senate.

This Senate has a heavy responsibility towards the whole nation. It has the oversight role over devolution funds and county governments. We are looking forward to a moment when we can optimize the use of county funds and all the devolved funds that are sent to the 47 counties. The only way to realize the bottoms-up economic model through the Kenya Kwanza Coalition Government is through proper optimization of the devolved funds to the counties. I believe you have the capacity to lead that oversight role and ensure that Kenyans will not be disappointed with your tenure.

Mr. Speaker, Sir, with regard to the inclusion of women within the leadership of this House, we know you will ensure that all the special interest groups that are represented in this House will feel that they are part of this Senate and its leadership, both at the Parliamentary Service Commission (PSC) and also the committee level.

Let me not take too much time. I wish you God’s blessings. I know you have the capacity. I have practised law with you in Mombasa County for many years. I knew you as a sharp and brilliant advocate who performed his tasks on time. I know this Senate will do what needs to be done to deliver its mandate under the Constitution.

God bless you.

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

The Senator for Tana River County (Sen. Danson Mungatana): Mr. Speaker, Sir, I want to join my colleagues who have expressed their congratulations to you. From Tana River County where we are neighbours with where you come - from Kilifi County - we want to give our congratulations to you.

Quickly, I want to speak to two issues. We celebrate you since you are from the Coast and previous speakers have said that you are the best choice. However, it is not just about regional balance, but what the Senate is saying is that there are competent people from those far-off areas; areas that hitherto were not recognized. You have made history on behalf of all of us. We believe that the country is watching the new dawn that the Kenya Kwanza Coalition is bringing to this nation.

My plea before I leave the Floor is that what the Senate has communicated to the nation should be replicated in the formation of the Executive arm of Government, so that

we have talented people from far-off areas occupying key positions in the new Government.

Mr. Speaker, Sir, I believe that you will deliver; I have no doubt. As I take my seat, I would like to speak to another issue that was raised by Sen. Omtatah. When we talk about the new-found dawn of cooperation between the two Houses, the Senate and our colleagues in the National Assembly, in the Constitution of the Parliamentary Service Commission (PSC), let us not go back to what was there before.

In the current PSC whose term is coming to an end, they had the chairperson and the deputy coming from the National Assembly and yet, we are colleagues. In the new-found cooperation spirit between the National Assembly and the Senate, we know that by law they will take the chair; let the deputy come from this House.

With those few remarks, I congratulate you.

The Senator for Kericho County (Sen. Aaron Cheruiyot): Thank you, Mr. Speaker, Sir. Congratulations on your election together with your Deputy, my good friend, Sen. Kathuri. People have spoken of the very serious reasons they voted for you. I also did for serious reasons, but for unserious ones as well. One of the unserious reasons I voted for you is that while we are told there were seven candidates, you are the only one who was gracious enough to ask me for my vote and that is how you got it.

I congratulate you. I know you are a man of great honour and distinction. I celebrate your achievement today because I know you have travelled a long journey both in your personal life and professionally as an advocate.

I had time to go through your Curriculum Vitae that you shared with us and I realise that the Senate has a man worthy of honour and deserving of the price that you have secured for yourself and the people that support you.

I know that quickly we will dust off from the campaign mood now that the elections and the honeymoon are over. We have a lot of work that is ahead of us. As the Senate, we must remember the primary call and our duty as a House. Much as we celebrate and hear of the good vibes about cooperation between both houses of Parliament, I will quickly warn you that it is not the first time we have heard of such stories before. Much as we are hopeful we will remain to be vigilant. If at any time there might be anybody who wants to threaten the cause of devolution and reverse the gains that we have made as a country, you will be called to duty.

Sometimes there will be difficult days when that Chair will be extremely hot. I assure you that as Members of this House, we shall stand by you if you do the right thing, which is to protect devolution.

I said the same thing to the Deputy Speaker, Sen. Kathuri, who served in the “Lower House” for two terms and has now joined us in this House. I believe he will serve this House and you as a deputy, and together, we shall move the country and our counties forward. I celebrate and wish you well. I know we will work together.

Just to make a comment because I have heard Members speaking about the composition of the Parliamentary Service Commission (PSC). In as much as the term of the previous Parliament lapsed, up to this point, I still serve as a Commissioner in the PSC. Our term will end when a new one is inaugurated.

I wish to add my voice in approval of sentiments by Sen. Okiya Omtatah. Indeed, it is true. This Senate, unlike the two previous Parliaments, deserves four slots just like our colleagues in the National Assembly.

