

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 12th February, 2025

Afternoon Sitting

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

[The Deputy Speaker (Sen. Kathuri) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Deputy Speaker (Sen. Kathuri): Clerk, confirm whether we have quorum.

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

Serjeant-at-Arms, kindly ring the Quorum Bell for five minutes.

(The Quorum Bell was rung)

We do have quorum now. Please call out the first Order.

PAPERS LAID

REPORTS OF THE AUDITOR-GENERAL ON FINANCIAL STATEMENTS OF VARIOUS ENTITIES

Sen. Chimera: Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, Wednesday, 12th February, 2025—

Report of the Auditor-General on Financial Statement of Nakuru City for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of the County Executive of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the County Assembly of Nakuru for the year ended 30th June, 2024.

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Report of the Auditor-General on Financial Statement of the County Government of Nakuru – County Revenue Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Receiver of Revenue – Revenue Statements – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the County Assembly of Nakuru (Members) Car Loan, Grant and Mortgage Scheme Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Nakuru County Executive Mortgage (Staff) Scheme Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Nakuru County Emergency Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Nakuru County Bursary Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Nakuru County Persons with Disabilities Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Municipality of Molo – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of the Municipality of Naivasha – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Nawasscoal Company Limited – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Municipality of Gilgil – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Molo Level 4 Sub-County Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Olenguruone Level 4 Sub-County Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Gilgil Sub-County Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Bondeni Sub-County Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Annex Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Bahati Sub-County Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Langalanga Sub-County Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Mirugi Kariuki Sub-County Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Elburgon Level 4 Sub-County Hospital – County Government of Nakuru for the year ended 30th June, 2024.

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Report of the Auditor-General on Financial Statement of Soin Sub-County Level 4 Hospital – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Nakuru Water and Sanitation Services Company Limited for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Naivasha Water and Sanitation Company Limited – County Government of Nakuru for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of Nakuru Rural Water and Sanitation Company Limited for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Nakuru County Climate Change Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the County Executive of Kajiado for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the County Assembly of Kajiado for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the County Government of Kajiado – County Revenue Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Receiver of Revenue – Revenue Statements – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Emergency Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Executive Staff Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Education Bursary Grants and Scholarship Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Youth and Women Enterprise Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Disability Mainstreaming Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statement of the Kajiado County Alcoholic Drinks Control Fund for the year ended 30th June, 2024.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

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

Report of the Auditor General on Financial Statement of the Kajiado County Alcoholic Drinks Control Fund for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of the Kajiado County Climate Change Fund for the year ended 30th June, 2023.

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Report of the Auditor General on Financial Statement of the Kajiado County Climate Change Fund for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of the Kajiado County Referral Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2022.

Report of the Auditor General on Financial Statement of the Kajiado County Referral Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2023.

Report of the Auditor General on Financial Statement of the Kajiado County Referral Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Loitokitok Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2022.

Report of the Auditor General on Financial Statement of Loitokitok Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2023.

Report of the Auditor General on Financial Statement of Loitokitok Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Ongata Rongai Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2022.

Report of the Auditor General on Financial Statement of Ongata Rongai Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2023.

Report of the Auditor General on Financial Statement of Ongata Rongai Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Imbirikani Sub-County Level 4 Hospital (sixteen (16) months period) – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Mashuuru Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Kitengela Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2023.

Report of the Auditor General on Financial Statement of Kitengela Sub-County Level 4 Hospital – County Government of Kajiado for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Nolturesh Loitokitok Water and Sanitation Company Limited for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Ololaiser Water and Sewerage Company Limited for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Olkejuado Water and Sewerage Company Limited for the year ended 30th June, 2024.

Report of the Auditor General on Financial Statement of Multimedia University of Kenya for the year ended 30th June, 2024.

I thank you, Madam Temporary Speaker.

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(Sen. Chimera laid the documents on the Table)

The Temporary Speaker (Sen. Veronica Maina): Thank you, hon. Senator.
Next Order.

I call upon the Chair, Standing Committee on Energy, Sen. Wamatinga, to present a Notice of Motion of the Committee.

NOTICES OF MOTIONS

INQUIRY INTO THE LPG EXPLOSION IN MRADI, NAIROBI CITY COUNTY

Sen. Wamatinga: Madam Temporary Speaker, I beg to give notice on the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Energy on its inquiry into the Liquefied Petroleum Gas (LPG) explosion in Mradi Area, Embakasi, Nairobi City County, laid on the Table of the Senate on Thursday, 8th August, 2024.

The Temporary Speaker (Sen. Veronica Maina): Next is the Chairperson, Standing Committee on Labour and Social Welfare.
Sen. Murgor or any Member of that Committee.

INQUIRY INTO THE WELFARE OF WORKERS IN EPZs IN MOMBASA AND KILIFI COUNTIES

Sen. Miraj: Madam Temporary Speaker, I beg to give notice of the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on an inquiry into the plight of workers in the Export Processing Zones (EPZs) in Mombasa and Kilifi Counties, laid on the Table of the Senate on Tuesday, 1st October, 2024.

The Temporary Speaker (Sen. Veronica Maina): Next is the Chairperson, Standing Committee on Devolution and Intergovernmental Relations.
Sen. Chute.

PERSONAL SECURITY CONCERNS BY HON. PHILOMENA KAPKORY – DEPUTY GOVERNOR TRANS NZOIA COUNTY

Sen. Chute: Thank you, Madam Temporary Speaker. This is a report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into personal security concerns raised by hon. Philomena Kapkory, Deputy Governor, Trans Nzoia County.

I beg to give notice of the following Motion-

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THAT the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the allegations on personal security concerns raised by hon. Philomena Kapkory, the Deputy Governor of Trans Nzoia County laid on the Table of the Senate on Tuesday, 1st October, 2024.

The Temporary Speaker (Sen. Veronica Maina): There is a second Notice of Motion from the same Committee.

INQUIRY INTO THE STATE OF MARKETS IN
VIHIGA AND BUNGOMA COUNTIES

Sen. Chute: Thank you, Madam Temporary Speaker. This is the Report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties, arising from a statement sought by Sen. Godfrey Osotsi, MP and Sen. David Wafula Wakoli, MP.

I beg to give notice of the following Motion-

THAT, the Senate adopts Reports of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of markets in Vihiga and Bungoma counties arising from statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1st October, 2024.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Next is the Chairperson, Standing Committee on National Cohesion, Equal Opportunities and Regional Integration.

Sen. Chute to give notice.

INQUIRY ON THE DIVERSITY AND INCLUSIVITY IN
THE STAFF COMPOSITION OF STATE AGENCIES IN KENYA

Sen. Chute: Thank you, Madam Temporary Speaker. This is a progress report on the Standing Committee on National Cohesion, Equal Opportunities and Regional Integration into an inquiry on the diversity and inclusivity in the staff composition of state agencies in Kenya.

I beg to give notice of the following Motion-

THAT, the Senate adopts Progress Report of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration into an inquiry on the diversity and inclusivity in the staff composition of state agencies in Kenya, laid on the Table of the Senate on Thursday, 3rd October, 2024.

The Temporary Speaker (Sen. Veronica Maina): Next is the Chairperson, Standing Committee on Energy, Sen. Wahome Wamatinga.

CHALLENGE OF POWER PURCHASE AGREEMENT
RENEWALS AND ELECTRICITY SUPPLY IN KENYA

Sen. Wamatinga: Madam Temporary Speaker, I beg to give notice of the following Motion-

THAT, AWARE THAT on 29th March 2021, a presidential taskforce was formed to review power purchase agreements between the Government and Independent Power Producers, during which a moratorium was imposed on Kenya Power and Lighting Company (KPLC), preventing KPLC from signing new agreements or renewing existing ones with Independent Power Producers, which moratorium was lifted by the Cabinet in March 2023;

FURTHER AWARE THAT the National Assembly, vide a Motion adopted on 19th April, 2023 placed a moratorium, restricting KPLC from signing and renewing Power Purchase Agreements (PPAs) with Independent Power Producers (IPPs) pending a report of inquiry by the Departmental Committee on Energy and the consequent House resolution on the report;

CONCERNED THAT Kenya imports 17 percent of its electricity from neighbouring countries and faces a challenge as the growing demand for electricity is conflicted with the lengthy process of developing power plants, which usually takes six to 10 years from conception to generation, leading to electricity shortage and load shedding which impedes economic growth;

COGNIZANT of the Senate resolution of 28th February, 2024 on a Motion by the Standing Committee on Energy on inquiry into the high cost of electricity in the country calling upon the Ministry of Energy to, among others, create a one stop IPP office that comprises all the stakeholders required for approval of power plants and that the Ministry, through KPLC and Independent Power Producers renegotiate the current power purchase agreements within 12 months of adoption of the report;

NOW THEREFORE notwithstanding the resolution of the National Assembly that imposed a moratorium on Kenya Power whose timeline has lapsed, the Senate, in order to cushion Kenyans from the high cost of electricity, resolves:

(1) That the Ministry of Energy and Petroleum and Kenya Power and Lighting Company be allowed to enter into new power purchase agreements or renew existing power purchase agreements with Independent Power Producers; and

(2) That the Energy and Petroleum Regulatory Authority (EPRA) fast-tracks the acquisition of necessary licenses required by Independent Power Producers with valid power purchase agreements for setting up power plants.

[The Temporary Speaker (Sen. Veronica Maina) left the Chair]

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

The Temporary Speaker (Sen. Abdul Haji): Chairperson, Standing Committee on Health, you may proceed.

ADOPTION OF REPORT ON THE INSPECTION TOUR OF HEALTH FACILITIES
IN WEST POKOT, TRANS NZOIA, AND TURKANA COUNTIES

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir. I rise to give Notice to the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Health on the inspection tour of health facilities in West Pokot, Trans Nzoia, and Turkana Counties, laid on the Table of the Senate on Thursday, 5th December, 2024.

Mr. Temporary Speaker, Sir, there is another one.

ADOPTION OF REPORT ON THE COUNTY OVERSIGHT AND NETWORKING
ENGAGEMENTS TO TAITA TAVETA, MOMBASA AND KWALE COUNTIES

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir. I rise to give Notice to the following Motion –

THAT, the Senate adopts the Report of the Standing Committee on Health on the County Oversight and Networking Engagements to Taita Taveta, Mombasa and Kwale Counties, laid on the Table of the Senate on Thursday, 5th December, 2024.

I thank you.

(Sen. Mariam Omar laid the documents on the Table)

The Temporary Speaker (Sen. Abdul Haji): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Temporary Speaker (Sen. Abdul Haji): Statements pursuant to Standing Order 53 (1).

Sen. Daniel Maanzo, you have the Floor.

REPORTED RED-HOT METAL DEBRIS SUPPOSEDLY FROM A
ROCKET OR SPACECRAFT IN MUKUKU, MAKUENI COUNTY

Sen. Maanzo: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the reported landing of a red-hot

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metal debris believed to be a separation ring from a rocket or a suspected spacecraft in Mukuku Village, Makueni County on 30th December, 2024.

In the Statement, the Committee should-

(1) Identify the responsible country for the rocket or suspected spacecraft that caused the fallen debris and clarify whether the country is aware of the incident in Mukuku Village, Makueni County;

(2) Assess the impact of the incident, stating damage, if any, to infrastructure, private property, and injuries sustained by residents disclosing the party responsible for compensating affected;

(3) Determine the environmental impact caused by the debris, and outline any measures being undertaken to mitigate such damage;

(4) Explain the measures the government has put in place to protect Kenyans from similar incidents in the future, particularly with regard to flight paths, security installations, and public safety; and finally,

(5) Elaborate on the frameworks or international agreements that Kenya Space Agency (KSA), has established for managing space debris and addressing liability issues in Kenya.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Senator for Marsabit County, Sen. Mohamed Chute, you may proceed.

MANAGEMENT, LEASING, AND EVICTIONS FROM
KENYA RAILWAYS CORPORATION (KRC) PROPERTIES

Sen. Chute: Thank you very much, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Roads and Transportation regarding the management, leasing and eviction of tenants of Kenya Railway properties with a particular focus on properties located on Kitui Road in Nairobi Industrial Area.

In the Statement, the Committee should-

(1) Provide details on the total number of properties owned by Kenya Railways nationally, their estimated value, and the rental income generated from those properties;

(2) Obtain from the Managing Director of Kenya Railways copies of all tenants' leases for railway properties and confirm whether any irregularities were identified in the leasing process;

(3) Explain the circumstances under which Kenya Railway issued eviction notices for properties on Kitui Road, detailing who conducted the evictions, the legal basis of these actions, and whether Kenya Railway conducted an assessment to determine the damages incurred by the tenants, particularly a company called Speedcraft Africa Limited during the eviction; and, finally;

(4) Identify the current leases of the properties on Kitui Road, providing details on the lease duration, pre-previous leaseholders, reasons for any change in tenancy, how the transactions were managed, and whether any disputes or irregularities were reported during these transactions.

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The Temporary Speaker (Sen. Abdul Haji): Senator for Embu County, Sen. Alexander Mundigi.

DANGERS POSED BY ASBESTOS ROOFING IN
VARIOUS SCHOOLS IN EMBU COUNTY

Sen. Munyi Mundigi: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Land, Environment and National Resources regarding the dangers posed by the use of asbestos roofing in various schools in Embu County.

On 28th August, 2024, the Cabinet Secretary for Environment, Climate Change, and Forestry directed the National Environment Management Authority (NEMA) to remove the asbestos roofing from schools and other private facilities citing public health safety concerns.

The Cabinet Secretary directed that all public institutions should remove asbestos roofing from their buildings within three months and dispose of them in line with the NEMA guidance.

In the Statement, the Committee should-

(1) Explain the measures the Ministry of Environment, Climate Change and Forestry has put in place to ensure the removal of all asbestos roofing in Kanja Secondary School, Kiagongi Secondary School, Kieni Girls High School, and the Gichera Primary School in Runyenjes Constituency; Nyangwa Boys Secondary School and the Queen of Peace Wango Secondary School in Mbeere, South Constituency, and Kameo Secondary School in Manyatta Constituency, Embu County; and,

(2) provide timelines established by the Ministry, within which the asbestos roofing in these schools should be replaced to protect the students, teachers and other employees from the dangers associated with asbestos, such as the risk of cancer.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): The Senator Nairobi City County, Sen. Edwin Sifuna, you may proceed.

POOR WORKING CONDITIONS FOR CHPs
IN NAIROBI CITY COUNTY

Sen. Sifuna: Thank you Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53 (1) from the Standing Committee on Health regarding the poor working conditions and lack of essential equipment and kits for Community Health Promoters (CHPs) in Nairobi City County.

In the Statement, the Committee should-

(1) Explain why CHPs in Nairobi have not received essential personal protective gear such as gloves, raincoats, gumboots and masks, necessary for their safety and professional work.

(2) Outline measures being taken to address the technological support gap for CHPs, including the provision of adequate or proper smartphones for online reporting and reliable data bundles to facilitate such reporting.

(3) Cause an inquiry into the causes of delays in remitting stipends to CHPs who currently face waiting periods of up to six months without payment.

(4) Clarify why CHPs have been required to conduct Social Health Authority (SHA) registrations for the public without adequate facilitation and support to perform this duty effectively.

(5) Detail efforts to enhance training for CHPs on the use of electronic community health information systems to ensure efficient reporting and awarding of marks which are critical for their timely payment of stipends.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Senator for Kisii County, Sen. Richard Onyonka, proceed.

EFFECTS OF QUARRYING ON RESIDENTS OF KIOMOONCHA, KISII COUNTY

Sen. Onyonka: Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources concerning the detrimental effect of ongoing quarry activities affecting the residents of Kisii County. Reports from the ground indicate that there is an alarming level of environmental degradation, including destruction of critical natural resources, pollution of the water resources and the environment and erosion of land that was used for agricultural purposes.

More troubling, however, are the allegations that we are having forced displacement and destruction of property by a company called Nyando Building Extracts Limited owned by the Chinese people, who are mining these minerals. Without adequate compensation, individuals are being harassed and sometimes bribery is being given so that these individuals are forced to leave their pieces of land where they stay.

In this regard, I am requesting the Committee to-

(1) Investigate and report to the Senate the status of the mining licenses that were granted to this company, which is conducting quarry operations in a place called Kiomooncha location, Marani Sub-location in Kitutu Chache South Constituency. Give information and agreements which were signed for an area called Mote Momwamu between Kisi County and Nyamira County boundary, where there is a black product that is being mined, which nobody knows what it is. The other place that mining is taking place by the same Chinese company is in Tabaka, where Tabaka's soapstone quarry is providing minerals materials, which are being used by this company to manufacture tiles.

(2) State whether the Ministry of the Environment, Climate Change, and Forestry conducted any environmental assessment impact on the area before these operations were allowed to commence trade and offered licenses so that we can have a provision of the findings of such assessment.

