

# The SENATE

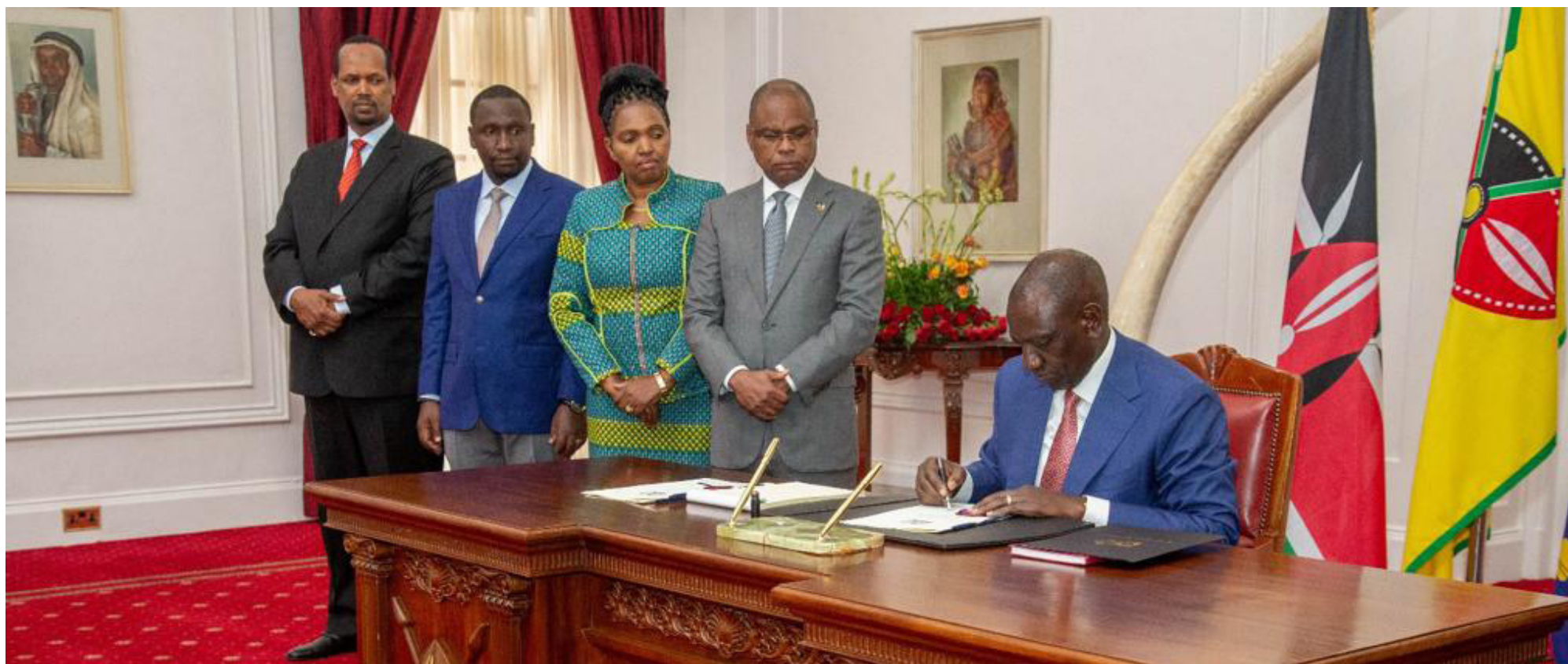
For the Welfare of Society and the Just government of the People

Issue No. 004

## Weekly

# New Laws: Senate unlocks more billions for counties

**President William Ruto assents to Equalization Fund Appropriation Bill, 2023 and The County Allocation of Revenue Bill, 2023 passed by the Senate, paving the way for disbursements to the 47 counties**



*President William Samoei Ruto assents to the two Senate laws on Friday, June 30th, 2023 at State House, Nairobi. Speaker of the Senate Rt Hon Amason Jeffah Kingi witnesses the signing alongside Senate Majority Leader Hon Aaron Cheruiyot, Senate Finance Committee chair Senator Ali Roba and Senator Tabitha Karanja.*

Devolution received a major shot in the arm last Friday, June 30, 2023 when President William Ruto signed into law two key finance Bills passed by the Senate and whose net effect will be more monies heading to the 47 devolved units.

The President assented to the Equalization Fund Appropriation Bill, 2023 and The County Allocation of Revenue Bill, 2023, marking another milestone in the 4th Senate legislative undertaking as the 2023/24 financial

year starts in earnest.

The County Allocation of Revenue Act, 2023, allocates Sh385.4 billion to counties for the next financial year, 2023/24, an increase of Sh15 billion from the allocation to counties in the just ended financial year.

The Equalisation Fund Appropriation Act concerns 34 counties which constitute 1,424 marginalized areas spread across counties that will benefit from the funds.

The Act is a product of Article 204 of

the 2010 Constitution. The Equalization Fund was established with the mandate to facilitate the provision of basic services, namely, water, health, electricity, and roads in marginalized areas.

By signing the Bill, the President has paved the way for the National Treasury to release the money meant for marginalised areas which has been pending for the last 10 years.

The Act appropriates Sh10.3 Billion to implement basic services — such as water, roads, electricity and health — to

identified these marginalised areas.

The National Assembly only approved Sh26 billion for disbursement to the earmarked areas. But only Sh12 billion is what has so far been disbursed.

The outstanding Sh13 billion is what the law signed by the President seeks to release. Out of this, Sh10 billion was appropriated in the first Supplementary Budget, leaving a deficit of Sh3 billion.