As much as the Chair is appointed by edicts of the Constitution, on many occasions, and I say this with tremendous respect for the immediate former Speaker of the National Assembly, when issues were placed before the PSC, despite being the Chair of the PSC, 99 per cent of all the time, you would find them voting for the National Assembly.

I, therefore, agree with my colleagues who demand that, that being case, we better be even in terms of representation in that Commission, so that we have four Members from the Senate and four from the National Assembly. When we have an opportunity, we will propose that.

Finally, Mr. Speaker, Sir, I must make a comment on democracy. The ethics of democracy are such that the minority have their say, but the majority must be allowed to have their way. It is unfortunate that in this country there are people who have set a culture of never accepting any electoral process and the results. When they establish that their numbers are not adding up, they must find a way to murky the process. If it is not demanding for servers to be opened, it is walking out of the Chamber. That is a culture that we need to banish and be honourable people.

One should speak and vote and if defeated, they should accept the results with grace. After a competition, we should have people shaking hands of the winners saying that they did better than them and wish them well. It is a culture that is deeply wanting in our politics, and I hope we will have that soon.

I thank you.

The Speaker (Sen. Kingi): Proceed, Senator for Kirinyaga.

The Senator for Kirinyaga County (Sen. James Kamau Murango): Asante, Bw. Spika, kwa kunipa nafasi kusimama mbele yako na suti yangu ya manjano. Kwa niaba ya watu wa Kirinyaga, nakupongeza kwa kuchaguliwa Spika wa Seneti. Ningependa pia kumpongeza Sen. Kathuri na Maseneta wote ambao walichaguliwa.

Sina mengi ya kunena leo kwa kuwa tutapewa nafasi ya kutoa hotuba zetu. Waswahili husema kuwa kuku mgeni hakosi kamba mguuni. Naomba kuruhusiwa kukaa hapa na suti yangu ya manjano; nitanena siku ikifika.

The Speaker (Sen. Kingi): Proceed, Senator for Kiambu. After Sen. Thangwa has spoken, we shall have the last one before we end.

The Senator for Kiambu County (Sen. Paul Karungo wa Thang'wa): Mr. Speaker, Sir, my name is Karungo wa Thangwa, Senator for Kiambu. I would not have become a Senator, but by the grace of God and courtesy of about 579,000 votes of the people of Kiambu, I am here and I thank God.

Mr. Speaker, Sir, I take this opportunity to thank you and your deputy on being elected to the leadership of this House. I have no doubt that you will meet the expectations of this House and our country.

Mr. Speaker, Sir, I would like to loop you in about what the Clerk did and thank him. You are here because of the Solomonic decisions that he made to ensure that the business of this House goes on. I do not know whether to call it Solomonic or

“Chebukatic” because he followed the law the way it is supposed to. I thank you, Clerk of the Senate.

Mr. Speaker, Sir, this House will go down in history as one that has many firstborns of devolution.

I believe we are not less than five former Members of County Assembly (MCAs). I was an MCA in Kiambu County between the year 2013 and 2017.

You sitting there as our Speaker having come from the seat of a governor, means that this House has all its corners from the side of the Executive and Legislature at the local level well represented. If this House never performs, there will be no other that will perform better than what we will do within this period.

Mr. Speaker Sir, as I conclude, if I was asked, although no one is asking, in future, we should give those who come from the village, the first-timers, an opportunity to be the first to speak because we understand what devolution is.

If you follow the traditions and ranks that have been there, you will find out that the new people will never be able to speak because we will have to wait for those who have been there to speak. Therefore, we probably need to amend the Standing Orders or give us a day where those who are new will be given priority when it comes to representing the people.

Mr. Speaker, Sir, as you lead this House, always remember to use the ‘Chebukati pronouncements’. Follow the law because it will always vindicate you.

I thank you, Mr. Speaker Sir.

The Speaker (Hon. Kingi): Sen. Murgor, you may proceed.

The Senator for West Pokot County (Sen. Julius Murgor): Thank you, Mr. Speaker Sir, for having your eye on the other end of Kenya; from your end to the other end.

I congratulate you and your deputy on being elected Speaker and Deputy Speaker of this House. I also congratulate my colleagues for being elected Senators to be in this House together.

I also thank God for the opportunity to have you as my Speaker. You “wrap” me nicely in two ways. One, is the fact that you have served as a governor in a county that is the same as mine, that is marginalized and underdeveloped as compared to the others. Therefore, when I talk about West Pokot and other marginalized counties, I have a Speaker who understands where I come from.

Secondly, is the fact that you have served in a marginalized area such as West Pokot and developed the education sector. Therefore, when we talk about devolution that should reach out to areas such as Kilifi, West Pokot, and the others, you easily connect and understand us.