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(3) Explain any steps that the Ministry has taken to ensure that the rights of the local community have been observed, particularly the individuals who have been displaced by force, State whether they have been provided any compensation as regards to the law.

(4) Outline any measures the Ministry is taking to investigate and address the actions that the Ministry is taking to mitigate the environmental degradation that is taking place within all these three areas where mining is taking place.

I know that under the Kenya Kwanza Alliance manifesto, the argument was that any mining that would in areas like Kisii County, whoever that was coming to mine would then be required to set up a factory or an industry to employ local personnel, so that they can do value addition for those minerals to make sense to our communities.

Mr. Temporary Speaker, Sir, I hope that this matter will be handled expeditiously because it is damaging our environment and there is a lot of air pollution within our area.

With those few remarks, I thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. Enock Wambua.

Sen. Wambua: Thank you, Mr. Temporary Speaker, Sir, for this opportunity. I specifically want to comment on the Statement that was sought by Sen. Chute, the Senator for Marsabit County. That Statement has come at the best time. From mid last year, there have been a lot of evictions, especially on Kitui Road. I am not saying this because it is named after my county. There have been evictions by KRC targeting the tenants who have stayed there, some of them for a very long time.

It will be very important for the Committee that will be dealing with the Statement to establish the difference between the new tenants and the those who have been forcefully evicted from that land. I say this because I know of companies that have been established on that land for more than 10 years and had made serious investments, but they woke up to a morning that the KRC management invades the land, destroys property and cancels their leases. There must be a better way of terminating a contract, especially leases. It will be important to make sure that justice is served to everyone, including the old and new tenants as well.

Mr. Temporary Speaker, Sir, I thank Sen. Chute for bringing up that Statement because it touches on a number of people from very different places in this country. I thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. Ole Kanar Seki.

Sen. Seki: Thank you very much, Hon. Temporary Speaker. I also support the Statement by Hon. Sen. Chute on the issue of KRC. It is true that KRC have been in books that they are getting and repossessing land from different institutions and groups. I support this Statement because it has affected most of our communities in different locations.

There is one group called the Maa Group around Nairobi, Kenya Railways Headquarters. They have some money that they are still holding particularly for the compensation of the Maasai community.

(Loud consultations)

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The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, kindly consult in low tones, please, so that we can hear Sen. Seki.

Sen. Seki: I want to believe that these monies need to be given to the members of the Maasai community on the land that they bought around the Embakasi area. This Statement has indeed come at the right time. We want Kenya Railways to compensate the Embakasi Maasai group, which they are still holding that money.

We believe that possibly, they want to give to different groups of individuals. We oppose that. Every person should be compensated in the list that was there who had a right to have that right of that land. I want to believe that this land of *Mheshimiwa* Chute also needs to be compensated accordingly.

Otherwise, thank you very much for this kind of Statement.

The Temporary Speaker (Sen. Abdul Haji): Sen. Aaron Cheruiyot, are you commenting on the Statements?

The Senate Majority Leader (Sen. Cheruiyot): No, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Sen. Miraj, proceed.

Sen. Miraj: Asante, Bw. Spika wa Muda kwa kunipa fursa hii ili nichangie katika Taarifa iliyoletwa na Seneta wa Nairobi ambaye pia ni Katibu Mkuu wa Chama cha Orange Democratic Movement (ODM).

Ni kweli wahudumu wetu wanaopeana huduma ya Afya, Community Health Promoters (CHP) wanazongwa na changamoto nyingi sana kule mashinani. Ni muhimu serikali za ugatuzi zihakikishe vile vifaa vinavyoletwa na Wizara vimewafikia hawa wahudumu. Wanapambana na changamoto nyingi sana.

Ukiniruhusu, najulisha Seneti masaibu ambayo wanapitia wafanyikazi wetu wa gatuji 47. Yuko mwanadada mmoja aliyeenda kupata huduma ya kujifungua. Alifanyiwa upasuaji katika Gatuzi la Taita-Taveta. Kwa bahati nzuri au mbaya, wahudumu wakalemewa. Msichana yule akapelekwa Hospitali ya Aga Khan Mombasa. Tunapozungumza hivi sasa, mwanadada huyo ameaga dunia akiwa anadaiwa Kshs 9 milioni.

Afueni ya kwanza, familia walikimbia katika Idara ya Afya ili wasaidike na Huduma ya Bima ya SHA. Cha kushangaza ni kwamba, gatuji ya Taita-Taveta imekuwa ikimtoza dada huyu ambaye ni mfanyikazi ada ya SHIF lakini hayajafikishwa kwa taasisi husika. Tunapozungumza, mwili wa mwendazake umelala katika chumba cha kuhifadha maiti bila hatima yake kujulikana.

Ningependa Seneti ambayo hugawa pesa kuzipeleka mashinani, wafanyikazi wa kaunti wanakatwa pesa na ada hizo hazifiki katika taasisi husika. Je, sisi kama Seneti, tutaendelea vipi kupeleka pesa katika gatuji zetu 47 wakati magavana wananyanyasa wafanyikazi wao? Hili ni jambo ambalo ningependa kakangu Seneta wa Kilifi ambaye pia ni Kiongozi wa Walio Wachache naona unaniangalia. Je, tutawasaidia vipi hawa wafanyikazi?

Sisi katika Kamati ya Kudumu ya County Public Investments and Special Funds Committee (CPISF) tulizungumzia kuhusu ada inayotozwa ya malipo ya uzeeni. Lakini ni jambo la kusikitisha kuona ya kwamba mfanyikazi wa Serikali ya Kenya wa gatuji anatozwa ada na hayaendi katika taasisi husika. Familia inadaiwa milioni tisa wakijua watapata afueni katika Taifa Care ilihali ada iliyotozwa haijafika kule.

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Tutamsaidiaje Mkenya ambaye amekubali kutozwa ada ambayo haiwasilishwi kwa taasisi husika?

Asante Bw. Spika wa Muda.

Sen. Maanzo: I would like to comment on the Statement request by the great Senator of Embu, Sen. Munyi Mundigi.

The Senator is talking about the poisoning by asbestos in his county. There are several public schools and institutions which still have asbestos roofing, which is very poisonous. When the fine dust from it accumulates into the lungs, it becomes fatal. Therefore, not only people from Embu but any other place where there is still asbestos roofing, whether it is private or public, the National Environment Management Authority (NEMA) and the Ministry of Housing should have taken the first initiative to remove all these asbestos all over the country.

In the United States of America, this has been eradicated by making sure that nobody is affected by asbestos. Anybody with asbestos poisoning has gone to court and been awarded hefty amounts of money to compensate first for their lives because once affected, it is a sure death. So, Kenya should emulate and do away with asbestos everywhere in the country as quickly as possible.

When I was a Member of Parliament for Makueni, the first thing I did as an elected Member was to get the asbestos in Makueni District Hospital, which is now Level Five, removed immediately and replaced with iron sheets. That should follow in the whole country.

I thank you, Mr. Temporary Speaker, Sir.

I support.

The Temporary Speaker (Sen. Abdul Haji): Sen. Osotsi.

Sen. Osotsi: Mr. Deputy Speaker, Sir, allow me to make a quick comment on the Statements by the Nairobi Senator, Sen. Sifuna, on the CHPs. I think that this is a very serious Statement. I request the Committee that is going to deal with this Statement to take it very seriously. The CHPs are doing a very good job in our villages. These are people in our villages who know almost every homestead in a particular village. They know the concerns of the people on matters of health.

However, these people despite their commitment, are getting frustrated by various counties in this country.

I agree with Sen. Sifuna that these people need to be equipped with smartphones. These people need to be adequately equipped even with protective gear and many other facilities that they need to undertake their work. However, in most counties, Mr. Speaker, the CHPs are struggling.

This arrangement of a 50/50 per cent share of the stipend between the National Government the 70 per cent counterpart share of the stipend between and the central Government and county governments seems not to be working because of long delays before they receive their money. I think it is high time that the programme is reviewed, so that we have one particular person to blame for the delay.

When you ask why these people have not been paid, counties say that the national Government has not sent their share. When you ask the national Government, they say the county government has not processed their share. So, we have a blame game here. I

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think the Committee should look at this matter very critically and report to this House, so that these CHPs who are doing a wonderful job in our villages, can be motivated to do even greater things.

They can also be involved even in this process of registering people to join SHA which in most places we are having challenges.

I think now that we have come back from recess, this is one Statement that we need to take seriously and have the report brought to this House as soon as possible, so that these challenges that we continue to face as Senators on the grounds of CHPs not being properly facilitated is addressed within the shortest time possible.

I support.

The Temporary Speaker (Sen. Abdul Haji): Sen. Olekina, proceed.

Sen. Olekina: Mr. Temporary Speaker, Sir, I thank you for allowing me to make some brief comments. I am going to start with a Statement by the distinguished Senator from Nairobi County. It is sad that the Senate does not participate in approving the budget.

Although we spend time and focus on the budget-making process in terms of giving ideas, a Statement like this is something that I hope all Senators will really take a keen interest in. Social Health Authority (SHA) alone has been allocated about Kshs25 billion in the 2024/2025 Financial Year.

Sen. Sifuna's Statement that Community Health Practitioners (CHPs) are not getting their money shocks me. Why should we give a new entity such a huge budget, yet people down there who are supposed to be doing the registration are not getting the money? They are not being paid.

Before these estimates were reviewed, SHA had been allocated Kshs13 billion. An additional Kshs12 billion is being allocated to them, bringing their total to Kshs25 billion.

I really hope that all of us can now start focusing on health care. We introduced and passed a Bill in this House on Community Health Practitioners. However, we did not think about their training. We did not ask ourselves the questions as to, hypothetically, if they encounter people with mental challenges, how do they deal with them without that training? Now, we are requiring these people to go and register members to be deducted. Every Member here is deducted, I think, an estimate of about Kshs33,000 shillings every month for sure. The housing levy is the one from which Kshs18,000 is deducted from the payslip, yet we cannot take this money to train, support and pay them their money.

So, I am glad that all of us are now aware of the fact that these are challenges that we must, as the Senate of the Republic of Kenya, think twice about. Health is devolved; each one of us, all the delegation of the 47 counties, as the Committee on Health, is looking at these issues or this Statement raised by Sen. Sifuna; we should ask ourselves in our own county how many Community Health Practitioners have not been paid their money.

Even in Nairobi County, which is close to the headquarters where the money is, they wait for about four months. What about in our rural areas? How do you expect these people to register members of SHA, yet you have not even given them their stipend?

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We need to think seriously. I am happy that during our recess, we were reminded of our role in defining the term "Parliament," which includes both the Senate and the National Assembly.

I want to call upon all of us, as we look at our counties, first of all, it is important for each one of us here, head of delegations, members of your delegations, to know how many Community Health Practitioners you have in your own county. Have they been paid? In fact, even with the bit of cash we are given for our oversight, we should set up a toll-free number for these Community Health Practitioners to call and say whether they have not been paid. When they call, you can look at the list and say which ward they are in. For instance, in Narok County, I have 30 wards; they could call and indicate the ward they are in and note down the name.

I can tell you right now if I ask Sen. Sifuna, who has 85 wards, he does not know where all these people are. So, it is imperative that this time round, given that we have two years, we can prove and give our citizens, the people we represent, a reason to re-elect us. Those who may want to come back to the Senate, those who may want to go into other positions, for once, when I look around, I do not see anybody who is in their 20s. Everybody here is at that age where you are content. There is nothing else you are going to earn. Now, it is just a matter of sitting down, enjoying and thanking God.

Most of us look at this job as a thankless job. However, can we at least take these prime years and say, "we give back to the community?" We fight."

The first place we can begin is in supporting Sen. Sifuna's Statement and making sure that we push out of that Kshs25 billion going to SHA; at least, when the money is released, we follow it to make sure that these people are paid.

Finally, we all must push for the training of these Community Health Practitioners. They are there and are supposed to be helping people. Sometimes, you might even find others prescribing medicine. However, if they prescribe and they have no training, are they not going to kill our population? So, I hope that we can take all of us. If you have not seen this Statement by Sen. Sifuna, please, ask for a copy.

If you did not hear the question he asked, ask a question about it and see how it applies to your own county.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Oburu, proceed.

Sen. (Dr.) Oburu: Thank you, Mr. Temporary Speaker, Sir, for the opportunity. I want to comment on a statement sought by the Senator for Nairobi, Sen. Edwin Sifuna, on CHPs. These are important staff members in public health.

The concept of equipping these people was developed sometime back in Bamako, Mali, where the international community sat and developed a concept that gave power to people in primary healthcare in rural areas. Later, it came to cities like Nairobi, which now has those primary health workers.

The primary health workers deal with the people right from the beginning. When somebody is sick or is taking drugs which are not necessarily prescriptive by the doctors, it is these people who handle them. Sadly, these people sometimes do not get the necessary content in the drugs that are given to them to help the people at that primary level.

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It is important that the Committee investigates this matter thoroughly, gets to the bottom of it and finds out the whole process, the whole chain, and also the reasons these people are not getting the drugs in time.

Sometimes, it is the relationship between the county and the national Government that supplies and sometimes, the delays are because the counties have not paid. However, even if the counties have not paid, a system of credit must be developed, so that the supplies to these primary healthcare people at the grassroots level are not affected by the bureaucracy of the drug supply. Therefore, I urge the Committee investigating this matter to investigate it thoroughly and give us a report back on this issue of primary health care.

Mr. Temporary Speaker, Sir, that is all I wanted to say.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. Sen. Wafula, proceed.

Sen. Wafula: Asante sana, Bw. Spika wa Muda kwa nafasi hii ya kuchangia kwenye Kauli za Maseneta.

Kauli ambayo Sen. Sifuna ameibua, nimekuwa nikizungumzia mara kwa mara. Kile ambacho nimeona matabibu hawa wa mashinani ni kwamba wako na rununu lakini kwenye mikoba ile hakuna dawa wala hamna pesa. Begi zile hazina ala za matumizi kama vifaa vya kupima damu na mambo kadhaa.

Tulikuwa Kaunti ya Naivasha tukijadili kwamba iwapo Serikali itaweza kuongeza mgao wa fedha. Tunafaa tukubaliane kwamba fedha hizi zitatoka kwenye serikali kuu na italipa kwa awamu moja au fedha hizi zitaongezwa na serikali za kaunti zitakazolipa wafanyikazi hawa kwa awamu moja.

Kile kinachodhihirika wazi ni mchezo wa paka na panya na wale ambao wanaumia ni wafanyikazi waliojitolea lakini wanaongozwa na viongozi dhalimu wasiokuwa na moyo au utu. Wahudumu hawa wanapodai mishahara wanaambiwa hawakuajiriwa na wala hawana mkataba kati yao. Wanaambiwa kuwa wanafanyiwa hisani kwa sababu wao ni watu wa kaunti zao.

Kando na kudhibiti mfumo wa kulipa mishahara lazima kuwe na mikataba mahususi ambayo itatia serikali za kaunti au Serikali Kuu kuajibika ili watumishi hawa wa kaunti zetu wahudumie watu wetu kwa njia inayostahili.

Hoja nyingine ningependa kufananua ni ambayo ililetwa hapa na Sen. Munyi Mundigi. Alidai kwamba Waziri alitoa ilani kwamba paa za shule za masomo au taasisi za serikali ambazo haziendi au haziafiki mfumo wa kisasa wa paa ziondolewe. Swali ni je, Waziri anapotoa ilani paa zile zitolewe katika taasisi za serikali ametia mpango upi tayari kwa serikali kuziweka kwenye bajeti pesa za kuweka paa mpya?

Shule ni taasisi za serikali na hakuna pesa za ziada za shule hizi kubadilisha paa. Iwapo kujenga madarasa, maabara, na vyumba vya kulala vya wanafunzi ni shida itawezekana wabadilishe paa na wakose kuajiri waalimu na ala za matumizi na kadhalika?

Naomba serikali kuwa Mawaziri wanapotoa ilani lazima wahusishe jamii katika kuamua miradi ya maendeleo. Haiwezekani kila mara wale kutoa miradi pasipo majadiliano na washikadau.

Mwisho kabisa nimeona hoja kuhusiana na Shirika la Reli humu nchini. Hio ni mali ya umma. Watu wamebomolewa vyumba na maeneo ya kazi katika kaunti hizi. Tunachotaka kujua ni kuwa wana mipango ipi ya kuhakikisha kwamba shamba zinazomilikiwa na reli ya nchi ya Kenya yanafanya mujibu wa Katiba? Kwa sababu tuna ugatuzi maeneo gatuzi ya humu nchini yanashirikiana vipi na Shirika la Reli kuwapa wanafanyikazi waliotayari kufanya biashara kwenye shamba ambayo hayatumiki kwa muda mrefu zaidi ya miaka 20?