The two bills are part of the 38 Bills have been published since the 4th Senate of the 13th parliament was inaugurated





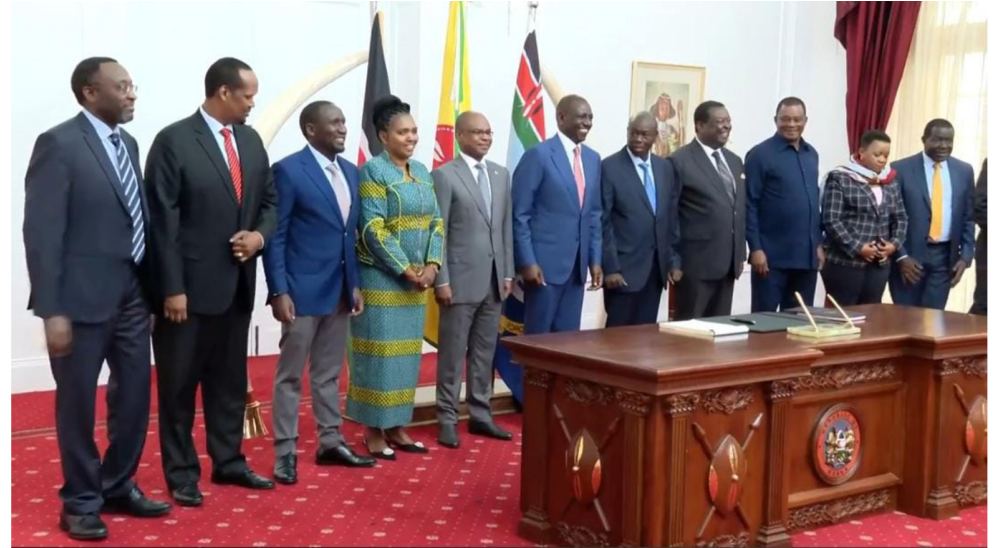
President William Samoei Ruto chats with Speaker of the Senate Rt Hon Amason Jeffah Kingi at State House, Nairobi, moments before the Head of State assented to the two Senate laws on Friday, June 30th, 2023.

in September last year.

Details provided presented to the House on Thursday, June 29, 2023 by the Senate Majority Leader, Hon Aaron Cheruiyot, indicates that 21 of these Bills are at various stages of consideration in the House pending conclusion.

The details further reveal that 17 Bills are at the Second Reading stage while 4 are at Committee of the Whole stage.

The House has considered and passed 6 Bills, among them the two assented two by the President last



President William Samoei Ruto poses with Senate Speaker Rt Hon Amason Jeffah Kingi, Senate Majority Leader Aaron Cheruiyot (3rd left), Senate Finance Committee chairman Hon Ali Roba (2nd left), Senator Tabitha Karanja (4th left) and Clerk of the Senate Jeremiah Nyegenye (left) after assenting to the two Senate laws. Also present were Deputy President Rigathi Gachagua, Prime Cabinet Secretary Musalia Mudavadi, Attorney-General Justin Muturi and other government officials.

Friday.

One Bill had already been assented to earlier, while 3 others are pending before the National Assembly.

Hon Cheruiyot made the revelations as the House concluded the third part of second session which started in Mid-February 2023.

The end of the third part of the second session coincides with the start of a short recess for the lawmakers that will run between Friday June 30 to July 18, 2023, offering members an opportunity to get time to visit their constituents and ramp up their representation roles.

In his statement, delivered on the floor of the House, the Majority Leader hailed the Senators for the dedication and commitment they have shown in the discharge of their mandate as lawmakers.

“I urge all of us to continue with the same spirit in service to the people who entrusted us to represent their interests,” said senator Cheruiyot.

A total of 22 motions are pending before the House while 12 Petitions are

now due for reporting.

According to the details the Majority leader presented to the Senate, 4 Petitions are due for reporting by the Committee on Roads, Transportation and Housing; 3 Petitions are due for reporting by the Committee on Justice, Legal Affairs and Human Rights while 2 Petitions are due for reporting by the Committee on Labour and Social Welfare.

Similarly, the Committees on Education; Agriculture, Livestock and Fisheries; and Committee on Land, Environment and Natural Resources each have one petition due for reporting.

A total of 141 statements are pending conclusion by House Committees and the majority leader pleaded with the leadership of the committees to expedite consideration of the same and table reports pursuant to the house rules.

“I encourage Chairpersons of Committees to utilise Standing Orders and present statements on matters for which the committees are responsible to apprise the House from time to time,” said the majority leader.

## A PUBLICATION OF THE SENATE

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## Deputy Speaker leads Kenyan delegation to key parliamentary meetings in Brussels, calls for quick solution to Sudan conflict

A delegation from the Parliament of Kenya led by Sen. Kathuri Murungi, the Deputy Speaker of the Senate participated in the just concluded 63rd Organization of African, Caribbean and Pacific States (OACPS) Parliamentary Assembly and 43rd Organization of African, Caribbean and Pacific States (OACPS) - European Union (OACPS-EU) JointParliamentary Assembly (JPA), in Brussels, Belgium.

Among other issues highlighted at the forum is the security situation in the Democratic Republic of Congo and Sudan. With regard to the ongoing conflict in Sudan, Senator Murungi noted that there was need to urgently engage the warring parties to consider de-escalation, cessation of hostilities and implementation of a permanent ceasefire.

He further called for unhindered access of humanitarian support. Additionally, delegation Member, Hon. Peter Kaluma reiterated Kenya's commitment and support in resolving conflicts in the region and in the two countries in a bid to promote peaceful dialogue for sustainable peace and stability.

The Parliamentary Assembly was also informed that the Green Deal Strategy that was adopted in 2019 and scheduled to take effect in 2023 had been rescheduled to take effect in 2025.

The Green Deal Strategy is a package of policy initiatives, which aim to set the EU on the path to a green transition, with the ultimate goal of reaching climate neutrality by 2050.



Deputy Speaker of the Senate Hon Kathuri Murungi attends the 3rd Organization of African, Caribbean and Pacific States (OACPS) Parliamentary Assembly and 43rd Organization of African, Caribbean and Pacific States (OACPS) - European Union (OACPS-EU) JointParliamentary Assembly (JPA), in Brussels, Belgium last week.

## Belgian firms eye Kenya's coffee, nuts markets

A number of Belgian companies have expressed their willingness to set up warehouses for coffee and nuts in Kenya.

This was revealed during a series of meetings between the Deputy Speaker of the Senate, Hon Kathuri Murungi, and representatives of a number of firms in Brussels, Belgium.

The Deputy Speaker visited the Molenbergnatie Warehouse in Antwerp, Belgium, which serves as the largest warehouses for coffee beans and nuts in Europe. Nuts processed at the plant include macadamia, cashewnuts, groundnuts, and hazelnuts.

According to Hon Murungi, his discussions with representatives of the Belgian firms provided him with a good opportunity to understand the global market logistics of the two value chains which subsequently informs Kenya's competitiveness in the European Market.