My other point is about the level of being either an ‘Upper’ or ‘Lower’ House. When I was a Commissioner in the 10th Parliament, we were tasked with going all over the world and compare the position of different Houses.

We went to the United States of America (USA) and Germany among many other places. I hope that in your time as Speaker, together with your counterpart in the other House, you will elevate the Senate to become the Upper House.

I thank you very much and may God bless you.

The Speaker (Hon. Kingi): Thank you. Proceed, Senator for Muranga County.

The Senator for Murang'a County (Sen. Joseph Nyutu Ngugi): Thank you, Mr. Speaker, Sir. I also take this opportunity to congratulate you and your deputy on being elected here today. In fact, you got 100 per cent because the total votes cast were 46, and you got all of them.

Like my colleagues, I also had my reasons for voting for you. Perhaps the most compelling was that you served not just as a Cabinet Secretary, but also appointed by one very strict, late President Mwai Kibaki. He could not have gone wrong. That convinced that you were the best Speaker we could have.

Secondly, because the major business of the Senate is overseeing devolution, having been a governor for ten years, I knew that we could not go wrong by electing you as Speaker.

I know that under your watch and guidance, and since you have promised that you will work with your colleague on the other side, the supremacy battles between this House and the National Assembly will be in the past and devolution will win.

Like my colleague from Kiambu has said, please, consider us - the new entrants - so that we can also build our skills in debate.

We look forward to better days ahead.

The Senator for Nyeri County (Sen. Wamatinga Wahome): Thank you very much, Mr. Speaker, Sir. I congratulate you on being elected the Speaker of the Senate. I also congratulate your able deputy.

I had various reasons for voting for you. One of them is that you got into leadership position at a very young age. Someone believed and nurtured you. My challenge to this House is that we also nurture the young ones, so that when we are out of politics there will be people to take after us.

Mr. Speaker, Sir, this is an election of firsts. You are from the Coast region and having been a governor, you best understand devolution. I know you will stand for the Senators since you know what it takes for one to become a Senator having been a governor.

Lastly, I echo the same sentiments of other newcomers. Kindly consider us. We might be new in the House, but we have brilliant ideas, having come from diverse fields. There is a lot that we can offer to this House.

Thank you, Mr. Speaker, Sir.

The Senator for Bomet County (Sen. Wakili Hillary Kiprotich Sigei): Thank you very much, Mr. Speaker, Sir. I rise to first congratulate you on your election. It is a confirmation of the confidence that Members of this House have in you.

As my colleague has said, getting 100 per cent of the votes is a confirmation of the confidence that they have in you and the Deputy Speaker. We were not required to go to the ballot for the Deputy Speaker's position.

With your background, I am very sure that devolution will be properly managed in this House.

Devolution in this House will be properly managed. We will legislate because this is a House of legislation. Under your guidance, we will do that which is right and proper, and devolution will thrive.

I congratulate you and the rest of my colleagues who are also in this House today. Going forward, I echo the sentiments of the newcomers in the House. We will strive to do the best in order to support you in the course of building and protecting devolution and doing the best for the people of Kenya through the Government of the Kenya Kwanza Coalition.

I thank you and congratulate once more.

The Speaker (Hon. Kingi): Sen. Seki for Kajiado County, you may have the Floor.

The Senator for Kajiado County (Sen. Lenku Seki): Thank you, Mr. Speaker, Sir. I take this opportunity to congratulate you on being elected as the Speaker of the Senate, together with your Deputy Speaker.

On behalf of the people of Kajiado and myself, we appreciate and thank God for this enormous election that has taken place this afternoon. You are a very experienced leader of this country. After going through your Curriculum Vitae, I have noticed that you have been in almost every area and position of this country. We believe in you and your ability to make a very big impact in this House.

God willing, we are looking forward to see you taking note to all points that you have taken up this afternoon, together with my colleagues. More importantly, the issue of the oversight fund, which we really need to go down to see what is happening in the counties because, it is part of what we really want to see performance in our counties.

I appreciate you and the entire House. I can also see that we will have a very strong Opposition. Let them be ready because we are going to drive this country well.

The Speaker (Hon. Kingi): Sen. Chesang for Trans Nzoia County, you may have the Floor.

The Senator for Trans Nzoia County (Sen. Allan Chesang): Thank you, Mr. Speaker Sir. On behalf of Trans Nzoia County and the youth of this country, I congratulate you and your deputy. I thank the people of Trans Nzoia for electing me because where I come from, it is believed that the Senate is for old people. I take this humble opportunity to thank them for giving me this opportunity to represent them.