Watu wa mkoa wa magharibi na kaunti ya Bungoma wamesikia nikitaja mambo ya madaktari mashinani. Ninamuomba Gavana wa kaunti hii kwamba tunapozungumza vile ajiandae kwa sababu tunakuja kuwatetea wafanyikazi wetu ili tuhakikishe kuwa wamelipwa mishahara kwa wakati unaostahili; mikataba inaidhinishwa na vile vile kuwe na mazingira mazuri ya kazi katika kaunti ya Bungoma.

Nawatakia Wakenya wakati mufti na iwapo wana tetesi, tuko tayari kuwapigania. Asante.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Murango unapochangia tafadhali tumia muda mfupi kwa sababu watu ni wengi na wakati unadidimia.

Sen. (Dr.) Murango: Asante sana Spika wa Muda. Nitakuwa mchache wa maneno na mzito kwa hoja. Naomba kutoa tasfida na kauli yangu kuhusu Taarifa ambayo imewasilishwa na Seneta wa Nairobi City County, Sen. Sifuna. Wiki jana nilipatana na mawimbi makubwa sana wakati nilikuwa nakosoa utendakazi wa Gavana wa Kirinyaga, kwa sababu ya ukosefu wa matibabu na kunyanyasa maafisa wa ugani ambao wanatembea wakiangalia wagonjwa vijijini.

Tabibu wale wa ugani wanatembea kwa mguu kama mawakala wa ng'ombe. Hawana njia yeyote ya usafiri ya kuwafikisha vijijini ambapo watu wetu kama vile nyanya zetu wanaishi. Wamepewa kazi na mikoba mizito ambayo wanafaa kuzunguka nayo. Wamebeba mizigo kama punda hivi kwamba hawawezi kuwafikia kwa sababu ya kuchoka---

(Sen. Cheruiyot, Sen. Tabitha Keroche and Sen. (Dr.) Khalwale consulted loudly)

Sen. (Dr.) Murango: Bw. Spika wa Muda naomba usaidizi wako kwa sababu kuna tasfida inayoendelea hapa---

The Temporary Speaker (Sen. Abdul Haji): Senate Majority Leader, Senate Majority Whip and Deputy Majority Leader, kindly.

Sen. (Dr.) Murango: Sen. (Dr.) Khalwale, unaitwa na Spika wa Muda.

The Temporary Speaker (Sen. Abdul Haji): Senate Majority Leader, mnasumbua Sen. (Dr.) Murango akichangia. Tafadhali mpe nafasi ili tumskize kwa umakini.

Sen. (Dr.) Murango: Asante Bw. Spika wa Muda. Wale maafisa wa ugani wamepewa kazi ngumu na mikoba mizito ambayo wanabebeshwa mithili ya punda wakizunguka wakiangalia wagonjwa katika vijiji vyetu ilhali hawajalipwa kwa miezi mingi. Hili ni jambo la busara kuhakikisha kwamba wengine wanapolipwa, hawa pia wanalipwa ili wafanye kazi yao kwa ufasaha.

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Ni sawa ata kama Gavana hatajenga barabara. Afadhali akose kutoa mbegu au pembejeo za kilimo lakini ahakikisha kuwa afya imefikia kila mtu, kwa sababu aliyekufa hatumii barabara zilizoundwa wala kulima. Wanafaa kuwachana na mambo yote ile wanayofanya na wahakikishe kuwa wakaazi wote wako hai.

Baada ya kuleta taarifa ambayo tulituma kwenye Kamati ya Afya ambayo inaongozwa na Sen. Mandago, kumekuwa na mambo mengi ambayo yanafanywa kuonyesha kwamba sisi hatujui tunachofanya. Pale kwenye mlango pamewekwa mama na mzee ambao wanakupiga pambaja na kukushika mashavu ili picha zile zirushwe katika vyombo vya habari ionekana kana kwamba magavana wanafanya kazi.

Kweli sisi huchaguliwa lakini waswahili husema kibebacho huvuja nafuu kwa mchukuzi. Lakini kama kuna mahali watu wanafaa kuja kuona kifo kwa macho ni idara ya afya kule Kaunti ya Kirinyaga.

Ni vizuri madaktari ambao wanahusika kutupea afya na kuhakikisha tuko hai walipwe pesa zao wakati unaofaa ili watuhudumie pia. Wale ni wazazi, wanalipa kodi na pia karo za shule.

Asante.

The Temporary Speaker (Sen. Abdul Haji): Sen. M. Kajwang', proceed.

Sen. M. Kajwang': Mr. Temporary Speaker, Sir, I would also wish to emphasize a few matters raised by Sen. Sifuna, the Senator for Nairobi City County, particularly in regards to the Community Health Promoters (CHPs).

Mr. Temporary Speaker, Sir, in the last session, you directed a small delegation to go into mediation with the National Assembly over the County Governments Additional Allocation Bill. I was privileged to be part of the delegation and I believe the leader of our delegation, Sen. Tabitha Mutinda, ought to bring a report back to this House because mediation collapsed.

The talks collapsed because the National Assembly is insistent that the Road Maintenance Levy Fund should not go to county governments, but the Kenya Rural Roads Authority (KeRRA). The relevance between the Additional Allocations Bills and Sen. Sifunas' statement is that the money that CHPs are supposed to get is included in the schedule of the additional allocation.

Mr. Temporary Speaker, Sir, you recall that when we were in Turkana County, we processed the four health laws. They are some of the worst laws we have ever written. When you reflect on what we did in that county, we need to do a legislative impact analysis, so that we can clean up those laws.

In part of the laws we passed, we allowed the national Government to pay Community Health Promoters (CHPs) half their salary and county governments to pay the remaining half. An amount of Kshs2,500 was to come from the national Government and Kshs2,500 from county governments.

We have a situation where you find that the national Government has sent Kshs2,500, but a county government has not, or a county government has sent Kshs2,500 but the national Government has not. That is not the way to treat our frontline health workers and people that we entrust to deliver the dream of universal health.

If we do not resolve that impasse, it means that we do not have a proper legal framework for payment of CHPs. I am told right now the national Government sends the

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full amount directly to them. That is killing devolution because these are employees and agents of county governments. They cannot be converted to be agents of the national Government. We need to deal with this as a matter of urgency.

I have seen a Notice of Motion in the Order Paper that we will dissolve committees. This House must also register its compliments to Sen. Mandago for the robust manner in which he has handled the Committee on Health as the Chair. He has brought visibility to the Senate because of the activities of that committee. I urge the gentlemen and women who are going to join the Committee on Health to embark on an inquiry on the issue of Social Health Authority (SHA). We must go back to those laws that we passed in Turkana.

On the issue of registration of indigents, when we were in Naivasha, we were told by the Commission on Revenue Allocation (CRA) that the health data from county governments cannot be trusted. It was on that basis that they dropped the old indicators or variables that were used for dividing revenue amongst county governments. They claim that counties are either underreporting or overreporting.

We saw a typical case where in a certain year, you had 90,000 hospital admissions then today you have 400,000 hospital admissions. Are we going to trust the records and data from the SHA registration being done by CHPs? County governments have already known that if they register more, then more money is sent to those facilities.

Mr. Temporary Speaker, Sir, let us be honest with ourselves. Our county governments are gaming the system. They know that if a health facility registers more people, more money will go there. They are going to register ghost people because there is no cost to registration. Once you register, there is a capitation of Kshs900 that goes to that facility.

The second question we have to ask ourselves is whether that capitation of Kshs900 is adequate to provide universal healthcare. The third issue that the committee must investigate is the issue of medical equipment placement.

That thing is a scam! We said it in my Committee and the next day the President was at the Coast saying that our heads are not proper because we questioned that matter. We shall continue questioning things that do not make sense because they touch on the most vulnerable in this country.

Mr. Temporary Speaker, Sir, as this Committee processes this Statement, I do pray that they are going to launch a full inquiry into the state of universal health, legislation, and the welfare and plight of CHPs. Please, direct that the team that went into mediation with the National Assembly should bring back a report. I know it is not in our Standing Orders, but if Kshs42 billion cannot go to counties because of failure of mediation, I believe that delegation has a responsibility to come back.

I support.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Sen. M. Kajwang', and welcome back.

Proceed, Sen. Karen Nyamu.

Sen. Nyamu: Mr. Temporary Speaker, Sir, I thank my head of Nairobi City delegation, Sen. Sifuna, for bringing this important Statement before the Floor of the House.

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Last year towards the end of December, Sen. Sifuna convened a meeting of 1,000 CHPs from Nairobi City County, where we got very shocking feedback. That was part of the Nairobi City County delegation oversight programme.

The shocking feedback is that CHPs are operating without phones that have the latest technology. They are doing registration of the people on the ground to SHA using very poor equipment, if the phones they are using is anything to go by.

The mood of the country right now is to embrace universal healthcare. That should be reflected by how we facilitate and empower our CHPs. We cherish the work they are doing, which is bridging the gap between the people and health facilities or institutions and healthcare providers.

Mr. Temporary Speaker, Sir, I urge Members of the Committee on Health, as they investigate what Sifuna has presented, to come up with proposals that are going to empower this key component of universal healthcare. We have 107,000 CHPs in the country and 7,800 in Nairobi doing a key role in the health sector. They should make proposals of how we can empower them, so that this key role is effectively done.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Proceed, Sen. Oketch Gicheru.

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, on the issue of CHPs, we, as a House, must pronounce them as at-risk population. When we use palatable and educative terms like what the Senator for Homa Bay has used and say they are frontline health workers, it sounds beautiful. I think we need to refer to them as an at-risk population and this is my reason.

Mr. Temporary Speaker, Sir, I want you to picture a CHP, who every single day has to go to a house to check on a patient that they do not know has Tuberculosis (TB), or any other infectious diseases that they might interact with from different patients that they do not know their conditions. They are the first people to engage our people on the ground without capacity to detect any kind of diseases that people they interact with might have. Secondly, they do not have any kind of protection.

Today, if you walk to a hospital and get any basic nurse, they will have some basic equipment before they handle a patient. We are assuming the way CHPs have been taken in this country and the assumption is very fundamental.

The assumption is that when they go to check on our people, most of them are in good health. The reality is that majority of CHPs end up interacting with sick people with communicable diseases that they do not have control over. If they are not protected enough as frontline health workers in this country, it is a very sad state of affairs.

Madam Speaker--- I do not know why I keep on calling you 'Madam Speaker.' I think I am still seeing Madam Temporary Speaker, Sen. Veronica Maina, on the seat.

Mr. Temporary Speaker, Sir, think of adverse weather conditions like what we have seen in Nairobi. I have seen a situation where the Senator for Nairobi or myself, the Senator for Migori being confronted by Community Health Promoters (CHPs) who have to go through floods barefoot and help people. The cost of gumboots in Nairobi is just Kshs700 and Nairobi County has 7,000 CHPs. If you were to give them gumboots, it would be only Kshs4.9 million.

Mr. Temporary Speaker, Sir, that is a very small budget for a governor, but for me as a Senator, it is a lot of money. I will not have it when I am confronted by 7,000 CHPs. I know Sen. Cheruiyot, being the Senate Majority Leader, might have some other pockets. However, as the Senator for Migori County where we have 3,011 CHPs, where can I get that budget? If they confront me to buy them gumboots, I cannot buy for them. This inquiry must be a special inquiry in the Senate because without them, our people will face many problems, but we are getting them sick by exposing them to other diseases.

Lastly, we have not addressed the issue of Community Health Volunteers (CHVs) before they became CHPs. In Migori County, when we passed the law to go from CHVs to CHWs, we had over 2,500 CHPs. The Bill in Migori County was Kshs83 million as stipend to the people who had worked for years as CHVs. They have never been paid.

As a House, just like we have been fighting for councillors to get their compensation and any other workers who have worked in this country without ever getting their fair share of service, we must work hard and make sure that CHVs are also given their dues because they served diligently.

With those remarks, Mr. Temporary Speaker, Sir, I support. I hope the Committee will put a proposal to lead to a proper inquiry into this issue of CHPs.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator. The last two speakers because of time will be Sen. Kisang' and the Senate Minority Leader. Be very brief, we are out of time.

Sen. Kisang': Thank you, Mr. Temporary Speaker, Sir. I will be very brief. I will comment on the Statement by the hon. Senator for Nairobi. The CHPs are the same ones who used volunteer work before the laws were passed. These are people who have done great work for the last 10 or 20 years. If you talk to them, most of them are suffering because many county governors are not paying them Kshs2,500 stipend monthly. They only receive the one from the national Government regularly.

I engaged a few of them during recess. They told me that they get something from the national Government, but county governments delay even for four months. I propose that county governments attach the CHPs to a particular health facility, a dispensary, health centre or even a Level 3 and 4 hospital, so that they be getting trained regularly. This is because, they are not exposed to training so that when they get emergencies, they have basic training.

Even as this Statement goes to the Committee, we also want the Committee on Health to consider it carefully and even propose some changes because Kshs5,000 is not enough. These are people who are doing very important work. If they get basic knowledge, they can help in preventing some common diseases. We can increase the stipend to Kshs10,000, so that they can move around.

Sen. Eddy said we give them gumboots, but we need to propose that if possible, governors buy them motorbikes for a cluster of them within a ward. It will make it easier for them to move around and they be given resources for fuel so that they can reach our people in good time and also assist if there are emergencies.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): The Senate Minority Leader.

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The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Spika wa Muda. Kwanza nampa kongole Seneta wa Nairobi, ndugu yangu Edwin Sifuna, kwa kuleta Taarifa hii ambayo ni muhimu sana kwa watu walio mashinani kote nchini.

Jambo la kwanza, ninaiunga hoja hii mkono kwa dhati kwa sababu, wale wanaofanya kazi kule vijijini ni watu muhimu sana na inatakikana waangaliwe na kaunti zao. Ni jambo la aibu kuona hapa Nairobi, ambapo ni jiji kubwa hapa nchini, lina watu wanaojitolea kufanya kazi katika jamii lakini hawangaliwe sawa sawa.

Lakini tunasikia kwamba hawaangaliwi, leo watu wanaenda na miguu kavu, hata hawana *slippers* ama zile viatu ndugu zetu wa Kikamba huwa wanavaa za mpira. Kwa kijaluo, zinaitwa *akala*. Wanatembea na viatu kama hivyo sababu hawana *gumboots* kama alivyosema katika Taarifa yake, Katibu Mkuu wa chama chetu cha Orange Democratic Movement (ODM). Hali tetesi kama hizi, hawa watu wanawezapata ugonjwa wakati wowote ama wanapata magonjwa na hawana njia za kwenda kuona daktari sababu hii bima ya Social Health Authority (SHA) haifanyi kazi ama haitambuliwi.

Bw. Spika wa Muda, tukiangalia upande wetu wa huko nyumbani Kilifi, kuna jiji kubwa kama la Mtwapa, Malindi, Mariakani, Kaloleni na miji mingine kama Kilifi. Kuna watu pia wamejitolea na ingekuwa muhimu zaidi zile serikali zetu za gatuzi ziangalie hao wanafanya kazi wa kujitolea au kwa jamii ili waweze kuona watapata faida gani, wakijua kabisa wanaangaliwa vilivyo kiafya wakati wowote wakiwa wagonjwa.

Tunasema wapewe vifaa vya kufanyia kazi. Siyo wao wanunue wenyewe halafu wanajitolea. Miaka mingi iliyopita, tunajua kuna kina mama walikuwa wanazalisha watu. Hawakuwa madaktari kama Daktari Khalwale. Ndugu yetu Dkt. Khalwale anaweza kutuelezea ya kwamba, tume kuwa na wakunga au wazalishaji wa akina mama. Sio lazima watu waende hospitali. Walikuwa *experts*. Kulikuwa hakuna haja ya kukatwa *caesarean* na walikuwa wanazalisha au wakunga.

Bw. Spika wa Muda, siyo kila mama alikuwa anaweza kwenda hospitali kuzaa. Wakunga walikuwa wanalipwa na manispaa zao. Kwa hivyo, tunataka jukumu kama hilo pia litekelezwe kiukamilifu zaidi katika serikali zetu za gatuzi.

Ninaunga mkono Taarifa hii ya Katibu wetu wa Chama Cha ODM ndugu yetu, Sen. Sifuna. Asante sana.

The Temporary Speaker (Sen. Abdul Haji): Sen. Gataya Mo Fire, you may proceed.

Sen. Gataya Mo Fire: Thank you, Mr. Speaker, Sir. May I start by congratulating Sen. Sifuna because this Statement has brought up a very critical point in this arrangement. Since this matter may be referred to the Standing Committee on Health, the committee should make sure that it is replicated in all counties.