The firms' commitments and readiness to move into the Kenyan market provided hope for local farmers who have largely been left holding the



Deputy Speaker Hon Kathuri Murungi gets a briefing at Molenbergnatie Warehouse in Antwerp, Belgium - the largest warehouses for coffee beans and nuts in Europe.

short end of the stick when it comes to marketing their produce in the global market.

"The discussions around Coffee with the Deputy President H.E. Rigathi Gachagua during the Coffee summit held in Meru County from June 8th to 10th, 2023 will now bear fruits since the Belgian companies expressed their willingness and readiness to open their warehouses to Kenyan commodities to improve market access.," said Hon Murungi

He also appealed to President William Samoei Ruto to consider putting efforts in the mission that emulates what is happening in Brussels with regard to coffee beans and other nuts.

The Deputy Speaker who also made a courtesy call at the Kenyan Embassy in Brussels, thanked embassy staff led by the Ambassador of Kenya to Belgium H.E. Amb. Bitange Ndemo for effectively championing and articulating Kenya's interests in Belgium and the entire European Union.



## Health Committee visits Murang'a County to assess state of hospitals

As part of the Committee's continuous work plan, the Senate Health Committee, Chaired by Uasin Gishu Senator Jackson Mandago, visited Murang'a County to inspect and assess three Health facilities: Muriranjas Level 4 Hospital, Maragua District Hospital and Murang'a Level 5 Hospital on the 23rd June 2023. The purpose of the visit was prompted by the Statement sought by the Area Senator, Joe Nyutu, on the state of Health Facilities in Murang'a County and the circumstances that led to the death of Wakili Wachira J.M, at Murang'a Level 5 Hospital on the 17th of May 2023. In the Statement, Senator Joe Nyutu sought a committee report on the overall state of Health facilities, Services and level of Staffing across all hospitals in the County and their ability to respond to medical emergencies.

During the visit to the three hospitals, Muriranjas Level 4 Hospital, Maragua District Hospital and Murang'a Level 5 Hospital, the Committee was received by their respective Medical Superintendents, who took the Committee on a tour of their respective

Health Facilities.

The County visit ended with a courtesy call and a debrief session at the Governor's office. The Committee was well received by H.E. Governor Irungu Kangata and his Deputy Hon. Stephen Munania. In his remarks, the Governor expressed appreciation for the feedback received from the Committee and committed to implement the recommendations. "I want to take this opportunity to thank the Senate Health Committee for inspecting our health facilities here in Murang'a and I assure you, positive or negative, criticism is a part of progress and we shall endeavour to improve our health facilities for the benefit of our people here in Murang'a County" stated the Governor.

Senator Mandago thanked the Governor and his team for their warm reception. "The visit was informative and as the Senate, we are here to give the County feedback so as to improve your systems and overall health facilities. One of the recommendations is to have the hospitals effectively utilize their hospital improvement fund, the reimbursement of Linda Mama and NHIF. We shall



The Senate Health Committee, Chaired by Uasin Gishu Senator Jackson Mandago during a visit to health facilities in Murang'a County. Senator Mandago chats with Murang'a Governor Irungu Kangata.

continue to be partners in this agenda of improving health care facilities in the Counties" stated the Chair of the Committee Senator Mandago.

Other members present at the County visit were Senator Joe Nyutu, Senator Hamida Kibwana and Senator Esther Okenyuri.

## Senators consider petition on EABL ownership

The Senate Standing Committee on Trade, Industrialization and Tourism held a meeting with Mr. Rono Nicholas the petitioner who has petitioned Senate alleging fraudulent shareholding activities and illegal acquisition of EABL.

The Petitioner claims there has been a controversial majority acquisition of East African Breweries shares by Guinness PLC in 2000 which was strongly resisted by Kenyans through Parliament. Despite knowing the dealings of the Capital Markets Authority (CMA), Kenya Revenue Authority (KRA), the National Treasury and East African Breweries Limited have not addressed the concerns.

The recent acquisition of the extra 15 per cent in EABL is a fraud upon the people of Kenya as the shares are being acquired for an onward transfer to a new buyer at a much higher value for the benefit of the shareholders and to the detriment of Kenyan shareholders who will be denied the benefit of the higher price that would be onward obtained an onward sale has been agreed with



another company and the purpose and purchase of an additional 15 per cent shares is meant to assure the purchaser of a controlling stake in East African Breweries Limited (EABL) after the onward sale. The sale of the shares has been prompted by the desire by the fraudulent purchaser to evade huge tax through massive processes within the system.

The Petitioner noted that Kenya

Breweries Limited (KBL), when it was locally owned, possessed massive real estate in Kenya that comprised staff houses, staff complexes, go downs and warehouses, factories and other assets and had employed over 6,000 Kenyans.

He prayed that the Committee investigates the matter with a view to recommending amendments to the Capital Markets Authority (CMA) Act to cushion the shareholders from such future manipulation.



Committee Chair Hon Lenku Ole Kanar Seki and Members, Sen. Esther Okenyuri, Sen. Andrew Omtatah, and Sen. Dr. Lelegwe Ltumbesi during a session to hear pleadings by the petitioner Mr. Rono Nicholas (top, right).



## Water CS sheds light on exploitation of Sasumua and Konoike dams in Nyandarua and access by Coast counties to water from Mzima Springs

Cabinet Secretary, Ministry of Water, Sanitation and Irrigation Hon. Alice Wahome appeared before Senate Committee on Land, Environment and Natural Resources Chaired by Nyandarua County Senator John Methu, to respond to a petition by Nyandarua County Assembly on exploitation of Sasumua and Konoike dams.

Cabinet Secretary, also responded on the Statements Pending before the Committee

On the Exploitation of water in Sasumua and Konoike dams, Hon. Wahome told the Committee that the combined catchment area of the Sasumua include, Chania and Kiburu streams is approximately 12, 800 hectares. To date over 53,000 indigenous trees have been planted within the catchment with the aim of ensuring sustainable exploitation of the water resource and conservation of catchment area, and in order to ensure



Water Cabinet Secretary, Hon Alice Wahome (left) before Senate Committee on Land, Environment and Natural Resources last week.

the local community benefits.