I am one of the youngest leaders in the House. I believe in your wisdom of leading the House and of representing us. I assure you of our support. We have pledged allegiance and we thank you very much.

Thank you.

The Speaker (Hon. Kingi): Sen. Mwinzagu, you may proceed.

The Nominated Senator (Sen. Raphael Chimera Mwinzagu): Thank you, Mr. Speaker Sir. To whom much is given, much is expected. I believe you are in that seat today courtesy of what my colleagues have said. I echo the words of Sen. Danson Mungatana that *sisi wapwani tunafurahi kwamba leo mpwani mwenzetu amekaa katika kiti cha enzi pale*. Sen. Mungatana amesema one major qualifying factor is that competence is what has sold. It is your competence that has made you sit on that seat today.

Niko na raha kwamba kijana kutoka Ganze, eneo Bunge la Magarini, Kaunti ya Kwale, anaweza kuwa katika Serikali tena katika kiti ambacho anaweza kufanya maamuzi ya mageuzi.

On behalf of the youth of this great nation, I wish to congratulate you and the Deputy Speaker. I look forward to engaging more with you and my colleagues. I have noticed that the House is full of people of diverse skills, competencies and interest areas. I believe this is the Senate that Kenyans have been yearning for.

Asante sana. God bless you and God bless this House.

The Speaker (Hon. Kingi): Sen. Chimera, I allowed you to continue speaking because it is your Maiden Speech. However, we do not mix languages. If you choose to speak in Kiswahili, you go all out for Kiswahili. If you choose English, you speak English. For today, you will get away with that.

Lastly, let me allow my Deputy to make his speech.

The Senator for Meru County (Sen. Kathuri Murungi): Thank you, Mr. Speaker, Sir, for giving me this opportunity to give my Maiden and acceptance speeches as the Deputy Speaker of this House.

First, I congratulate you on your election as our Speaker in this noble House. You and I have won in the first round. We won unhindered because all the 46 ballots that were cast, came to you and I too. It seems we were elected unopposed.

Mr. Speaker, Sir, this is a challenge to us because when you are elected overwhelming, people have a lot of expectations in you. We must really work for them because of that trust that they have in us. I know your competence.

Personally, I will really support you to run the affairs of this House. My loyalty to you will be undivided so that we can deliver to these Hon. Senators.

I thank all the Senators in the House for voting me. I knew they were ready to elect me their Deputy Speaker even if we had to take a vote. Even though they did not cast a vote, I really thank them for having that trust in me as their Deputy Speaker.

Mr. Speaker, Sir, there is one person who I really feel indebted to; the Party Leader of our Coalition and President of this Republic. You know the trust that the Party Leader has in me, to the extent of giving me an opportunity to serve this House. From the region I come from, I may be the first Deputy Speaker since creation. I thank the President for giving this opportunity to the Meru Community. On behalf of the Meru community, thank you for giving us this opportunity to serve in this House. Of course, this is his third term to serve in his Government.

Mr. Speaker, Sir, my family has been with me for the last three days praying for me. Many of my supporters and friends in this town came to see whether we will get this opportunity. I thank them for coming. My wife, Ms. Janet Kathuri, is in the Public Gallery and I thank her for the support she has accorded me since I started my political journey in 2013.

I confirm to this House that I will be committed to the oath that I took this afternoon. Through you and the Office of the Clerk, we will be able to serve this House diligently. As Sen. Mwenda mentioned, people say I am humble. Maybe it is because I do not praise myself. I can see that my character traits and yours are almost similar. Therefore, Members should be very confident that we will serve them with a lot of humility. You are our bosses and we are your servants. We will serve you without taking sides.

I also want to sympathise with our brothers and tell them that from today, let us work together to deliver to Kenyans. Maybe the voting did not go their way, but I would like to urge that next time we come back to this House, let us work together seamlessly, so that we can support our people.

Mr. Speaker, Sir, I do not want to talk much today because we will get other opportunities. Let me assure you that I will be loyal to you, so that we can deliver to these Hon. Senators.

Mr. Speaker, Sir, thank you and may God bless you as you serve this House for the next five years.

ADJOURNMENT

The Speaker (Hon. Kingi): Hon. Senators, we have come to the conclusion of business appearing on today's Order Paper. Standing Order No. 24(1) provides that the President shall address the opening of each newly elected Parliament. Consequently, the date of the opening of Parliament shall be determined after consultations between the two Speakers of Parliament and the Presidency.

There being no other business, the Senate now stands adjourned until such date as shall be notified as the date set for the opening of Parliament.

You may now proceed to the reception accompanied by your guests and relatives.

I thank you.

The Senate rose at 3.32 p.m.