This is a very crucial aspect that has been initiated in our counties. Counties have not been able to make sure that these people are endowed with the resources that are required to make sure that they work efficiently, effectively and in a very good environment.

This is a brilliant idea because these are the people who are on the ground and they reach every patient at home. The counties must move with speed to equip this team so that they can realize their objective.

The committee should move with speed and make sure that this matter is mitigated across the country, so that we can have all those CHPs equipped and given the necessary equipment to make sure that they realize their goals as a team.

The Temporary Speaker (Sen. Abdul Haji): Sen. Onyonka, you have the Floor.

Sen. Onyonka: Thank you, Mr. Temporary Speaker, Sir. My words will be few because I know that we have run short of time. I want to reiterate what my colleagues have said. Sometimes, these are the contradictions in our country. When you evaluate what we are doing, that is significant. We want to support our poor people and make sure that health services improve. However, we do not pay our service providers.

The money that is supposed to be given to these service providers goes to something that is now creating a lot of noise and questions. The Auditor General has already pronounced herself that they are having Kshs46 billion that is buying Treasury Bills and yet, the money for the CHPs which is about Kshs6 billion, could easily have come out of that.

That is the point that I would like to emphasize. Can we start looking at the prioritisation of the issues that are affecting our people and begin to spend money there?

Right now, our people do not want houses; they want medicines, water and food. Let us concentrate on agriculture. Let us concentrate on the provision of water and health services.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey Samson, you may proceed.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, you need to protect me from the Senate Majority Whip.

I want to comment on two statements. The first one is on the issue of Kenya Railways (KR). It is very tragic and sad that the KR has so many properties in prime places in this country, especially major towns, including Nairobi, Eldoret, Kisumu and Mombasa.

When you go to every part of this country where the railway line did pass, there is huge potential. Sadly, the current management led by the Managing Director (MD), is running KR like their own shop. They are leasing and selling properties of KR.

The KR should be able to finance themselves and even extend the railway line from Kedong through Bomet, Kisumu to Tanzania. Imagine even maintaining this railway from here to Eldoret, Malaba to Uganda is a problem to them. As I said, KR has a huge potential.

The current MD and the management of the KR must be called to order. The Ethics and Anti-Corruption Commission (EACC) should be on this matter.

Some of us are aware that the MD and the management of KR have been selling properties that belong to the corporation. The worst thing is that they have been evicting people who have leases. Why would you give somebody a lease and then evict them? What is the justification?

For the past many years, the turnover of KR in terms of sales is approaching Kshs10 billion. However, if you ask the MD and management of KR, they cannot tell you.

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Even here in Nairobi, if the KR was being properly run, we should have a metro system within Nairobi City County to alleviate the deadlock and the jam that we face, so that Kenyans do not need to pay for the Expressway to somebody whom we do not know in Moja. We do not know even how much the Expressway is collecting per day. Can you believe that in this country, somebody is collecting our money and we do not know how much it is?

The MD should be suspended and the EACC take over because it is now a crime scene.

(Applause)

I want to challenge the new EACC that instead of arresting traffic officers who are collecting Kshs200 or Kshs50, they should be going for this big fish, *Mbuta* and these whales that are destroying the image of this country.

Why would we borrow more money for the Standard Gauge Railway (SGR) when KR turnaround can be done for the benefit of this country? The new EACC Chief Executive Officer (CEO), Mr. Abdi, should take charge. We want to see somebody from KR being prosecuted. I want to ask the committee to invite me *pro bono*. I have a dossier against the MD and management of KR that will shock this country, leave alone the one of Sen. Onyonka that was just like Nollywood. I will be bringing Hollywood to the engagement.

Secondly, on the issue of Senator Sifuna on CHPs, I want to thank the President and the Council of Governors (CoG). As a country, we should move in for preventive and promotive health care in this country.

What Sen. Sifuna has raised is of great concern. We need to properly remunerate and give the CHPs capacity, so that they can go through villages such as Mukuru kwa Njenga, Kibera, Homa Bay, Mombasa and Kapkeben where I come from. If we remunerate and give capacity to CHPs, we can even prevent M-pox and *chikungunya* another disease in Mombasa. I do not know whether that is the correct statement; *chikungunya*. We can use those CHPs.

I was with you in Mandera and Wajir counties. We saw communities. I hope going into the future--- I wish the Senate Majority Leader, Sen. Cheruiyot was listening.

When we went to Mandera, we only visited projects.

(Laughter)

If you go somewhere and take water, is it an offence? I want to ask the Senate Majority Leader with tremendous respect, at least, you should have known. I know some do misbehave, like Sen. Sifuna, but that one we can sort it out in another way.

All of us were there; Sen. Onyonka and I were there too. I want to inform the Senate Majority Leader that we were even asking how CHPs were doing and they asked us to report back to the Government. We need to be fair to Members who go to see the projects that are happening in counties. However, he did a good job, of course, of promoting UDA. Therefore, we need the proper support going into the future.

With those many remarks, I support the statements by Sen. Sifuna and Sen. Chute.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Boni Khalwale, you have the Floor.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, I thank you for this opportunity. Allow me to complain on behalf of the two delegations of students who have been in the Gallery and you have not acknowledged them. I think it is discrimination against those schools.

Mr. Temporary Speaker, Sir, I compliment the Senator for Nairobi City County for the way he has demonstrated understanding of a serious medical problem like the one we have in Nairobi and by extension in all the 47 counties of Kenya. The country is starting to wake up to basic needs of Kenyans. Health is a basic need. It is not enough when addressing the issue of health to be viewing it through the spectacles of the doctors, the nurses, the professors and the infrastructure.

The primary healthcare that is the gamechanger in good health. I suggest that we develop a formal national programme for CHPs that will include training amongst other things. CHPs must be given basic training in areas like First Aid because more often than not, they are the first line of defence as far as taking care of our patients is concerned. They should also be trained on interpretation of the various results they get, for example, when they do a blood pressure test or blood sugar test, so as to know how to respond appropriately.

It must also be understood that majority of the pregnant women in Kenya are midwifed, not by nurses or doctors, but by traditional birth attendants. The Senate Minority Leader tried to scratch on it, but let me just emphasize how important it is. If a stipend is being given to CHPs, all traditional birth attendants in all Kenyan communities must also be given that stipend.

On that point, it is a shame that we are talking about a stipend of Kshs2,500 from the national Government and Kshs2,500 from the county government. What can you buy with Kshs5,000?

(Applause)

We are laughing at these professionals who are doing a very important job. This is money that some people in Nairobi use to shop for their dogs. I see that when I pass through supermarkets sometimes. The food they buy is more than what we pay our CHPs. We must be serious and do it well if we are to pay our CHPs. The money is there.

We see people flashing money around in church *harambees*. The money we see people hiring choppers to some funny functions in this country is supposed to give this kind of service. We shall not stop calling out these corrupt characters who after feeding on the proceeds of corruption show off and vomit on our shoes and the feet of our children who have no shoes when going to school.

(Laughter)

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Mr. Temporary Speaker, Sir, I would like to end by commending Sen. Onyonka on the issue you have raised in Marani Sub-county about licensing in mining. This is a serious problem. It is in Nyatige, Macalder, Ikolomani, Isulu, Lirembe, Malinya, Shikoye, Masiyenze, Shinyalu, Imwidzwa, Liranda, Lurambi in Rostaman.

(Sen. Faki spoke off the record)

Yes, you are right, Sen. Faki. This is a cross-cutting issue, which we must address. Gold mining and mining in general is so profitable that when they do it at great risk, our children still go down there. We have to pay proper attention and support the mining industry.

As I speak, we are burying Chui in Shitoli Village, who perished last week in a gold mining danger after the walls caved in. The day after tomorrow, I will be running to Kakamega to bury another youth. It is not that we love funerals. However, if we do not stand with them during a time of need, what kind of people are we?

Talking about support to gold mining, I remind the Government over and over again that if you want to talk business with Kakamega County, come and talk about gold mining and sugarcane farming. If you are unable to talk about those two issues in Kakamega County, we are sorry. We do not want to do any business with you.

For the first time, I congratulate the Governor of Kakameka County. He got it right on the issue of sugarcane farming. We worked so hard to get it right until His Excellency the President two weeks ago came and paid our farmers' bonus.

When things were upright, another character called a receiver manager in collaboration with corrupt fellows in Kenya Commercial Bank (KCB) told Mr. Rai of West Kenya to come and interfere with the smooth running of Mumias Sugar Company by Sarbi. This cannot be allowed. Sarbi has a valid lease agreement with Mumias Sugar Company. There is only one Mumias Sugar Company in the world. There is no Mumias Sugar Company A or B. Therefore, if Sarbi has Mumias Sugar Company, he should be the only one milling, managing the ethanol and Ecogen plant.

An attempt to bring in Mr. Rai of West Kenya is going to bring to a standstill the operations in Mumias Sugar Company. We will not allow it. It will not be the first time that a leader will be having his limb broken in Mumias Sugar Company. We will do it another time. Hon. Benjamin Washiali's hand was fractured because of Mumias Sugar Company. On the same day, my head was cut on the left side. I bled because we believe sugarcane farming is the lifeline of our people. I am warning the young politicians who are given---

(Sen. Cherarkey spoke off record)

Hon. Salasya is doing a fantastic job about this job. He is on the same stand like me and the Governor. I warn the young politicians from Kakamega County who are being influenced to go and support the conmanship from West Kenya. Mumiasi Sugar Company will be run by Sarbi and not anybody else until you cancel the agreement.

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The Temporary Speaker (Sen. Abdul Haji): Senate Majority Whip, would you like to be informed by Sen. Omtatah?

Sen. (Dr.) Khalwale: Yes, I would like him to inform me. In fact, he is a presidential candidate. He is the right person. He is the first presidential candidate to inform me in my life.

(Sen. Cherarkey spoke off record)

Sen. Okiya Omtatah: Where is this Parliament located? What kind of question is that? You do not mention the obvious. I would like to inform Hon. Sen. (Dr) Khalwale, who may have forgotten that after the Kakamega incident when the thugs were after you, I gave you refuge and documentation with which you silenced them.

Sen. (Dr.) Khalwale: Thank you, Mr. Temporary Speaker, Sir. Indeed, this is a great man. I had been cornered by one of the people who were responsible for the collapse of Mumias Company Limited. If it had not been for the industry of the Senator for Busia County, I would have been found liable for slander. He gave me facts with which I faced the courts.

I thank the Senator for Kisumu County, Sen. (Prof.) Tom Odhiambo Ojienda. He is not in today. He was representing the person who had sued me. After he looked at my case, he told the person who was pursuing me that they have no chance with the kind of facts they had. Professor, you are a very good lawyer. Very few lawyers can tell their clients the truth.

The Temporary Speaker (Sen. Abdul Haji): Senate Majority Whip, would you like to be informed by Sen. Cherarkey?

Sen. (Dr.) Khalwale: Yes.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, I would like to inform my neighbour, Sen. (Dr.) Khalwale, that also when you go to Kibos Sugar Factory, there is a plant for methanol and ethanol generation, but it has not been operational because of challenges and political interference. Would it be to request him to bring an enquiry with a possible Chairman of the Standing Committee on Agriculture, Livestock and Fisheries, Sen. Wakoli, because Sen. (Dr.) Khalwale, Sen. Aaron, Sen. Wakoli, Sen. Sifuna and I come from sugarcane growing areas so that we resolve.

(Sen. (Dr.) Khalwale spoke off record)

However, he is the biggest consumer and Sen. Okiya Omtatah.

(Laughter)

They are the biggest consumers of sugar and he has a farm in Bungoma. He is a small-time sugarcane farmer. We form an enquiry so that we can assist your very good friend called Sarbi. I am happy Sarbi is doing a good job in Kakamega, and also to you.

I thank you, Mr. Temporary Speaker, Sir.

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Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, I appreciate the information and send you greetings of the people of Kakamega to the people of Nandi, especially Mosop. After we encouraged them to grow sugarcane, every Thursday when they came to collect money at Butali Sugar Company, all our alcohol is sorted out, it is finished; it is sold out. The economy, Mr. Temporary Speaker---

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

The Temporary Speaker (Sen. Abdul Haji): What is your point of order, Sen. Cherarkey?

Give him the microphone.

Sen. Cherarkey: Mr. Temporary Speaker, Sir, on the Standing Order on the accuracy of facts, is it in order for Sen. (Dr.) Khalwale to impute improper motive against the great people of Nandi by saying we are consumers of alcohol? That whenever we go and collect money in Naitili and Butali Sugar Company, my farmers end up taking alcohol?

Is it in order? Can he apologise and withdraw because most of us are Christians and Muslims. He should thank us because apart from getting money, we also assist them with matrimonial duties. We have been able to leave seeds that when you go to Kakamega, they are now participating in athletics courtesy of the fruits of our loins. Is it in order?

Sen. (Dr.) Khalwale: I do not know why the Senator of Nandi was running ahead of me. I said because of the way they promote our economy, you go and greet them.

I had only singled out one. It has also resulted in an increased number of our women getting married in Mossop, which is a good thing because you pay dowry. As to whether you are good at nuptial responsibilities, that is an agreement between a man and wife; I have no idea. I, therefore, want to thank the House for allowing me to make this point very clear this afternoon.

It is not a joke. Butali Sugar Company is an economy of Kshs10 billion in a year in Kakamega. West Kenya has an economy of Kshs24 billion in Kakamega. Mumias Sugar Company is an economy of Kshs40 billion in Kakamega. Anybody coming to play around with it, using the money of farmers to buy a few MCAs to start supporting Mr. Rai is missing the point. Mr. Rai, I assure you from this Floor that I will protect you, the Government will protect you, to do your business in West Kenya.

Please, allow Sarbi to do his business in Mumias. There is no contradiction. I know you are unhappy because through the new law---

The Senate Majority Leader (Sen. Cheruiyot): On a point of order, Mr. Temporary Speaker, Sir

The Temporary Speaker (Sen. Abdul Haji): What is your point of order, Sen. Cheruiyot?

The Senate Majority Leader (Sen. Cheruiyot): My good friend, Sen. (Dr.) Khalwale, appears to be fairly knowledgeable in this matter that he is raising. Will he perhaps, for the understanding of the rest of us, help explain the intricacies that he is reading about this complex relationship that he is trying to describe? On one side of his mouth, he is vowing to protect Mr. Rai, because he is a big investor in his county. On the other hand, he admonishing him not to interfere with the operations of Mumias.

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What I have read in the newspapers, and the good Majority Whip can help us appreciate, is that Mumias Sugar Company is under receivership. The receiver manager has allowed the man he is calling, Sarbi, to run the sugarmill. Then they are insisting that because the other two businesses are unrelated to this one, they want to allow another player to run as well.

That is what the media is reporting. Could he furnish the House with better information? We are all interested to see the town of Mumias grow to the level that it used to be before Mumias Sugar Company went down. It would be very exciting if that region and that industry were to come up.

So, I do not know if Sen. (Dr.) Boni Khalwale will be in a better place to educate us and inform us of what exactly is happening.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Boni Khalwale, I hope you have understood the point of order raised by the Senate Majority Leader. If you could please clarify.

Sen. (Dr.) Khalwale: Thank you, the Senate Majority Leader. That is exactly the point. The mischief by the newspaper was a lack of clarity. The clarity is as follows. There is enough cane for West Kenya to mill and support the Kshs24 billion economy in its area. Enough for Butali Sugar to mill and support the Kshs10 billion economy. Enough for Mumias to support Kshs40 billion because Mumias also uses Busia farmers. So they have got a bigger catchment area.

Now, to run the ethanol plants, dear Kenyans which is in Mumias, to run Ecogen plant which is in Mumias, you need raw materials. Those raw materials come from the same mill, Mumias Sugar Company. The ethanol plant, which we want Rai of West Kenya to keep off, is that the ethanol plant is in the same compound and the same machine of Mumias Sugar Mills. The power generating plant similarly is in the same.

The gate is one; the compound is one. The complex that produces these three things is one. So, it is an administrative nightmare for the receiver manager to imagine that you can bring in two warring companies who are brothers to then have an opportunity to kill each other. We do not want to see Indians killing each other over our machines.

We want to see Indians working over our machine. This point is very important. It is not a question of impulse; it is a question that has been subjected to a decision of the High Court. The High Court has found that Rai has no entry point into Mumias Sugar Company because he had claimed that earlier on he had bought the ethanol and the Ecogen plant. So, when challenged in court to demonstrate that he bought, the only thing he could show was an agreement.