On the Statement requested by Sen Chute Mohamed, regarding status of boreholes in Marsabit County, CS Wahome told the Committee that the occurrence of fluoride in groundwater is due to weathering and leaching of fluoride-bearing minerals from rocks and sediments. High fluoride concentration in groundwater are especially critical in



developing counties like Kenya, largely because of lack of suitable infrastructure for treatment and the semi-arid nature of Northern Counties where alternative sources of fresh are unavailable, or dry or non-existent.

Hon. Wahome, in her response on Statement requested by Taita Taveta County Senator Johnes Mwaruma, regarding the Mzima Water abstraction project in Taita Taveta County, told Sen.

Mehu led Committee that the anticipated water volumes to be extracted daily will be 105,000m<sup>3</sup>/day upon completion of Mzima 11. The water volumes that will be shared across the counties will be based on the population along the pipeline corridor and will be as follow: Taita Taveta County at 22,000m<sup>3</sup>/day, Kwale County at 10,000m<sup>3</sup>/day, Kilifi County at 13,000 m<sup>3</sup>/day and Mombasa County 60,000m<sup>3</sup>/day..

## ICT Committee to act on Telkom, ATC Kenya stalemate

The Senate Committee on Information, Communication and Technology, chaired by Trans Nzoia Senator Allan Chesang, has resolved to invite Telkom Kenya and American Tower Corporation to a meeting over a controversial telecommunications tower sale and leaseback transaction.

While seeking the Committee's intervention on the matter, ATC Kenya has informed the Members of the Committee that Telkom Kenya owes them a Kshs4 billion debt over a telecommunications tower sale and leaseback transaction dated October 2018.

However, the telecommunication company has defaulted on its payment obligations despite ATC Kenya providing services and upholding its end of the bargain in their Master Site License Agreement.

"It is not sustainable for ATC Kenya to continue bearing energy-related costs on behalf of Telkom Kenya.

"We issued a formal notice to Telkom in April 2023 that we cannot continue to provide services without payment," ATC Kenya's CEO Mr Thomas Sonesson said.

The telecommunications infrastructure provider was responding



A recent session of the Senate Committee on Information, Communication and Technology, chaired by Trans Nzoia Senator Allan Chesang.

to the comments made by the Cabinet Secretary in the Ministry of ICT and Digital Economy, Mr Eliud Owalo, while he appeared before the Committee last week that American ATC Kenya has shut down some critical infrastructure pertaining to Telkom, thus affecting the

delivery of services to Kenyans.

"Telkom Kenya failed to meet its financial obligations to ATC Kenya because it is not in a position to pay. So, we need to find a solution swiftly because some of the infrastructure that is in the possession of Telkom is of national

security nature," CS Owalo said.

The Members of the Committee have subsequently resolved to meet with the two antagonizing sides in order to dig deeper into the matter and find a lasting solution.



# Kitui Water and Sanitation Company under Senate scrutiny for discrepancies in financial statements

In an effort to instill administrative accountability, the Senate Committee on County Public Investments and Special Funds, led by Vihiga Senator Godfrey Osotsi, convened to interrogate the financial conduct of Kitui County's water and sanitation entity. H.E. Julius Malombe, the Governor of Kitui County, appeared before the Committee to respond to the Auditor General's queries arising from the financial statement reports of Kitui Water and Sanitation Company Limited (KITWASCO) for the fiscal years 2018/19, 2019/20 and 2020/21.

The Governor has been tasked with total restructuring of KITWASCO's Board of Directors, within 60 days from the date of the meeting, and recruitment in line with predefined guidelines, confirmation of a Managing Director, and the introduction of performance contracts for all staff to bolster productivity.

Governor Malombe was also directed to enforce compliance of KITWASCO with the Water Services

Regulatory Board (WASREB)'s notification dated 6th April 2023. The Governor is expected to facilitate the full ownership transfer of the water company to the County Government as prescribed by the Water Act, 2016 within 30 days. Following this transfer, a copy of the certificate of incorporation (CR-12) is to be submitted to the Committee.

The County Government is expected to cooperate with the County Assembly to create and enact a County Water Act, an instrumental move that will bolster the operations of the KITWASCO.

Recognising the discrepancies in the audited financial statements, the Committee has recommended the Office of the Auditor General to review and adjust the Company's Accounting Software (ERP) to guarantee the accuracy of financial ledgers.

To rectify a significant Kshs. 240,924,034 outstanding receivable, strategic measures are to be implemented by the County Government to recover the amount. The Office of the Auditor General will verify these steps and



provide a progress report during the subsequent audit cycle.

The meeting was presided over by Senator Godfrey Osotsi. Members present included Vice Chair Prof. Tom Ojienda, Karungo Thangwa, William Kisang, Tabitha Mutinda, Miraj Abdullahi Abdulrahman, and Hamida Kibwana. Enoch Wambua, the Kitui Senator, attended the hearing as a friend of the committee.



Top: Senate Committee on County Public Investments and Special Funds Chair, Hon. Godfrey Osotsi and Member Miraj Abdullahi Abdulrahman. Above: Kitui Governor Julius Malombe.

# NITA defends courses targeting Middle East jobseekers

The Senate Committee on Education, Chaired by Murang'a Senator Joe Nyutu, met with the Director General of the National Industrial Training Authority (NITA), Mr. Stephen Ogenga and his team, to receive and consider their submissions regarding the Statement sought by Senator Tabitha Mutinda on the credibility of a course offered to Kenyan Immigrant Workers in the Middle East by NITA. Senator Mutinda was seeking the Committee's indulgence to investigate and report on whether the curriculum offered by the Authority was recognized by the Ministry of Education, state the cost and duration of the course and lastly to list the number of institutions that NITA has accredited to offer the same curriculum.

"We currently have 124 institutions that we have accredited, of which re-accreditation is conducted every financial year, to offer the course program that will add value and upskill our domestic workers by making them more competitive in the job market for the purpose of exporting labor to the Middle East" stated Mr. Ogenga. The Director General further advised that Kenya has a Bilateral Agreement with the Kingdom of Saudi Arabia and thus the demand for skilled domestic workers with training specifics in Home Care,



Child Welfare, Life Skills Training, Domestic Work amongst others.

He further explained that the courses are offered by trained providers who have undergone a Train of Trainers program and are holders of a Diploma or a Degree certification.

Finally, the Authority said it intends to revise its curriculum and are also looking to partner with Technical and Vocational Education Training (TVET) Institutions to rollout their

courses increasing accessibility to other Domestic Workers in different Counties.

Other Members present at the meeting were Vice Chair Senator Peris Tobiko, Senator Johnes Mwaruma, Senator Agnes Kavindu, Sen. Prof. Margaret Kamar, Senator Lenku Kanar Seki, Senator John Kinyua and Senator Tabitha Mutinda as a friend to the Committee.



Top: Members of the Senate Committee on Education during a session with the the Director General of the National Industrial Training Authority (NITA), Mr. Stephen Ogenga (inset) and his team



# Legal committee reviewing Senator Kinyua's Bill seeking to make voter registration compulsory

In an effort to enhance voter registration, Senator John Kinyua from Laikipia County has put forward the Elections (Amendment) Bill, 2023. The proposed legislation aims to enforce specific deadlines for new voters to register upon acquiring eligibility.

The draft Bill seeks to revise the Elections Act, stipulating that individuals who turn eighteen and obtain their national identity card are required to register as voters within a defined timeframe. Under the current legislation and constitutional provisions, adults face no undue restrictions when registering as voters. In fact, voter registration is a continuous process that can be conducted at any moment.

The Bill proposes that new voters should register within sixty days of receiving a national identity card or Kenyan passport. Moreover, it assigns the Independent Electoral and Boundaries Commission (IEBC) the responsibility of finalising the registration process within thirty days of receiving an application.

Nonetheless, the draft Bill's provisions pose potential issues. It intends to mandate voter registration upon reaching eighteen, but fails to propose a system to ensure adherence to this requirement, thus complicating monitoring and enforcement. The Bill also omits provisions for individuals who have already obtained identity cards but have not yet registered to vote by the time the amendment is implemented.



Top: Senator Wakili Hillary Sigei (right), chair of the Senate Standing Committee on Justice, Legal Affairs and Human Rights (JLAHRC), and Member Senator Raphael Chimera Mwizago. Left: Laikipia Senator John Kinyua.

Therefore, the proposed compulsory registration must be carefully examined against the Constitution's provisions, particularly the Article that protects the right to voluntary voter registration.

Currently, the draft Bill is under review by the Standing Committee on Justice, Legal Affairs and Human Rights (JLAHRC), chaired by Senator Wakili Hillary Sigei. The Committee has a two-

week deadline to deliver its report to the Speaker, after which the Speaker might allow the bill to be officially published. It is worth noting that while the Committee can scrutinize the potential impacts, effects, and outcomes of the proposal, and even recommend changes to the sponsor, they are not obliged to integrate these suggested amendments.

## This Week in History



*"In the one week that I was admitted, I was reminded that it is only God who is the custodian of the life that we have. I never had the time to mourn my friend, the Senator for Migori County (Hon. Ben Oluoch Okello). The day the Senator passed on, I thought I would be the next one and I wondered about it all night. I sincerely thank all of you for the support, comfort that you gave me."*

**Senator Fred Outa**

In a personal statement, thanking fellow Senators for their support following his hospitalisation.

Tuesday July 3rd, 2018



*"I remember that in the last Parliament, the Governor of Kericho County was almost impeached because he thought that public participation is just going to a restaurant, taking sodas and photos then making a decision on behalf of his county. He was committing the county for 50 years without a decision from the people of Kericho County but he was lucky to have been saved by this House."*

**Senator Fatuma Dullo,**

During debate on the Public Participation Bill (Senate Bills No. 4 of 2018), Second Reading.

Tuesday July 3rd, 2018



*"Our roads are in a pathetic state, especially where I come from. As we all know, right from Independence, there are areas which are more developed than others. Even in developed areas, some roads are not in good condition. Sometimes there is so much confusion as far as road construction is concerned. When you ask why a particular road is not done, you are told this is national authority or a county authority road. So the citizens are left in between the National Government and County Government and neither is able to perform their duties."*

**Senator Judy Pareno,**

During debate on the Kenya Roads Bill (National Assembly Bills No. 47 of 2017), Second Reading.

Wednesday July 4th, 2018



*"Corruption is a monster in our country that affects many of our sectors. In this case, money must have changed hands for people to be allowed to construct on a riparian land. Of late, we have had many cases of corruption. We have had the sugar scandal, land being grabbed and so on."*

**Senator (Dr) Alice Jepkorir Milgo,**

In a statement on Notice to demolish houses allegedly built on riparian areas in Green Park Estate.

Thursday, July 5th, 2018





1. Visiting delegation of the members and secretariat of the Committee on Delegated Legislation of Nyandarua County Assembly
2. Friends School Bwake, Trans-Nzoia County with Trans Nzoia Senator, Hon Allan Chesang.
3. & 4. St. Teresas Wamba Secondary School, Samburu County pose for a photo with Samburu County Senator Stephen Lelegwe and Nominated Senator Hezema Lemeletian.
5. Students of Moi Girls Kamusinga, Bungoma County pose for a photo with Bungoma County Senator Wafula Wakoli.
6. A group of youth and students from Dandora interact with Nominated Senator Karen Nyamu and Nandi Senator Samson Cherarkey when the team visited the Senate.
7. Senate ICT committee at work last week.
8. Senate Committee on Health tours precincts of a hospital in Muranga County.
9. Senate Joint Committee on Land, Environment and Natural Resources chair John Methu and his counterpart for Senate Committee on Roads, Transport and Housing, Hon Karungo Thang'wa (2nd right) make remarks during a tour of Nyandarua and Nyeri counties last Friday to inspect the Inhithe-Aberdare Forest-Kahuruko-Ndunyu Njeru Road following a petition to the Senate to approve the construction and tarmacking of the Kahuruko-Ndunyu Njeru Road.



## Eldoret ripe for city status, county assembly tells Senate in report

County Assembly of Uasin Gishu wants Eldoret town to be elevated to be the 5th city in the country after Nairobi, Mombasa, Kisumu and Nakuru.

The County Assembly unanimously adopted a report by an ad hoc committee dated May 23rd, 2023 bearing the recommendation.

The report was thereafter forwarded to the Senate Committee on Devolution and Intergovernmental Relations chaired by Wajir Senator Abbas Mohamed to investigate and establish whether indeed the town had met the threshold to become a city.