Now, when challenged further because an agreement can be drafted on computers at River Road, when challenged to support it with the actual payments that he made, he said he paid the money from Dubai. There was no evidence of bank transactions. Therefore, the court ruled that Rai has no demonstrable interest in that company and ordered that Sarbi of Mumias Sugar Company proceed unhindered.

The only thing remaining is for the national Government to raise its voice, so that there is peace in Kakamega. Since this programme started around ten days ago, we have had four demonstrations by farmers who are pushing what I am saying. On one occasion,

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MCAs were carrying twigs, but they were chased away like dogs. I do not think they will try again.

So, the leader of the majority, matters are now clear and it is good for Kenya. Do you know why? Mumias Sugar Company produced 100,000 tonnes in the last 12 months. In the process, Kenya, which was being faced with a sugar deficit of 200,000 metric tonnes, Mumia Sugar Company reduced that shortage by 50 per cent. Therefore, the other factories contributed to the fact that we have not imported sugar at this time. So, it is not something you can interfere with.

What is more? On Thursday, Mumias Sugar Company paid Kshs194 million to our farmers. They have been paying Kshs194 million to farmers every Thursday per week. Do you want me to keep quiet? Can people who receive Kshs194 million in Kakamega be shortchanged due to Rai's greed?

We know Rai. Rai sneaked into Webuye Pan Paper Company. Sen. Wafula is here. He sneaked into Pan Paper and cheated that he would revive it. Today, there is no Pan Paper, but it is now being used. It was used, shamefully, last year for the fake fertiliser as storage. That is how Rai wants to do its business. The same Rai is the one who led to the collapse of the timber industry. Do you all remember the people of Uasin Gishu, the RaiPLY fiasco? We cannot allow business people of this type.

It is starting to look good. The President appears to understand sugarcane farming. We will keep on giving him information like I am doing now so that he can continue making decisions with clarity. It was after I fed him this kind of accurate information that he came up with the statement of *mambo matatu*.

(Sen. Cheruiyot spoke off record)

Yes, we were with you at that rally. After he said *mambo matatu*, the same Rai quickly ran out of court. This is how the sugar factory became profitable.

Thank you, Mr. President. Receive the greetings of the people of Kakamega. Mr. President, there is a young man in Kakamega who you allowed the privilege of being a Cabinet Secretary despite his limitations. Rai is using him to confuse. Rai, please, note that Rashid is not our leader. Rashid Mohammed cannot be our leader. Rashid is not competent enough to lead Dr. Bonnie Khalwale? No! If farmers have a choice, they know who to ask. You cannot kill our industry. You are killing us. You are killing our women and children.

(Laughter)

The Temporary Speaker (Sen. Abdul Haji): Sen. Keroche Tabitha, proceed.

Sen. Tabitha Keroche: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity.

I want to congratulate Sen. (Dr.) Khalwale, how passionate you are about the industries in Kakamega. Congratulations. However, as you become so passionate about the Mumias Sugar Company, you also become so passionate and supportive. I know you

support them - the companies that add value and valuation to your sugar cane - like Keroche Breweries.

When you are talking about Mumias Sugar Company, you must also talk of the Keroche Breweries. You should be worried whether it is open. You should be asking whether it is open and operational.

The minute it starts operating, it will be using the ethanol you are talking about to make vodka. You can imagine the vodka coming from Kenya. Buy Kenya, build Kenya.

(Sen. Madzayo spoke off record)

Okay, thank you, I will address the Chair. I am so humbled and happy to see how passionate he is about the local industries. I know it is not only the sugar cane industry, but he is passionate about supporting the local industries and the local entrepreneurs. It should be echoed that all of us should support the regional industries.

I want also to support the statement read by Sen. Sifuna, the Deputy Minority Whip, on the CHP.

I agree with Sen. (Dr.) Khalwale that Kshs5,000 to CHPs is so little. This money can buy a few items. However, it is better than nothing. The national Government always pays Kshs2,500 and the county government pays Kshs2,500.

In Nakuru County, the CHPs have not received their share, Kshs2,500, from the county Government for the last six months. You can imagine how they are struggling. They are dying because of poverty because the county government is not supporting them.

Sen. M. Kajwang said that the Committee for Health had done a good job. I have also seen them fight when we were crying for the War Memorial Hospital to be reopened. The Committee for Health was at the forefront of ensuring that hospital was opened.

I want to thank the Senators who supported us. That hospital is now open. All we are waiting for now is to start receiving the public. The investors are in to ensure that it will be back to normal operations. The people of Nakuru and the surrounding areas can start enjoying the services that the War Memorial Hospital offers.

This Statement will be dealt with by the Committee on Health. The first question is why the County Government of Nakuru has not paid the CHPs for the last six months. That is like killing them. They are demotivated. They are not rendering services to our people.

I have been talking to them. They keep on begging for money to feed their families. Sen. (Dr.) Khalwale was talking of Kshs5,000. In Nakuru County, CHPs have been receiving only Kshs2,500 from the national Government. It is a shame because they are supposed to get the other Kshs2,500 from the Nakuru County Government.

I will be asking the Committee to summon Governor Kihika to explain to them why CHPs in Nakuru have not received their stipend of Kshs2,500 for the last six months. As I said, it is like killing them when they are still alive.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Sen. Joe Nyutu, proceed.

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Sen. Joe Nyutu: Thank you, Mr. Temporary Speaker. Sir, I also support the Statement by the Senator for Nairobi regarding CHPs. As I do this, I would like to underscore the importance of health in each one of us. We can live without education, but we cannot live without good health. As the House that oversees devolution and health is a devolved function, we must be very keen on matters of health.

Mr. Temporary Speaker, Sir, these CHPs are the people that reach our constituents in our furthest counties. They are the people that teach our communities about health, check on their nutrition and provide basic health education. These are servants whose welfare needs to be looked into with a lot of seriousness.

When you talk about Kshs2,500 paid by the county government and topped up by the national Government, needless to say, because it has been said, this is very little money considering the effect of inflation and the high cost of living that we continue witnessing in this country. It is important that we enhance this stipend both by the county and the national Government.

The other sad thing is that as little as it is, it does not come at the right time. I have had an opportunity to talk to CHPs in my county. The county stipend is delayed by two or three months. However, the stipend or the top up by the national Government, sometimes is delayed to over six months. This is something that we need to look at even as we congratulate the national Government for having accepted to top up.

The CHPs sometimes do not have the gadgets that they need. We are going digital in everything. Sometimes you meet them and they tell you that they do not even have batteries for their gadgets. We need to call upon all the 47 county governments, to not only pay the stipend of Kshs2,500 per month in time - if they will not enhance it – but also provide the important gadgets that this group of workers use in their day-to-day work.

We should propose this when the committee sits down to look into it. I have been a member of the Standing Committee on Health. However, due to political expediency, I believe I will not continue being a member.

We have been very keen on this matter as a committee. One of the things that we should also look into is how we can train these CHPs in order for them to be more equipped with knowledge in matters of health. If and when we train them, we should enhance their stipend, if not pay them a salary.

(Loud consultations)

Mr. Temporary Speaker, Sir, I do not have your protection. I think I am talking to myself. However, I want to submit that this is a statement that needs to be supported by all of us.

I thank you for the opportunity. I believe that when the committee sits, it will take this matter very seriously and give it the priority it needs.

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, we have now received the Supplementary Order Paper. We will now move to Order No.6.

Clerk.

The Temporary Speaker (Sen. Abdul Haji): Senate Majority Leader.

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The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I request for your permission to do all the Notices of Motions, because I have four of them.

The Temporary Speaker (Sen. Abdul Haji): Yes.

The Senate Majority Leader (Sen. Cheruiyot): Thank you. The first.

NOTICES OF MOTIONS

APPROVAL OF SENATORS TO SERVE IN THE PROCEDURE AND RULES COMMITTEE

The Senate Majority Leader (Sen. Cheruiyot): Thank you. The first. I beg to give notice of the following Motion-

THAT, notwithstanding the resolution of the Senate made on 13th October, 2022 constituting Select Committees, the Senate resolves pursuant to Standing Orders No. 191(2)(d) and 199, to approve the following Senators nominated by the Senate Business Committee to serve in the Procedure and Rules Committee, in addition to Senators specified in Standing Order No.191(2)(a), (b) and (c)-

1. Sen. Mohammed Abbas Sheikh, MP
2. Sen. Joe Nyutu, MP
3. Sen. Beth Syengo, MP

APPROVAL OF SENATORS TO SERVE IN THE POWERS AND PRIVILEGES COMMITTEE

Mr. Temporary Speaker, Sir, I beg to give notice of the following Motion-

THAT, notwithstanding the resolution of the Senate made on 13th October, 2022 constituting Select Committees, the Senate resolves Pursuant to section 15(1) (b)(ii), of the Parliamentary Powers and Privileges Act, and Standing Order No.199, to approve the following Senators nominated by the Senate Business Committee to serve in the Committee on Powers and Privileges, in addition to the Speaker of the Senate, who pursuant to Section 15 (1)(b)(i) of the Parliamentary Powers and Privileges Act, shall be the Chairperson of the Committee-

1. Sen. Alexander Mundigi, MP
2. Sen. David Wakoli, MP
3. Sen. Esther Okenyuri, MP
4. Sen. Wahome Wamatinga, MP
5. Sen. Shakila Abdalla, MP
6. Sen. (Dr.) Oburu Oginga, MP

APPROVAL OF SENATORS TO SERVE IN
STANDING COMMITTEES OF THE SENATE

Mr. Temporary Speaker, Sir, I beg to give notice of the following Motion-

THAT, notwithstanding the resolution of the Senate made on 13th October, 2022 constituting Select Committees, the Senate resolves pursuant to Standing Order No.199 and 228, and the Fourth Schedule to the Standing Orders, to approve the following Senators nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows-

A. Agriculture, Livestock and Fisheries

1. Sen. David Wakoli, MP
2. Sen. Alexander Mundigi, MP;
3. Sen. Allan Chesang', MP
4. Sen. Wahome Wamatinga, MP
5. Sen. Mohammed Abbas Sheikh, MP
6. Sen. Moses Kajwang', MP
7. Sen. Hezena Lemaletian, MP
8. Sen. Catherine Mumma, MP
9. Sen. (Prof.) Tom Ojienda, MP

B. Devolution and Intergovernmental Relations

1. Sen. Mohamed Abbas Sheikh, MP
2. Sen. Peris Tobiko, MP
3. Sen (Prof.) Margaret Kamar, MP
4. Sen. Mohammed Chute, MP
5. Sen. Karungo Thangwa, MP
6. Sen. Catherine Mumma, MP
7. Sen. Richard Onyonka, MP
8. Sen. (Dr.) Oburu Oginga, MP
9. Sen. Hezena Lemaletian, MP

C. Education

1. Sen. (Prof.) Margaret Kamar, MP
2. Sen. Seki Lenku Ole Kanar, MP
3. Sen. James Kamau Murango, MP
4. Sen. Nderitu John Kinyua, MP
5. Sen. John Methu, MP
6. Sen. Catherine Mumma, MP
7. Sen. Johnes Mwaruma, MP
8. Sen. Betty Montet, MP
9. Sen. Agnes Kavindu Muthama, MP

D. Energy

1. Sen. William Kisang, MP

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2. Sen. Danson Mungatana, MP
3. Sen. Veronica Maina, MP
4. Sen (Dr.) Boni Khalwale, MP
5. Sen. James Lomenen, MP
6. Sen. Ledama Olekina, MP
7. Sen. Edwin Sifuna, MP
8. Sen. (Dr.) Oburu Oginga, MP
9. Sen. Beatrice Ogola, MP

E. Finance and Budget

1. Sen. Ali Ibrahim Roba, MP
2. Sen. Tabitha Mutinda, MP
3. Sen. (Dr.) Boni Khalwale, MP
4. Sen. Mariam Sheikh Omar, MP
5. Sen. Esther Okenyuri, MP
6. Sen. Eddy Oketch, MP
7. Sen. Mohamed Mwinyihaji Faki, MP
8. Sen. Richard Onyonka, MP
9. Sen. Shakila Abdalla, MP

F. Health

1. Sen. Jackson Mandago, MP
2. Sen. Mariam Sheikh Omar, MP
3. Sen. David Wakoli, MP
4. Sen. Tabitha Mutinda, MP
5. Sen. Joseph Githuku, MP
6. Sen. Justice (Rtd.) Stewart Madzayo, MP
7. Sen. Ledama Olekina, MP
8. Sen. Richard Onyonka, MP
9. Sen. Hamida Kibwana, MP

G. Information, Communication and Technology

1. Sen. Allan Chesang, MP
2. Sen. Miraj Abdillahi, MP
3. Sen. William Kisang, MP
4. Sen. Tabitha Keroche, MP
5. Sen. Samson Cherarkey, MP
6. Sen. Hezema Lemaletian, MP
7. Sen. Issa Boy Juma, MP
8. Sen. Shakila Abdalla, MP
9. Sen. Beatrice Ogola, MP

H. Justice, Legal Affairs and Human Rights

1. Sen. Wakili Hillary Sigei, MP
2. Sen. Raphael Chimera, MP

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3. Sen. Karen Nyamu, MP
4. Sen. Veronica Maina, MP
5. Sen. William Cheptumo, MP
6. Sen. Okiya Omtatah, MP
7. Sen. (Prof.) Tom Ojienda, MP
8. Sen. Crystal Asige, MP
9. Sen. Daniel Maanzo, MP

I. Labour and Social Welfare

1. Sen. Julius Murgor, MP
2. Sen. Lenku Seki Ole Kanar, MP
3. Sen. Gloria Orwoba, MP
4. Sen. Alexander Mundigi, MP
5. Sen. Miraj Abdillahi, MP
6. Sen. Justice (Rtd.) Stewart Madzayo, MP
7. Sen. Okong'o Mogeni, SC, MP
8. Sen. Crystal Asige, MP
9. Sen. Beth Syengo, MP

J. Land, Environment and Natural Resources

1. Sen. (Dr.) Lelegwe Ltumbesi, MP
2. Sen. William Cheptumo, MP
3. Sen. Joe Nyutu, MP
4. Sen. Mariam Sheikh Omar, MP
5. Sen. James Murango, MP
6. Sen. Mohamed Mwinyihaji Faki, MP
7. Sen. Beatrice Ogola, MP
8. Sen. Abdul Haji, MP
9. Sen. Johnes Mwaruma, MP

K. National Cohesion, Equal Opportunity and Regional Integration

1. Sen. Mohammed Chute, MP
2. Sen. Joyce Korir, MP
3. Sen. Mwenda Gataya Mo Fire, MP
4. Sen. Gloria Orwoba, MP
5. Sen. James Lomenen, MP
6. Sen. Daniel Maanzo, MP
7. Sen. Okiya Omtatah, MP
8. Sen. Beth Syengo, MP
9. Sen. Betty Montet, MP

L. National Security, Defence and Foreign Relations

1. Sen. Adan Fatuma Dullo, MP
2. Sen. Karen Nyamu, MP

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3. Sen. Julius Murgor, MP
4. Sen. Tabitha Keroche, MP
5. Sen. Joseph Githuku, MP
6. Sen. Edwin Sifuna, MP
7. Sen. Abdul Haji, MP
8. Sen. (Prof.) Tom Ojienda, MP
9. Sen. Okong'o Mogeni, SC, MP

M. Roads, Transportation & Housing

1. Sen. John Nderitu Kinyua, MP
2. Sen. Peris Tobiko, MP
3. Sen. Mohammed Chute, MP
4. Sen. (Dr.) Lelegwe Ltumbesi, MP
5. Sen. Miraj Abdullahi, MP
6. Sen. Enoch Wambua, MP
7. Sen. Eddy Oketch, MP
8. Sen. Moses Kajwang', MP
9. Sen. Crystal Asige, MP

N. Trade, Industrialization and Tourism

1. Sen. Esther Okenyuri, MP
2. Sen. Jackson Mandago, MP
3. Sen. John Methu, MP
4. Sen. Karungo Thang'wa, MP
5. Sen. George Mbugua, MP
6. Sen. Godfrey Osotsi, MP
7. Sen. Boy Issa Juma, MP
8. Sen. Hamida Kibwana, MP
9. Sen. Okiya Omtatah, MP

APPROVAL OF SENATORS TO SERVE IN THE CPAC, CPIC
AND THE COMMITTEE ON DELEGATED LEGISLATION

Mr. Temporary Speaker, Sir, last but not least, I beg to give Notice of the following Motion-

THAT, notwithstanding the resolution of the Senate made on 19th October, 2022 constituting Select Committees, the Senate resolves pursuant to Standing Order Nos. 193, 194, 195, and 199 to approve the following Senators nominated by the Senate Business Committee to serve in Select Committees of the Senate as follows –

A. County Public Accounts Committee

1. Sen. Samson Cherarkey, MP
2. Sen. Mwenda Gataya Mo Fire, MP

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3. Sen. Adan Dullo Fatuma, MP
4. Sen. (Dr.) Lelegwe Ltumbesi, MP
5. Sen. Moses Kajwang', MP
6. Sen. Johnes Mwaruma, MP
7. Sen. Edwin Sifuna, MP
8. Sen. Okong'o Mogeni, SC, MP
9. Sen. Enoch Wambua, MP

B. County Public Investments and Special Funds Committee

1. Sen. Peris Tobiko, MP
2. Sen. Raphael Chimera, MP
3. Sen. George Mbugua, MP
4. Sen. William Kisang, MP
5. Sen. Godfrey Osotsi, MP
6. Sen. Eddy Oketch, MP
7. Sen. Agnes Kavindu, MP
8. Sen. Beth Syengo, MP
9. Sen. Hamid Kibwana, MP

C. Committee on Delegated Legislation

1. Sen. Mwenda Gataya Mo Fire, MP
2. Sen. Danson Mungatana, MP
3. Sen. Gloria Orwoba, MP
4. Sen. Joyce Korir, MP
5. Sen. Julius Murgor, MP
6. Sen. Mohamed Mwinyihaji Faki, MP
7. Sen. Betty Montet, MP
8. Sen. Daniel Maanzo, MP
9. Sen. Boy Issa Juma, MP

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, I hope you have all received the Supplementary Order Paper. We will now proceed to Order No.8. Clerk, please, call out the Order.