The Senate Committee report, once adopted by the whole House, shall be forwarded to President William Ruto to reject or approve the elevation of Eldoret to a city.

The Uasin Gishu County Assembly agreed with the ad-hoc committee that Eldoret Municipality had met all requirements such as population and infrastructure development.

The Committee noted that as at 2019 population census, Eldoret municipality had a population of 475,716 people

surpassing the required criteria that a city must have a population of at least 250,000 people.

The town has two public universities and a national polytechnic. Eldoret also hosts several public and private university constituent colleges. On health, there are 53 health facilities spread across the entire county, including Moi Teaching and Referral Hospital (MTRH), that serves the entire north rift and western counties. The county also hosts the Eldoret international airport.

The committee also noted that the town had met the threshold of having an integrated urban area or city development plan and demonstrated capacity to generate sufficient revenue to sustain its operation

The Assembly cited several benefits the the County is set to enjoy when they achieve a city status.

“If Eldoret Municipality is elevated to city status there are enormous benefits which include growth in infrastructural development and it will also lead to economic growth through establishment of new businesses, “the report read in part.



*A view of Eldoret Town.*

The assembly also believes that elevation of Eldoret into a city will lead to an increase in revenue streams as well as an efficient and diversification of Services due to increase in services that will be offered by the city.

The report states that there will be an Increased revenue allocation since

the City will be able to access loans, grants and donations and improved and effective planning of transport, education and waste management.

Eldoret Town is set to host the 8th Devolution conference in 15th-19th August.

## Revitalising water supply: Mombasa Governor urged to take action and improve efficiency at water company

The County Public Investments and Special Funds Committee, chaired by Vihiga Senator Godfrey Osotsi, held a session with the Mombasa County Governor Abdullswamad Nassir to discuss the Auditor General’s reports on the financial statements of Mombasa Water Supply and Sanitation Company Limited for the fiscal years 2018/19, 2019/20, and 2020/21.

The committee examined key issues raised in the Auditor General’s reports and deliberated on necessary actions to enhance the efficiency and performance of the water company.

Several resolutions were made to tackle the challenges identified.

The committee emphasized the need for the Governor to take a more active interest in the management of Mombasa Water Supply and Sanitation Company Limited. They urged him to ensure efficiency in the company’s operations and work towards resolving the existing management challenges.

To drive positive change within the water company, the committee directed the Governor to reconstitute the Board of Directors within 30 days from the date of the meeting. The aim is to

bring fresh perspectives and expertise to the leadership of the company, thereby improving service delivery and performance.

In order to enhance overall efficiency, the Governor was advised to introduce performance contracting for all employees. This approach would incentivize improved performance and accountability among the staff. Additionally, the committee recommended conducting an asset mapping exercise to assess the company’s assets and liabilities, identifying areas for further improvement.



*Governor Abdullswamad Nassir.*



# Nakuru Governor taken to task over 'financial chaos', queries unearthed by Auditor-General

The Senate Committee on County Public Accounts presided over by Homa Bay Senator Moses Kajwang, delved into audit concerns levelled against Nakuru County. In the spotlight was Governor Susan Kihika, who was called upon to provide responses to an array of audit queries raised by the Office of the Auditor-General for the fiscal year 2019/2020.

The audit report, which served as the backbone of the discussion, exposed a litany of fiscal irregularities leading to a qualified opinion. Among the issues highlighted were discrepancies between the county's financial statements and balances recorded on the Integrated Financial Management Information System (IFMIS), inconsistencies in 59 bank balances, and misstatement of income derived from technical service fees.

Further scrutiny uncovered unsupported foreign travel allowances and irregular fund transfers, among other breaches, leading the County Executive of Nakuru to face adverse audit opinions for three consecutive years. Such recurrent non-compliance with numerous acts and regulations pointed towards a systemic weakness



in the county's financial management, provoking considerable concern among committee members.

Perhaps the most severe revelation in the report was the presence of financial risks including the irregular and unsupported expenditure of Ksh. 301.7 million, a sum equivalent to 3% of the County Government's revenue allocation.

Fiscal challenges plaguing the county were not confined to mere non-compliance. The late submission of financial reports, low absorption of development funds, the underperformance of own-source

revenue, flawed budgeting practices, discrepancies in budget execution reports, and a mounting stack of pending bills formed a troubling tableau of financial instability.

Several audit matters demanded the committee's urgent attention, such as the substantial variances between the county's financial statements and IFMIS balances, unsupported foreign travel allowances, and irregular fund transfers. Notably, these fund transfers were made to the Nakuru Alcoholic Drinks and Control Board, thereby raising questions about the governance and financial integrity of this body.



Top row: Senate Committee on County Public Accounts chair Moses Kajwang and Members Sen. Samson Cherarkey and Sen. John Methu. Above: Nakuru Governor Susan Kihika

## Reserve positions for PWDS, Senate urges govt, private sector

The Senate has asked all government agencies to reserve at least five percent of employment opportunities for People with Disabilities (PWD).

The Senate Committee on National Cohesion, Equal Opportunity and National Integration said government must lead from the front and ensure five percent of recruitments should consist PWDs.

"We must make it easier for this special group of people who may be highly skilled but face challenges in accessing employment opportunities due to stigma and discrimination," Uasin Gishu Senator Jackson Mandago said, adding that the private sector should also follow suit.

The committee chaired by Marsabit Senator, Mohamed Chute had invited the Chief Executive Officer (CEO) of Communication Authority of Kenya (CAK) Mr Ezra Chiloba, Kenya Water Institute CEO, Dr Leiro Letangule, National Police Service Commission



Senate Committee on National Cohesion, Equal Opportunity and Regional Integration chaired by Senator Mohamed Chute, meets stakeholders to respond to statement on recruitment of PWDs in Public sector

(NPSC) CEO, Mr Peter Leley and Kenya Revenue Authority (KRA) to respond to a statement by Senator Mandago on the reservation of five percent of employment positions for PWDs in public sector.

The NPSC boss said the Commission had not met the percentage required in hiring PWDs because of the

nature of their work. He added that the Commission had employed nine PWDs while the rest suffered injuries in their course of duty.

CAK boss said his organization had not met the five percent threshold as it has been operating under an old structure which they have since revised to ensure equal opportunity for everyone

including PWDs.

Dr Letangule also committed to employ PWDs in their ongoing recruitment process who will be awarded 10 marks to the qualified candidate above the other applicants in the institutes interview tool.



## Kamati maalum kuwaangazia waathiriwa wa mkasa wa mlipuko wa bomu wa mwaka 1998

Bunge la Seneti limejadili na kuidhinisha Hoja ya kuundwa kwa kamati maalum kuwaangazia waathiriwa wa mlipuko wa bomu wa mwaka 1998 hususan kufidiwa kwao.

Hoja hiyo iliyowasilishwa katika Bunge la Seneti na Seneta wa Kaunti ya Machakos Agnes Kavindu Muthama inapendekeza kubuniwa kwa kamati ya wanachama kumi itakayosikiliza masuala mbali mbali yanayozunguka mkasa wa bomu wa mwaka 1998 kwenye Ubalozzi wa Marekani, jijini Nairobi.

Miongoni mwa masuala hayo ni kuishirikisha Wizara ya Mashauri ya nchi za Kigeni kukuza urafiki na ushirikiano kati ya Taifa la Marekani na Kenya kwa kuunga mkono uhalali wa waathiriwa wa Kikenya na Kimarekani na waakilishi wao binafsi, wanandoa ambao bado wako hai na jamaa wa karibu kwenye Hazina ya kuwafidia waathiriwa kufungamana na Sheria ya Haki kwa Waathiriwa wa Ugaidi unaoelekezwa dhidi ya Marekani.

Kamati hiyo pia itaihusisha Wizara

ya Mashauri ya Kigeni kuwashirikisha waathiriwa, waakilishi wao binafsi, serikali ya Marekani na washikadau wengine nchini Kenya na ng'ambo kufuatilia na kukamilisha utoaji wa fidia kwa waathiriwa na familia za waathiriwa ambao ni raia wa Kenya kando na kuihusisha Wizara ya Afya kutafakari kuhusu ruzuku kwenye matibabu ya waathiriwa wa mlipuko wa bomu wa mwaka 1998 ambao bado wako hai.

Seneta Kavindu anasema kwenye Hoja hiyo kuwa mkasa huo ulikuwa mkubwa kupita kiasi kwa jamii na watu binafsi akiongeza kuwa uliathiri pakubwa hali ya kawaida ya maisha na hivyo kunapaswa kuwepo na mbinu ya kuwasaidia waathiriwa.

Mkasa huo wa mwaka 1998 jijini Nairobi ulisababisha maafa ya raia wa Kenya 213 na 12 wa Marekani huku watu wengine 5000 wakijeruhiwa vibaya kutokana na kuanguka kwa mijengo iliyokuwa karibu na Ubalozzi wa Marekani

“Washirika wa Marekani Taifa

la Kenya likiwemo wameuvumilia mzigo mkubwa wa vifo, majeraha ya muda mrefu na ya kudumu kimwili na kisaikolojia,” alifafanua Seneta Kavindu.

“Serikali ya Marekani tayari imewafidia baadhi ya waathiriwa na familia za raia wa Marekani huku ikiziacha nje familia za raia wa Kenya na waathiriwa wengine,” aliongeza Seneta Kavindu.

Kamati hiyo ambayo inayopaswa kuwasilisha ripoti yake kwenye Bunge la Seneti katika kipindi cha siku 90 kuanzia mwezi Julai 3, 2023 inajumuisha Seneta wa Kaunti ya Machakos Agnes Kavindu Muthama, Seneta wa Kaunti ya Makeni Daniel Maanzo, Seneta wa Kaunti ya Embu Alexander Mundigi, Seneta Beatrice Ogolla, Seneta wa Kaunti ya Taita Taveta Johnes Mwaruma, Seneta wa Kaunti ya Marsabit Mohamed Said Chute, Seneta wa Uasin Gishu Jackson Mandago, Seneta wa Kaunti ya Baringo William Cheptumo na Seneta Peris Tobiko.

## Seneta ataka majibu kuhusu uvamizi dhidi ya wanahabari

Seneta wa Kaunti ya Kilifi Jaji Mstaafu Stewart Madzayo. Ambaye pia ni kiongozi wa Wachache Bungeni, amewasilisha ombi kwenye Bunge la Seneti akitata kauli kutoka kwa Kamati ya Kudumu ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa kuhusu vitendo vya maafisa wa polisi kutumia nguvu za kimabavu dhidi ya wanahabari wakati wa maandamano yaliyoandaliwa na muungano wa Azimio mnamo mwezi Machi, tarehe 3, 2023.

Kwenye ombi lake, Seneta Madzayo anaitaka Kamati hiyo iliarifu Bunge la Seneti sababu ya polisi kutumia nguvu za kimabavu kuwatawanya wanahabari waliokuwa wakirekodi maandamano ya muungano wa Azimio katika mtaa wa Pipeline, Kaunti ya Nairobi.

Seneta huyo pia anaitaka Kamati hiyo kueleza hatua zilizochukuliwa na Mamlaka kuangazia utendakazi wa maafisa wa polisi dhidi ya maafisa wa polisi waliowakabili wanahabari kimabavu na kuwajeruhi baadhi yao pamoja na kutaja hatua za kudumu za kuhakikisha matukio kama hayo hayaweza kurudiwa nchini Kenya.

idha Kiongozi huyo wa upande wa walio wachache katika Seneti anaitaka Kamati hiyo kueleza hatua zilizochukuliwa dhidi ya polisi, Koplo Silas Korir Kembo kutoka kituo cha polisi cha Pangani aliyerekodiwa akiwarushia wanahabari waliokuwa kwenye gari vilipuzi viwili na vitoa machozi na kumjeruhi Mwanahabari Eric Isinta usoni ni kifuni.

Kadhalika Seneta Madzayo anaitaka Kamati hiyo kuliarifu Bunge la Seneti kupitia kwenye ripoti yake kuhusu mikakati iliyobuniwa na serikali kuhakikisha wanahabari wanaendesha shughuli zao za kikazi kwa uhuru kuambatana na sheria bila ya kusumbuliwa na maafisa polisi.