MOTIONS

APPROVAL OF SENATORS TO SERVE IN THE
PROCEDURE AND RULES COMMITTEE

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, given that we will do four Motions on these approvals, it is important to hear the thought of Members. My apologies. Let me first move the Motion then I will share my thoughts.

Mr. Temporary Speaker, Sir, I beg to move-

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THAT, notwithstanding the resolution of the Senate made on 13th October, 2022 constituting Select Committees, the Senate resolves pursuant to Standing Order Nos. 191(2)(d) and 199, to approve the following Senators nominated by the Senate Business Committee to serve in the Procedure and Rules Committee, in addition to Senators specified in Standing Order No. 191(2)(a), (b) and (c)-

1. Sen. Mohammed Abbas Sheikh, MP
2. Sen. Joe Nyutu, MP
3. Sen. Beth Syengo, MP

The point I was trying to make is that there are four Motions. The first two are on procedural committees, which are Powers and Privileges Committee and Procedure and Rules Committee. We should quickly dispense those ones so that then we give Members an opportunity to ventilate in the main Motion, which is the third one, that carries Members that will serve in the various Standing Committees, so that people can share their thoughts and how they think their committees can perform better. That will make this situation better. If I get that concurrence from Members, then it will help us to work on time, given that it is already 5 o'clock and we want our committees to begin working as early as tomorrow.

With those many remarks, I beg to move and request Sen. (Rtd.) Justice Stewart Madzayo to second.

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

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, I will propose the question.

(Question proposed)

There being no Senator wishing to contribute, and as requested by the Senate Majority Leader, I will proceed to put the question.

(Question put and agreed to)

Let us go to the next Order.

APPROVAL OF SENATORS TO SERVE IN THE
POWERS AND PRIVILEGES COMMITTEE

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I beg to move-

THAT, notwithstanding the resolution of the Senate made on 13th October, 2022 constituting Select Committees, the Senate resolves Pursuant to Section 15(1)(b)(ii) of the Parliamentary Powers and Privileges Act, and Standing Order No.199, to approve the following Senators nominated by the Senate Business Committee to serve in the Committee on Powers and Privileges, in addition to the

Speaker of the Senate, who, pursuant to Section 15(1)(b)(i) of the Parliamentary Powers and Privileges Act, shall be the Chairperson of the Committee-

1. Sen. Alexander Mundigi, MP
2. Sen. David Wakoli, MP
3. Sen. Esther Okenyuri, MP
4. Sen. Wahome Wamatinga, MP
5. Sen. Shakila Abdalla, MP
6. Sen. (Dr.) Oburu Oginga, MP

This is like the previous one where I request that we take it in the format of a Procedural Motion, so that we get a chance to ventilate more in the substantive Motion on the Senators serving in the various Standing Committees.

With those many remarks, Mr. Temporary Speaker, Sir, I request Sen. (Rtd.) Justice Madzayo to second.

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

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, I will propose the question.

(Question proposed)

(Question put and agreed to)

The Temporary Speaker (Sen. Abdul Haji): My apologies Senators, I been sitting on this Chair for long. It has been a long day for me. Clerk, confirm that we have quorum.

Hon. Senators, I confirm that we do have quorum.

Next Order.

APPROVAL OF SENATORS TO SERVE IN THE
STANDING COMMITTEES OF THE SENATE

The Temporary Speaker (Sen. Abdul Haji): The Senate Majority Leader.

The Senate Majority Leader: Mr. Temporary Speaker, Sir, I beg to move-

THAT, notwithstanding the resolution of the Senate made on the 13th October, 2022, constituting the select committees, the Senate resolves that pursuant to Standing Orders No. 199 and 228, the Fourth Schedule to the Standing Orders, to approve the following Senators nominated by the Senate Business Committee to serve in the Standing Committees of the Senators follows-

A. Agriculture, Livestock and Fisheries

1. Sen. David Wakoli, MP
2. Sen. Alexander Mundigi, MP
3. Sen. Allan Chesang', MP
4. Sen. Wahome Wamatinga, MP

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5. Sen. Mohammed Abbas Sheikh, MP
6. Sen. Moses Kajwang', MP
7. Sen. Hezena Lemaletian, MP
8. Sen. Catherine Mumma, MP
9. Sen. (Prof.) Tom Ojienda, MP

B. Devolution and Intergovernmental Relations

1. Sen. Mohamed Abbas Sheikh, MP
2. Sen. Peris Tobiko, MP
3. Sen (Prof.) Margaret Kamar, MP
4. Sen. Mohammed Chute, MP
5. Sen. Karungo Thangwa, MP
6. Sen. Catherine Mumma, MP
7. Sen. Richard Onyonka, MP
8. Sen. (Dr.) Oburu Oginga, MP
9. Sen. Hezena Lemaletian, MP

C. Education

1. Sen. (Prof.) Margaret Kamar, MP
2. Sen. Seki Lenku Ole Kanar, MP
3. Sen. James Kamau Murango, MP
4. Sen. Nderitu John Kinyua, MP
5. Sen. John Methu, MP
6. Sen. Catherine Mumma, MP
7. Sen. Johnes Mwaruma, MP
8. Sen. Betty Montet, MP
9. Sen. Agnes Kavindu Muthama, MP

D. Energy

1. Sen. William Kisang, MP
2. Sen. Danson Mungatana, MP
3. Sen. Veronica Maina, MP
4. Sen (Dr.) Boni Khalwale, MP
5. Sen. James Lomenen, MP
6. Sen. Ledama Olekina, MP
7. Sen. Edwin Sifuna, MP
8. Sen. (Dr.) Oburu Oginga, MP
9. Sen. Beatrice Ogola, MP

E. Finance and Budget

1. Sen. Ali Ibrahim Roba, MP
2. Sen. Tabitha Mutinda, MP
3. Sen. (Dr.) Boni Khalwale, MP
4. Sen. Mariam Sheikh Omar, MP

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5. Sen. Esther Okenyuri, MP
6. Sen. Eddy Oketch, MP
7. Sen. Mohamed Mwinyihaji Faki, MP
8. Sen. Richard Onyonka, MP
9. Sen. Shakila Abdalla, MP

F. Health

1. Sen. Jackson Mandago, MP
2. Sen. Mariam Sheikh Omar, MP
3. Sen. David Wakoli, MP
4. Sen. Tabitha Mutinda, MP
5. Sen. Joseph Githuku, MP
6. Sen. Justice (Rtd.) Stewart Madzayo, MP
7. Sen. Ledama Olekina, MP
8. Sen. Richard Onyonka, MP
9. Sen. Hamida Kibwana, MP

G. Information, Communication and Technology

1. Sen. Allan Chesang, MP
2. Sen. Miraj Abdillahi, MP
3. Sen. William Kisang, MP
4. Sen. Tabitha Keroche, MP
5. Sen. Samson Cherarkey, MP
6. Sen. Hezena Lemaletian, MP
7. Sen. Issa Boy Juma, MP
8. Sen. Shakila Abdalla, MP
9. Sen. Beatrice Ogola, MP

H. Justice, Legal Affairs and Human Rights

1. Sen. Wakili Hillary Sigei, MP
2. Sen. Raphael Chimera, MP
3. Sen. Karen Nyamu, MP
4. Sen. Veronica Maina, MP
5. Sen. William Cheptumo, MP
6. Sen. Okiya Omtatah, MP
7. Sen. (Prof.) Tom Ojienda, MP
8. Sen. Crystal Asige, MP
9. Sen. Daniel Maanzo, MP

I. Labour and Social Welfare

1. Sen. Julius Murgor, MP
2. Sen. Lenku Seki Ole Kanar, MP
3. Sen. Gloria Orwoba, MP

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4. Sen. Alexander Mundigi, MP
5. Sen. Miraj Abdillahi, MP
6. Sen. Justice (Rtd.) Stewart Madzayo, MP
7. Sen. Okong’o Mogeni, SC, MP
8. Sen. Crystal Asige, MP;
9. Sen. Beth Syengo, MP

J. Land, Environment and Natural Resources

1. Sen. (Dr.) Lelegwe Ltumbesi, MP
2. Sen. William Cheptumo, MP
3. Sen. Joe Nyutu, MP
4. Sen. Mariam Sheikh Omar, MP
5. Sen. James Murango, MP
6. Sen. Mohamed Mwinyihaji Faki, MP
7. Sen. Beatrice Ogola, MP
8. Sen. Abdul Haji, MP
9. Sen. Johnes Mwaruma, MP

K. National Cohesion, Equal Opportunity and Regional Integration

1. Sen. Mohammed Chute, MP
2. Sen. Joyce Korir, MP
3. Sen. Mwenda Gataya Mo Fire, MP
4. Sen. Gloria Orwoba, MP
5. Sen. James Lomenen, MP
6. Sen. Daniel Maanzo, MP
7. Sen. Okiya Omtatah, MP
8. Sen. Beth Syengo, MP
9. Sen. Betty Montet, MP

L. National Security, Defence and Foreign Relations

1. Sen. Adan Fatuma Dullo, MP
2. Sen. Karen Nyamu, MP
3. Sen. Julius Murgor, MP
4. Sen. Tabitha Keroche, MP
5. Sen. Joseph Githuku, MP
6. Sen. Edwin Sifuna, MP
7. Sen. Abdul Haji, MP
8. Sen. (Prof.) Tom Ojienda, MP
9. Sen. Okong’o Mogeni, SC, MP

M. Roads, Transportation & Housing

1. Sen. John Nderitu Kinyua, MP
2. Sen. Peris Tobiko, MP
3. Sen. Mohammed Chute, MP

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4. Sen. (Dr.) Lelegwe Ltumbesi, MP
5. Sen. Miraj Abdillahi, MP
6. Sen. Enoch Wambua, MP
7. Sen. Eddy Oketch, MP
8. Sen. Moses Kajwang, MP
9. Sen. Crystal Asige, MP

N. Trade, Industrialization and Tourism

1. Sen. Esther Okenyuri, MP
2. Sen. Jackson Mandago, MP
3. Sen. John Methu, MP
4. Sen. Karungo Thangwa, MP
5. Sen. George Mbugua, MP
6. Sen. Godfrey Osotsi, MP
7. Sen. Boy Issa Juma, MP
8. Sen. Hamida Kibwana, MP
9. Sen. Okiya Omtatah, MP

Mr. Temporary Speaker, Sir, it has now been two years and a few months since this Fourth Senate commenced. We have taken time to assess the performance of all our committees and individual Senators. There is no better chance than at this time to grant the House the opportunity to evaluate and consider the various competence, regional balance, party diversity and so many things. It is a very difficult job of trying to balance the array of talents that we have in this House. If there is a day that I feel completely stressed and sorry to say so, is a day such as this.

This is because any Senator can serve in any committee and perform as well. However, we must also be cognizant of the fact that we are gifted and abled differently. There are areas where people excel. Other areas where, for one reason or the other, they are valued and to be better placed elsewhere.

Mr. Temporary Speaker, Sir, after consultation with the leadership of the House together with colleague leaders from the other side of the aisle, we came up with this proposal to the House. Therefore, we are urging and seeking that the House do agree and support that we make these changes so that the committees can begin their work in earnest from tomorrow and the days thereafter because this is a busy time. We have the Budget Policy Statement (BPS) that we need to consider and so many other things that this House will be doing.

Mr. Temporary Speaker, Sir, there are only two things that I want to say. We must guard our integrity as a House. As the SBC, we are deeply concerned by certain accusations that continue to be levelled against practices in which we cannot put our hands to. However, we shall be vigilant. We have selected the members of the Powers and Privileges Committee and the SBC where we shall pay keen attention in order to ensure that our committees perform their duty in making sure that this House lives up to the expectations of Kenyans.

The second issue is on attendance to committees. If you know that you do not have time to attend a particular committee, I am extending an olive branch that even after

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we pass this Motion, please go to the Office of the Minority Leader or the Majority Leader and request to be exempted from it.

Mr. Temporary Speaker, Sir, there is no need for people to be listed as having been Members in one, two, or three committees while they know they do not have the time to serve in many other committees. People must appreciate that there is only so much that you can do as an individual.

As the Senate Majority Leader, for example, I know for a fact that given the demands of my office, both within and without the presence of this Parliament, it is not tenable for me to give maximum attention to the works of a committee, much as I wish to serve in some of the committees of this House. For that reason, I have exempted myself from serving in any particular committee.

Secondly, you will find that there are Members who, as a leadership, may have felt that your competence will serve us better in a particular committee. However, if you feel strongly that, indeed, you do not have the time and the opportunity to serve on that particular committee, we will avail the opportunity. I do not mind bringing another Motion. We have done it many times before so that people can serve in committees where they feel they are comfortable.

Therefore, we shall be monitoring. Members, we are aware that by the time we were concluding the last session, most committees were struggling for quorum. If a committee aborts two or three times because of the absence of a quorum, the better thing is to dissolve that committee and allow other members to serve there.

Therefore, this is not a warning; it is not a threat, but it is a fact. As the SBC, we shall be checking on the attendance of committees. There is a reason why registers are kept. There is no need to block spaces for other Senators who want to serve in particular committees while you never have the time to attend that committee.

If, after three or four sessions, we realize you have never shown up to a committee, the simple thing we will do is to bring a Motion to the House and request that you be exempted from that committee and allow other senators who are willing to serve in that particular committee.

Therefore, the point that I am making is that, as SBC alongside the Liaison Committee, we shall be extremely vigilant to ensure that our committees perform optimally and live up to the demands of the Constitution on what the committees of the various Houses should do.

Mr. Temporary Speaker, Sir, because I can see time is moving, I know maybe colleagues may want to say one or two things about this particular issue, I do not know if they would wish that we proceed as was the case in the previous two other Motions. I want to end it at that because I am aware that we still have another Motion on the other committees that you are here to consider, and given that time is far much spent, I do not think I need to say more than that.

With those very many remarks, I beg to move and request the Leader of Minority, Rtd. Justice Stewart Madzayo, to second.

I thank you,

The Temporary Speaker (Sen. Wakili Sigei): Proceed Sen. Stewart Madzayo.

The Senate Minority Leader (Sen. Madzayo): Asante Bw. Spika wa Muda. Ilikuwa ni mtihani mkubwa sana kufikia hapa ambapo tumefikia kwa sababu kuchagua maseneta na kuwaweka katika kamati hizi zilizoko ndani ya Seneti sio kazi rahisi.

Kwa upande wa maseneta walio wachache tumejaribu iwezekanavyo kuona ya kwamba kila tuliyemchagua ni seneta mkakamavu katika kitengo ambacho tumempatia.

Mimi ninaunga mkono na kusema kwamba Maseneta hawa wote ambao wamewekwa katika Taarifa hii ya leo wana ujuzi, taaluma, akili na uwezo wa kutekeleza wajibu wa majukumu ambayo tumewapatia.

Vile tumewachagua hawa Maseneta ambao watakuwa katika kamati hizi sio kazi rahisi. Mara nyingi tunaona kamati nyingi kwa mfano ule wakati ambao umepita hazikuweza kuendelea na mikutano kwa sababu maseneta wengine walikuwa wakikosekana.