## Umuhimu wa kamati za Seneti

Kamati za Seneti nchini ni sehemu muhimu ya mfumo wa bunge. Kamati hizi ni vikundi vidogo vilivyoundwa kutoka kwa wajumbe wa Seneti kuwa na jukumu la kuchunguza na kuchambua maswala mbalimbali yanayothiri nchi na wananchi wake. Kamati hizi zinafaa kutoa mapendekezo ya kisheria, sera na mazoea kwa Seneti nzima ili kuwakilisha na kulinda maslahi ya wananchi.

Kuna kamati kadhaa za Seneti ambazo zinafanya kazi kwa bidii ili kuhakikisha kuwa masuala muhimu yanashughulikiwa kikamilifu. Kamati hizo zinaundwa kulingana na mada tofauti, na kila moja ina wajibu wake maalum. Seneti ina kamati kadhaa ambazo zinashughulikia maswala mbalimbali yakiwemo ya Kitaifa, kaunti, Kisiasa, Kiuchumi, Kijamii, na mengineyo. Kila kamati ina wajumbe ambao wamechaguliwa kutoka Seneti kulingana na maslahi yao, ujuzi, na maarifa.

Kamati hizi ni pamoja na, lakini sio tu, Kamati ya Masuala ya Uhasibu, Kamati ya Kilimo, Kamati ya Afya, Kamati ya Sheria na Haki za Binadamu, na Kamati ya Usalama na Ulinzi. Kila kamati ina jukumu la

kufuatilia, kuchunguza, kuchambua na kutoa mapendekezo kuhusu masuala yanayohusiana na eneo lake la jukumu.

Mojawapo ya jukumu kubwa la kamati hizi ni kusaidia Seneti kuwa na uelewa wa kina kuhusu maswala tata. Kwa sababu ya ukubwa na majukumu mengi ya Seneti, haiwezekani kwa wajumbe wote kuchunguza kwa undani kila suala. Kwa hiyo, Kila kamati ina jukumu lake la kipekee na inafanya kazi kwa bidii kuhakikisha kuwa masuala yanyanashughulikiwa kwa ufanisi na kwa maslahi ya umma.

Kamati pia zina jukumu muhimu la kusaidia kubaini na kutekeleza sera na mabadiliko ya sheria. Aidha, Kamati, hufanya kazi kwa njia inayojenga mjadala na ushirikiano. Wajumbe hupata nafasi ya kujadiliana kwa kina na kubadilishana mawazo kuhusu masuala yanayowakabili. Wanafanya kazi kwa ushirikiano na taasisi zingine za serikali, mashirika ya umma, na wadau wa sekta husika ili kupata ufahamu kamili na ushauri.

Kamati hizi pia hutoa jukwaa la uwazi na uwajibikaji. Wajumbe wanahusika na kufanya vikao vya wazi na kutoa ripoti za mara kwa mara kwa umma. Wanaweka rekodi sahihi

na kufanya mikutano ya hadhara ili kushirikisha umma na kusikiliza maoni yao. Hii inajenga imani na kuwezesha uwazi katika michakato ya kufanya maamuzi.

Kwa kuwa kamati hizi zina wajumbe waliochaguliwa kutoka vyama tofauti vya kisiasa, zinaleta uwiano na uwakilishi wa pande zote katika majadiliano ya kisera. Hii inasaidia kujenga mwafaka na kuweka maslahi ya kitaifa mbele. Kamati za Seneti pia zinafanya kazi kwa karibu na kamati za Bunge la Kitaifa, na ushirikiano wao ni muhimu katika kufanikisha mchakato wa kisheria na kufikia malengo ya kitaifa.

Zaidi ya hayo, kamati zinaweza kuwa na jukumu la kusaidia kusuluhisha migogoro kati ya serikali ya kitaifa na serikali za kaunti, kutoa msaada wa kiufundi na msaada wa sera kwa Seneti, na kusaidia katika kudumisha uwajibikaji wa serikali.

Kwa ufupi kamati za Seneti ni chombo muhimu katika mfumo wa bunge. Kamati hizi zimekuwa zikitumika kama zana muhimu za uwajibikaji, usimamizi, na utengenezaji wa sera. Kamati hizi zinawakilisha demokrasia ya uwakilishi na ni sehemu muhimu ya utendaji wa Seneti.





1. Bunge FC mid-field dynamo Martin Mwangi unleashes a scorching shot past his Prescott FC marker all the way into the net for his team's second goal. 2. Bunge FC striker Alfred Kiseembe curls in a shot. 3. Bunge FC line-up. 4. Presidential Escort FC squad.

## Bunge FC keep gritty Presidential Guards in check as encounter at Nyayo ends in draw

**B**unge FC and the Presidential Escort FC shared the spoils in an engaging soccer match at the Police Sacco DT Stadium in South C, Nairobi early Thursday morning, June 29, 2023.

Bunge FC dominated ball possession but, ruefully, had to settle for a 3-3 stalemate.

The Prescotts came back twice in the match as quickfire equalizers from their skipper, Joseph Lenang'or and Brian Olilo, ultimately helped them secure a hard-fought draw in the rip-roaring clash at the police training grounds.

Alfred Kiseembe benefited from a well-placed through pass from Vice

**Bunge FC dominated ball possession but, ruefully, had to settle for a stalemate after the visitors put up a spirited fight.**

Captain and Embakasi South MP, Hon. Julius Mawathe which caught the defence flat-footed before finishing off from close range 19 minutes into the match.

The visitors would level five minutes later after Brian Olilo slotted home, having hit the woodwork three minutes before that.

The visiting Side looked set to pull

off an upset when Kennedy Simiyu took advantage of a defensive mishap between the goalkeeper, Okwiri and a defender, Barasa and ghosted in to make it 2-1 in the 57th minute.

That, however, sparked Bunge FC to life as four minutes later, Martin Njuguna drove in a thunderbolt from 22 yards to even the proceedings.

Quarter an hour from time, the

Legislators had a chance to go ahead as Moses Wanyama was fouled inside the opposition box and Alfred Kiseembe stepped in to take the spot kick but missed from 12 yards.

He would later save face after he found the top left corner with a glorious solo effort with his right from 10 yards with five minutes to go.

But, the lead was short-lived. Njuguna's rocket effort could have put the game to bed but it hit the crossbar on the 87th minute. The resulting counter attack allowed the visitor's skipper, Joseph Lenang'or to score past the substitute goalie, Charles Ayari.