Sio kazi rahisi pia kujua maseneta wako na majukumu mengi katika zile nyadhifa wanazotoka katika kaunti zao. Kazi hizo zote wanazozifanya muhimu kwa taifa la Kenya. Hata hivyo, tumekuwa na upungufu wakati mwingine wa kuwa na maseneta wanaokamilika ili kuendesha shughuli za mikutano.

Safari hii na muhula huu tuliyonao, hakika hawa tuliyowachagua kutakuwa na mageuzi fulani na watafanya ambavyo inavyotakikana kuona kwamba kamati hizi zinatenda wajibu wao.

La mwisho, ninawatakia kila la heri nikiunga mkono orodha hii ya hawa wote ambao tumewaweka hapa. Ninawatakia kila la heri katika haya majukumu. Sio majukumu rahisi lakini wananchi wa Kenya popote walipo wanaangalia kuona ya kwamba, je, Seneti safari hii itatekeleza wajibu wake?

Mimi ninaimani na nyinyi nyote Maseneta mliyoko hapa. Kwa upande wa walio wengi na upande wa walio wachache sote tukishirikiana tutaleta sifa yetu ambayo tunajulikana nayo ya kwamba tunaweza kukata kesi na kufanya kazi yake kisawasawa katika kamati zote zilizoko ndani ya Seneti na kuona kuwa haki imetendeka kwa wakenya wote.

Asante. Ninaunga mkono.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, I now propose the Question.

(Question proposed)

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, I am noticing that there are Members who are keen to contribute to this Motion.

*(The Senate Majority Leader consulted
with the Temporary Speaker)*

The Temporary Speaker (Sen. Wakili Sigei): Very well. By consensus, I will put the question. Thank you, hon. Members. Having agreed with the Members, I will proceed to put the question.

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(Question put and agreed to)

(Applause)

Clerk, please, call the next Order.

MOTION

APPROVAL OF SENATORS TO SERVE IN THE COUNTY PUBLIC ACCOUNTS
COMMITTEE; COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS
COMMITTEE AND THE COMMITTEE ON DELEGATED LEGISLATION

The Temporary Speaker (Sen. Wakili Sigei): Senate Majority Leader, proceed to move.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Temporary Speaker, Sir. I beg to move-

THAT, pursuant to Standing Order Nos.193, 194, 195 and 199 the Senate approves the following Senators nominated by the Senate Business Committee to serve in Select Committees of the Senate as follows –

A. County Public Accounts Committee

1. Sen. Samson Cherarkey, MP
2. Sen. Mwenda Gataya Mo Fire, MP
3. Sen. Adan Dullo Fatuma, MP
4. Sen. (Dr.) Lelegwe Ltumbesi, MP
5. Sen. Moses Kajwang', MP;
6. Sen. Johnes Mwaruma, MP
7. Sen. Edwin Sifuna, MP
8. Sen. Okong'o Omogeni, SC, MP
9. Sen. Enoch Wambua, MP

B. County Public Investments & Special Funds Committee

1. Sen. Peris Tobiko, MP
2. Sen. Raphael Chimera, MP
3. Sen. George Mbugua, MP
4. Sen. William Kisang, MP
5. Sen. Godfrey Osotsi, MP
6. Sen. Eddy Oketch, MP
7. Sen. Agnes Kavindu, MP
8. Sen. Beth Syengo, MP
9. Sen. Hamida Kibwana, MP

C. Committee on Delegated Legislation

1. Sen. Mwenda Gataya Mo Fire, MP
2. Sen. Danson Mungatana, MP
3. Sen. Gloria Orwoba, MP
4. Sen. Joyce Korir, MP

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5. Sen. Julius Murgor, MP
6. Sen. Mohamed Mwinyihaji Faki, MP
7. Sen. Betty Montet, MP
8. Sen. Daniel Maanzo, MP
9. Sen. Boy Issa Juma, MP

Mr. Temporary Speaker, Sir, this is a straight forward Motion. These are oversight committees on fiscal matters of various counties that oversee their audit report. The only challenge I want to inform the Members that serve in these committees is that there is a huge backlog of reports that this House needs to consider.

I plead that they guide the House to dedicate certain days of the week to purely consider the various reports that they have considered as a committee, especially the recommendations they will be requesting us to adopt as a House. We want to see more far reaching recommendations on the conduct of our county governments on special funds or sharable revenue.

Any funds that is public money so long as it has not been put in good use, I challenge that this committee guides us on how better we can hold our county governments accountable including sanctions against individuals that continue to perpetuate maleficent of public funds in various institutions.

Therefore, I know that the men and women who have been granted the opportunity to serve in this committee will do an exemplary job and lead this House in fulfilling its mandate.

With those very many remarks, I beg to move and request the Senator for Kilifi and the Senate Minority Leader Sen. Madzayo to second.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Madzayo?

The Senate Minority Leader (Sen. Madzayo): Asante Mstahiki Spika wa Muda. Naanza kwa kuunga mkono wale wote waliochaguliwa hapa katika hizi Kamati zote tatu. Kamati hizi ni nguzo ya Seneti kwasababu ni Kamati ambazo ziko na majukumu ya hali ya juu hususan mambo ya utekelezaji wa pesa na matumizi na pia kuchunguza kama hizo pesa tunazopeleka mashinani zinatumika vyema.

Kwa hivyo, tukiwa tunajidai na hizi Kamati, ni kwamba tuko na imani ya kwamba zitatekeleza wajibu wake. Hao waliochaguliwa hapa wote katika hizi Kamati ni wakakamavu. Niko na imani ya kwamba watatimiza vile inavyotakikana kufanywa hasa matumizi ya pesa katika kaunti.

Asante. Ninaunga mkono.

(Question proposed)

(Question put and agreed to)

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

The Temporary Speaker (Sen. Wakili Sigei): Order, Hon. Senators. We are rearranging the Order Paper, so that we call out Order No.14.

Clerk, call out Order No.14.

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BILLS*Second Reading*THE COUNTY CIVIC EDUCATION BILL
(SENATE BILLS NO.4 OF 2024)

The Temporary Speaker (Sen. Wakili Sigei): Sen. Esther Okenyuri, this your Bill. You may proceed to move.

(Sen. (Dr.) Khalwale consulted with Sen. Okenyuri)

Order, Sen. (Dr.) Khalwale.

Very well. Sen. Essie, you may now proceed.

Sen. Okenyuri: Mr. Temporary Speaker, Sir, I beg to move that the County Civic Education Bill (Senate Bills No. 4 of 2024 be now read a Second Time.

The 2010 Constitution of Kenya ushered in a new era of devolution granting significant powers and resources to our 47 county governments. However, devolution is not just about transferring power from the national Government to counties. It is also about ensuring that every citizen understands their role in this new system of governance.

Unfortunately, many of our people remain unaware of their rights, responsibilities and opportunities available under them under devolution. This knowledge gap undermines the very essence of public participation which is the cornerstone of our democracy.

I rise today with great pride and a deep sense of responsibility to move the County Civic Education Bill for consideration by this august House.

If passed, this Bill will not just be another piece of legislation; it will be a transformative tool that seeks to empower every Kenyan at the grassroots level by equipping them with the knowledge and tools necessary to participate in governance actively. That is why I say an informed citizenry is able to make decisions on their own and live on a daily basis.

The County Civic Education Bill seeks to address this gap by establishing a framework for systematic and continuous civic education at the county level, and therefore, this bill aims to do the following –

One is to promote civic awareness. In this case, the Bill seeks to educate citizens about the rights, responsibilities, and functions of county governments.

Secondly, this Bill also enhances public participation by empowering citizens to actively engage in decision-making processes such as budget formulation, development, planning, and oversight.

Thirdly, the Bill seeks to strengthen devolution. It will do this by fostering a deeper understanding of devolution and governance among citizens, ensuring that they can hold their leaders accountable and benefit from services provided by the county

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governments. Since devolution is still a relatively new concept for many Kenyans, without proper education, its full potential cannot be realised.

Fourthly, the Bill seeks to combat misinformation. We live in an era of widespread misinformation, both on social media and in daily engagements on the ground.

Therefore, by providing citizens with the right civic education, we will provide accurate and reliable information to counter false narratives and promote transparency in governance. This Bill also seeks to promote inclusivity by ensuring that marginalised groups, including women, youth, Persons with Disabilities, and minority communities, are not left behind in civic education programmes.

These groups often face barriers to participation, and this Bill will ensure that their voices are heard. I would also like to mention that I know the Women Representatives have a fund to promote civic education. I would like to welcome them to support this proposal because that is already captured in their funding lines.

An informed citizenry is the foundation of any thriving democracy. When citizens understand their rights and responsibilities, they are better equipped to hold their leaders accountable, demand transparency, and actively contribute to the development of their communities. This Bill is not just about education; it is also about empowerment.

It is about giving every Kenyan, from Turkana to Kwale, from Mombasa to Kisumu, the tools they need to be active participants in our democracy. Therefore, the Bill proposes establishing civic education units in every county, which is not a new phenomenon. The County Government's Act of 2012 provides for this.

Therefore, these units will be tasked with designing and implementing civic education programmes tailored to the unique needs of their communities. These units will work closely with civil society organisations, religious institutions, and community leaders to ensure that civic education reaches every corner of our nation. The use of local languages and culturally appropriate methods will be emphasised to ensure that no one is left behind.

Mr. Temporary Speaker, Sir, “No one is left behind” is one of the Sustainable Development Goals (SDGs) we are approaching in 2030. I hope we will live to the truth and letter of the one phrase: “No one is left behind”.

Additionally, the Bill mandates regular reporting and evaluation to ensure that these programmes are effective and responsive to people's needs. This is not a one-size-fits-all approach. It is a dynamic, inclusive framework that recognises the diversity of our nation.

The passage of this Bill is not just a legislative duty. It is a moral imperative. It is our responsibility as leaders to ensure that every Kenyan is empowered with the knowledge they need to fully participate in our democracy.

I want to urge Members to pass this Bill and take a bold step towards building a more informed, engaged, empowered nation.

Some may argue that civic education is already being conducted by various organisations nationally and that this bill is a duplication or unnecessary. However, the current efforts are always fragmented, unfunded, and inconsistent. We need civic

education to be spearheaded by county governments, and we actualised Part 10 of the County Governments Act.

This Bill provides a structured and sustainable approach, ensuring that civic education is not just an afterthought but a priority for every county government. On this note, it is not just for county governments. I have argued on several occasions that we need to have a culture of patriotism, a culture of being informed right from the way we march to school.

So, this has to be incorporated into the education curriculum so that we are raising young boys and girls who are aware of their responsibilities and contributions to our country. Others may actually question the cost of implementing this Bill. However, let us ask ourselves, what is the cost of an informed citizenry? You saw the opportunity we missed to inform Kenyans about the Finance Bill. You saw the aftermath.

We would rather invest in having people informed than suffer the cost of this country being burned to ashes. What is the cost of poor governance, mismanagement of resources, and lack of accountability? Now and then, we handle different audit reports submitted on spending from different county governments. We call county chiefs here to interrogate, but that is not enough.

If we were electing people who could take responsibility for their actions, the Senate would listen to very few such cases. Therefore, the investment we are making in civic education today will yield dividends for generations to come. This is important, and I remember the first time I brought this as a Statement to this House. There was tremendous support, and most Senators actually argued that I came up with a legislative proposal.

This is the moment I went down and put the pieces together and came up with this proposal. So, it is in the same spirit that I hope Senators in this House will prioritise and give total support to this because it is going to cure so many ills we have in the different county governments and bring up responsible citizens.

Mr. Temporary Speaker, Sir, with this, I want to thank you and beg to Move.

I will request the Senator for Kakamega, the bullfighter, to second.

The Temporary Speaker (Sen. Wakili Sigei): Sen. (Dr.) Khalwale, proceed.

Sen. (Dr.) Khalwale: Thank you, Mr. Temporary Speaker, Sir. I rise to Second this important Bill, as moved by Sen. Okenyuri.

A Bill whose purpose is to establish a legal framework for the promotion of civic education in Kenya and make it an essential tool for building responsible citizenship is a Bill whose time is now.

Members of the public would like to be consulted by their representatives when those representatives make decisions on their behalf. However, they do not want to take the responsibility of being prepared, so that when they meet their representatives, they can articulate issues within the framework of law-making.

What do I mean? If yesterday or today, you go to a place like Kakamega County Assembly, I am not sure it has made a decision that all public land held in Kakamega will move to leasehold. Essentially, therefore saying that people must pay rates.

This was done without public participation. Why would people of Mukhulunya want to move from freehold to leasehold on ancestral property so as to attract payment of land rates?

Why would the people of Maiyakhalo, Butso from Shieywe Ward, ever support this kind of thing? Had there been this wisdom as moved by Sen. Okenyuri where there is civic education, then the citizens of Kakamega County would not only have been given an opportunity, but would take responsibility by telling those Members of County Assembly (MCAs), “do not dare.”

How do you ask people to pay rates? You are a lawyer on freehold land just by the dint of governor Baraza signing that this land from today henceforth moves from freehold to leasehold. We need to be consulted.

If the Governor of Kakamega does not know, my roots are in Mukhulunya, where our ancestral land belonged to Mzee Liuba Khalwale, the father of Ingosi Liuba, Bukhala Liuba, and Shiamia Liuba. Governor Baraza wants the children who are my cousins to now start paying for this. We will not accept.

What a timely moment. I want to appeal to the people of Kakamega to take it easy. We are around and that misadventure will not take place.

As I support this Bill, I look at the provisions in Clause 5. Clause 5 is making civic education mandatory. It states that public officials, including elected and appointed officials at national and county levels, shall undergo a mandatory civic education and training on their roles, responsibilities, and obligations as public servants.

What a great provision! If you go to Bomet social hall, the great people of Chepalungu have been lifted to come and be part of public participation. Lunch is served and return ticket assured. Then, before the good people are given an opportunity, they are told to sign forms for allowances. A few political statements are made by the governor here and there then the people are told to go away.

Little do they know that they are being invited for two critical things for whose civic education they have no idea. The first one was that they wanted to recover their signature so that it can be used for corruptly justifying an expenditure from the county government. It is happening in Bomet, Kakamega counties and everywhere else.

I am glad that the former governor of Uasin Gishu County is here. When I was chairman of the Public Accounts Committee (PAC), I never saw that kind of audit query against this guy; this Senator, that you are heaping people and stealing money and getting their signature. I never saw it.

The Temporary Speaker (Sen. Wakili Sigei): Sen. (Dr.) Khalwale, did you just refer to the Hon. Sen. Mandago as this guy?

Sen. (Dr.) Khalwale: I said, this great guy. You know, when you say great guy--

The Temporary Speaker (Sen. Wakili Sigei): Kindly use parliamentary language. Notwithstanding the fact that the hon. Senator has not raised a concern does not mean the Chair did not hear.

Sen. (Dr.) Khalwale: I thank you. I know it is debatable, but since the Senator is not shooting on a point of order, he probably loves being called a great guy. He is an

admirer of Donald Trump. Donald Trump would call you, a great guy, meaning that you are really impressive.

Mr. Temporary Speaker, Sir, this is the route we are walking. I go to the countryside and see people in yellow buses being taken to the county headquarters. When you ask, who are these people? They tell you they are being dropped for public participation at the headquarters. It is being done at Isolio grounds in Shinyalu, Lumakanda grounds in Lugari, or Nangili in Likuyani constituency.

When the people go there, the guy coming to invite them for public participation, is himself one of the busybodies around the governor. You hear what they are saying and you cannot believe it. At the very worst in some of the cases, you will find that people have been brought in from Ainabkoi, Kericho County to come and do public participation or the county government has gone to Ainabkoi.

When they go there, the people who make contributions are the people from the governor's office. These ones who are just supposed to do a make-believe. I really support this provision.

The provision in Clause 8 on the functions of the unit, which are tabulated here, are truly innovative. I support it because they form the basis for realizing the reason why many Bills in this House, and in the National Assembly, have been challenged in court once they have been tried in law because the reason has always been there was no public participation.

Mr. Temporary Speaker, Sir, this provision in Clause 8 is the backbone to public participation in law-making which takes me to Clause 9. Clause 9, is the question of funding of civic education. It provides that a county government shall ensure that part of the county government's annual budget is allocated towards funding of civic education activities in the county.

This is critical because it is going to stop the millions of shillings that would otherwise go to development in counties that is lost through public participation which is currently in vogue.

I, therefore, hope that as we pass this into law, the regulations that will accompany this new Act will dissect it further so that we provide for this kind of activity this much in quantum terms should be spent and so on and so forth.

Having said that, I cannot end without speaking to; the issue of corruption. The corruption that I have in mind is that in the absence of this provision, as I have said earlier on, there is a lot of wastage where public funds are corruptly assumed to have been given to people who participated in civic education seminars and so on when actually it is not the case.

We are on the homestretch of the 13th Parliament, and this Senate, must keenly listen to what the accountability institutions are saying.

Mr. Temporary Speaker, Sir, it is only recent that the Ethics and Anti-Corruption Commission (EACC) reported that the rate of corruption is so high in the counties that up to Kshs16 billion was lost to ghost workers. The report goes further to shame those counties where the rate is highest at 100 per cent. In the list of shame with 100 per cent rate of corruption are the following counties. Leading in the list of shame is Nyamira,

followed by Baringo, Kakamega, Siaya, Bungoma, Turkana, West Pokot, Samburu, Nandi and Kisumu.

I do not know what happened in my community. This is not a tribal statement. We all belong to some communities. I do not know where Masinde Muliro is and whether sometimes his bones turn in the grave or he wakes up and weeps. I do not know whether Martin Shikuku, Michael Kijana Wamalwa and George Kapten Welime turn because of this kind of rubbish. In this short list of shame, our two major counties, the biggest being Kakamega followed by the second biggest which is Bungoma, have made to the list of counties with 100 per cent rate of corruption.

I am appealing to our governors. This is not an insult. Go and think about this vanity. Where do you want to go with Kshs1 billion public funds? If you are a youthful professional, did you know that if I give you public funds worth Kshs1 billion as out of pocket, you cannot spend it? What will you spend it on? You have nothing to spend on Kshs1 billion.

I tell you because I know these things. One of the best houses you can get in Karen or Runda is perhaps Kshs100 million. If you have that money, you can get a very good home. You will still have Kshs900 million.

Since you people practice family planning, you have two children. You need a maximum of Kshs4million shillings for a child to complete education in a university in the United Kingdom (UK). Therefore, with Kshs4 million, you will have educated your family up to university level. You will still have not scratched the Kshs1 billion.

Mr. Temporary Speaker, Sir, I hope I am not going out of order. When I see the Speaker referring to the Standing Orders, I get scared.

The Temporary Speaker (Sen. Wakili Sigei): I wanted to direct you to align your support to the relevance of the Bill, which you are doing very well. However, stick the relevance on public participation aspect of the Bill which you are speaking to.

Sen. (Dr.) Khalwale: Mr. Temporary Speaker, Sir, we are dissecting this vanity of people wanting to die millionaires or billionaires. If you ask the young clerk at the desk here called Daniel and give him a state-of-the-art car, he will want to buy it at Kshs50 million. That is a new model of Range Rover Rogue. With Kshs50 million, he will have gotten the best car in the world. You have not finished even Kshs200 million. So, what is this vanity?

Why can they not be like the distinguished Senator, now the former Governor of Uasin Gishu? He lives a happy life. We have others who are even haunted out of office because of the money they stole when they were governors.

I still see them being escorted by six or seven convoys because they are scared about the money they stole from people. For Sen. Mandago, the only thing he does not do is to take a beer. If he was taking a beer in the evening, he would be relaxed, calm, and a very contented person.

Mr. Temporary Speaker, Sir, with those many remarks, I second this Bill as moved. I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. (Dr.) Khalwale. That Bill having been seconded, I notice there are a number of Members who are willing to speak to the Bill. Before I allow them to comment, I will propose the question.

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(Question proposed)

I will start with the Senator for Mombasa, Sen. Mwenyehaji Mohammed Faki.

Sen. Faki: Asante, Bw. Spika wa Muda kwa kunipa fursa hii kuchangia Mswada wa elimu ya uraia ulioletwa katika Bunge na Seneta Okenyuri. Ninampongeza Sen. Okenyuri kwa Mswada huu kwa sababu ni Mswada ambao una mambo mengi mazuri ambayo yatasaidia nchi yetu kuelimisha raia kuhusiana na haki zao, mambo ya kiserikali na majukumu ya viongozi wanaochagua kila baada ya miaka mitano.

Katiba mpya ilipokuja mwaka 2010, ilikua ni matarajio ya wengi kua serikali itaanzisha elimu ya uraia, hususan kuelimisha wananchi juu ya haki zao kikatiba na pia yale mambo mengi mapya yaliyokua katika katiba hii yetu. Lakini, ni masikitiko kwamba, haikufanya hivyo. Hii imefanywa kusudi ili kuendelea kuwapoteza raia kuhusiana na haki zao ambazo wako nazo.

Bw. Spika wa Muda, kwa mfano, mambo mengi ya elimu ya uraia, yalikuwa yanadhaminiwa na mashirika ya kibinafsi na yasiyokua ya serikali, yaani *the civil society*. Ijapokua Katiba ilipopitishwa ilikua ni matarajio ya wengi kuwa, wananchi wataelemishwa juu ya katiba hii na yale mambo na zile sheria mpya zimekuja hio haikutendeka.

Kwa mfano, tuna ugatuzi, lakini hatujajua haki zetu kikamilifu kama raia juu ya maswala ya ugatuzi. Kwa mfano, kuna serikali ya kaunti na kuna bunge la kaunti. Lakini, mara nyingi utapata wale wa bunge la kaunti, kama hapa bunge la kitaifa, wanajiona ni pamoja na serikali ya kaunti ile. Wakati majukumu ya serikali na majukumu ya bunge, yamewekwa mbali na bayana kabisa.

Kwa mfano, majukumu ya bunge ni kutunga sheria, uangalizi yaani *oversight* na uwakilishi wa watu. Lakini, utapata katika kaunti nyingi, wabunge wa bunge la kaunti wako mstari wa mbele kuunga mkono yale mambo yanafanywa na zile serikali za kaunti ambayo ni kinyume na sheria.

Utapata mbunge wa bunge la kaunti ameongoza watu kwenda kutoa maoni katika vile vikao vya elimu ama vikao vya uhusishaji raia au *public participation*, kuunga mkono swala ambalo yeye mwenyewe akilini mwake hajaliwa. Utapata vikao vingi vya uhusishaji umma vinafanywa bila kuandaa kikamilifu wananchi wa sehemu zile.

Kwa mfano, iwapo mkutano utafanyika leo kule Mombasa, jana jioni ndiyo walituma ajenda ambayo itajadiliwa katika mkutano ule. Hiyo inafanya raia kukosa mchango wowote wa kutoa wakati mambo hayo yanayojadiliwa na mara nyingi wakiulizwa huwa wanasema tumepitisha ama tumekubali na mambo yanakwisha.

Mswada huu utatoa mfumo utakao wawezesha wananchi kusoma katiba yao mara kwa mara. Vile vile utawapa wananchi nafasi kujua haki zao katika serikali za kaunti na pia Serikali za Kitaifa.

Pia, Mswada huu una lengo la kuwezesha kubadilisha mfumo wetu wa kisiasa. Wananchi wakuwa wanajua ni sababu gani tunachagua viongozi na ni yapi majukumu ya viongozi wale.

Mswada huu pia utasaidia raia kujua haki zao kikamilifu. Katiba yetu ina haki karibu hamsini na moja. Ukiangalia kutoka kifungu cha kumi na tisa hadi kifungu cha

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hamsini na moja. Hizo zote ni haki ambazo wananchi wanatakikana wazijue na kuzifuatilia.

Kwa sasa wengi watakuambia kuwa haki waliyonayo ni haki ya kuishi, Haki ya Elimu na Haki ya Kujieleza (*Freedom of Expression*). Zile zingine zote arobaini na nane wananchi hawazijui.

Kwa mfano, sasa hivi kuna vyakula vingi ambavyo vinauziwa wananchi wetu lakini hawajui vipi wataweza kujitetea haki zao iwapo vitu walivyovinunua vina madhara kwa binadamu.

Vile vile, Mswada huu utasaidia wananchi kutaka huduma nzuri zaidi kutoka kwa viongozi. Hii ni kwa sababu, ukishajua haki yako, utaweza kujua ni njia gani ambayo utatumia kufuatilia haki zile ili ziweze kutekelezwa.

Sheria hii pia itawapa majukumu serikali za kaunti na pia serikali ya kitaifa kufanya mikakati ya kuelimisha raia. Kwa sasa, hakuna mikakati yoyote ambayo serikali imeweka kuelimisha raia kuhusu mambo ambayo yanatendeka serikalini na vile vile katika nchi kwa jumla.

Jukumu hili pia litatokea kwa kila kiongozi ambaye atachaguliwa awe ni wa kitaifa au wa serikali gatuji. Atakuwa na jukumu la kufanya kuhusu elimu ya uraia kuhusiana na majukumu yao na mambo mengine inayohusu wafanyikazi wa serikali.

Hayo yamo katika Kifungu cha tano ambacho ni muhimu sana. Hivi sasa wengi, na pia hata sisi Wabunge na Maseneta, hatujui majukumu yao.

Utapata gavana anakwenda katika hafla akiandamana na wabunge wote wa Bunge la kaunti. Na unapoangalia mambo ambayo wamekwenda kufanya pale, hayahusiani kabisa na majukumu yao. Vile vile wabunge wa kaunti wanashindwa kuuliza gavana maswali kuhusiana ya kazi ambayo wanatakikana wafanyiwe na serikali gatuji.

Mswada huu utatoa fursa nzuri ya kuelimisha viongozi wanapochaguliwa ili wasifuje mali ya uma kama inavyoendelea kwa sasa katika inchi yetu. Vile vile, hii itawapa nafasi nzuri ya kuwapima viongozi iwapo wanafanya kazi yao sawasawa ama hawafanyi kazi vilivyo.

Vikundi vile ambavyo vitafanya majukumu yao vimezungumziwa katika Kifungu cha saba na kile cha nane. Kifungu cha tisa kinasema kwamba-

“Ni jukumu la serikali ya kaunti kutenga kiwango fulani cha bajeti yake kila mwaka ili kufanikisha elimu ya uraia”

Mhe. Spika wa Muda, jukumu hili lazima liwekwe kwa bajeti ya Serikali Kuu. Nimeambwa jana kwamba bajeti ya mwaka ujao itakuwa takriban shilingi trillion nne nukta mbili. Lazima kuwe na kiwango kitakachotengwa kutokana na bajeti hiyo ili kuhakikisha kuwa wananchi wanapata elimu ya uraia kuhusu majukumu yao na haki zao katika serikali yetu ya Kenya.

Pia tumeona kwamba serikali kuu itakuwa na nafasi ya kutoa *conditional grants* kwa serikali za kaunti ili ziweze kukuza vipaji na kuwa na uwezo wa kufanya elimu ya uraia. Pia kuna kuandikishwa kwa wale watakaotoa elimu ili isiwe inatolewa bila mpango wowote. Kwa hakika Mswada huu utasaidia pakubwa kujenga ugatuji na elimu katika nchi yetu.

Mhe. Naibu Spika, nimeona pia kutakuwa na nafasi ya Waziri kutengeneza searia andamizi ili kuhakikisha haya yaliyozungumzwa katika Mswada huu yanatekelezwa

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kikamilifu. Naunga mkono Mswada huu kwa sababu utakuwa wa manufaa makubwa. Utasababisha wananchi waelewe zaidi Katiba yetu na sheria zinazotungwa. Hii itawasidia wakati watakapohusishwa katika utunzi wa sheria ama mjadala wa bajeti ama mjadala wowote mwengine kutokana na ile elimu watakayokuwa wamepata. Itawawezesha kuchangia kwa mswada ama mambo yanayowakabili katika maisha yao.

Mhe. Spika wa Muda, naunga mkono Mswada huu. Asante kwa kunipa fursa hii.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Faki.

Sen. Omar Sheikh Mariam, proceed.

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity. First, I appreciate the Senator. I support the County Civil Education Bill (Senate Bills No.4 of 2024) introduced by Sen. Essie. Civil education is the fundamental aspect of fostering an informed and engaged citizens. It helps the society understand their rights and fundamental responsibilities. This Bill will help citizens participate in governance and know their fundamental rights.

Part II, Section 4 (1) of the Bill states that-

“The National and the county governments shall promote civil education by-

(a) Collaborating to determine the content of the curriculum for civil education taking into account the provision of the Article 33 of the Constitution;

(b) Facilitating the establishment of channels and forums for civil education;

(c) Mainstreaming civic education programmes in the governments’ activities and programmes;

(d) Ensuring that a percentage of the budget of the National and county governments and other entities is set aside for civic education programmes.

(e) Creating and developing sustainable innovative approaches towards civic education programmes; and,

(f) Promoting linkages between universities and research institutions and members of the public for continuous civic education.

When we educate our civil citizens on the budget making process, they will know their rights. Currently, we cannot explain what is happening in the counties. Most projects are abandoned or stalled because of poor public participation. We are not engaging the correct people to implement the projects.

Mr. Temporary Speaker, Sir, if we pass this Bill, we educate our citizens and voters on their rights in the budget-making process, the right to their projects, and implementations, and the right to oversight. Oversight is not only for Senators to do it, it is for the citizens also to do it. When we pass the county budget from here, the citizens, are also to account.

Transparency and accountability also depend on the citizens. In 47 counties, we are a mess because our citizens are, our voters, and our citizens are not educated well. When it comes to this budget issue, the county normally calls individual people to tell them to pass the budget.

However, in 90 per cent of the county people, citizens are not involved, those educated ones. So for formality, they are doing it because there is no civic education on the participants, on the participation of the governors and accountabilities of this.

Section 3, Part 3, the county civil education units, establishing the county civil education units is needed. If we make these civil education units, these function units should develop and comprehensive civil education plan for the counties in collaboration with relevant stakeholders. Outlining the goal and the objectives of the strategy and the activities of promoting civic education and civic engagement by the citizens.

This civic education in the county sites also monitor and evaluate the process and the impact of the civic education programme in the county unit and provide a regular report on the County Executive Committee Members (CECMs) and the county assembly.

Section 9 also includes the funding of civil education. When we are saying we constitute these civil units, who is supposed to fund it, is the question.

That is why in Section 9, Part 1, there is a county government shall, which is a must, ensure that part of the county government's annual budget is allocated toward the funding of the civic activities in the county. This provision has to be ring-fenced because if you said the county government's annual budget to be allocated to civil education activities, it means that it is open and the county government can engage any person to do the civic education. In that scenario, there is part three of county executive provider.

So, it means that if we have allocated the money, we are also supposed to highlight and identify those people who do civic education. In that scenario, Section 11 of Part 3, that is a unit should be responsible for the registration of the Non-governmental Organisations and other non-state actors providing civil education in the county as a civil education provided under this article.

When it comes to Section 2 also the registration as a county civil provider, there are restrictions for these providers in the Bill. It is not open, it is not a blanket approval for each one, and yet any person can train. In that one, there is a restriction on the proposal registration office, place of incorporation and registration. In detail, the description of the civil education programme offered. They must have the prescribed programme for this civic education.

In Section 3, in Part 3 also, this is consideration of the applications of registration. A requirement document must be created while conducting due diligence on the applicant. With these registrations and upcoming units, there must also be deregistration. As registration is ongoing, some cartels that normally do the required work may exist; these units must be deregistered.

Civil education is important, and this framework for the promotion of civil education in Kenya is an essential tool for building responsible citizens, civil engagement and democratic values among the citizens.

If we pass this Bill, our youth will know their rights. They will do the oversight themselves. They will hold each leader accountable, especially the county leaders, because we are wiring a lot of money to the counties. Leaders in counties are misusing the money by not engaging with the citizens.

As I earlier said, there are stalled projects in counties. During transitions, most county governments abandon projects started by the previous county government. Nonetheless, they proceed to start other projects spearheaded by the new governor.

This is because of not engaging the citizens. If we create a responsible citizenry who knows their fundamental rights in governance and accountability, we will be among the developed countries.

With all those remarks, I support the Bill.

The Temporary Speaker (Sen. Wakili Sigei): Hon. Members, since no other Member is seeking to contribute to this Bill, I will call upon—sorry, Sen. Murgor, I cannot see your name in the dashboard. Nonetheless, proceed to make your contribution.

Sen. Murgor: Mr. Temporary Speaker, Sir, my light is on. I do know why it does not show on your side. Thank you for allowing me to contribute to this essential Bill regarding county education. I thank Sen. Okenyuri for this important Bill for the counties.

This Bill, as far as my understanding is concerned, seeks to equip the citizens in counties and villages with information to empower them so that they have information about their rights and whatever belongs to them. To know what is theirs, and therefore, they are the ones that have a right over it, and nobody else can.

The Temporary Speaker (Sen. Wakili Sigei): Senator Murgor, when the House resumes, you will have 19 minutes to continue with your submissions on the Bill.

ADJOURNMENT

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, it is now 6.30 p.m., time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Thursday, 13th February, 2025, at 2.30 p.m.

The Senate rose at 6.30 p.m.