

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 5th March, 2025

Afternoon Sitting

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

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Serjeant-At-Arms, kindly ring the Quorum Bell for ten minutes.

(The Quorum Bell was rung)

Hon. Senators, we now have quorum, so we will proceed with the afternoon business. Clerk, kindly call the first Order.

PETITION

COMPENSATION TO MR. OTIENO FOR SUGAR CANE CROP DAMAGED BY THE DEPARTMENT OF PUBLIC WORKS, ROADS, ENERGY AND TRANSPORT

The Speaker (Hon. Kingi): Hon. Senators, pursuant to Standing Order No. (232) 1(b), I hereby present a Petition that has been submitted through the Clerk of the Senate by Mr. Francis Otieno, a resident of Pap Oriang Sub Location, Siaya County, concerning compensation for sugar cane crop damaged by the Department of Public Works, Roads, Energy and Transport.

As you are aware, under Article 119 (1) of the Constitution of Kenya, 210-
“Every person has a right to petition Parliament to consider any matter within its authority including to enact, amend or review any legislation.”

The salient issues raised in the said Petition are as follows-

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(1) The Petitioner is a farmer a lessee of the land identified as Siaya/Pap Oriang/428 where he cultivates sugarcane.

(2) That in June, 2021 a contractor under County's department of Public Works altered the road connecting Bar Osimbo, Pap Oriang and Kochieng on the Petitioner's land and damaging his sugarcane crop.

(3) That on the 29th of July 2029, the office of the Chief Officer of the Affirmation Department acknowledged receipt of the petitioner's complaint regarding the matter. However, no response was obtained from the office regarding the matter. But the petitioner sought assistance from the Commission on Administrative Justice, which sent five letters to the County Executive Committee Member, however, received no response.

(4) That on the 6th of October 2021, the petitioner resorted to enter into a compensation agreement with the contractor, anticipating that the County Government of Siaya would compensate him for the damages incurred.

(5) That following the general elections in August 2022, there was a change in the office holder of the CECM office, who was appraised of the matter by the Commission on Administrative Justice.

(6) That on the 4th of May 2023, a hearing was conducted by CAJ with representation from both the county government and the deputy county attorney. During this hearing, the substantive CECM committed to resolving the matter by developing and sharing a payment plan with the petitioner.

(7) That on the 4th of August 2023, the deputy county attorney wrote to the CAJ requesting a review of the previous decision made on the matter, citing new information indicating that the county government had not contracted anyone for the roadworks. But the petitioner was apprised of this new development by CAJ and asked to provide his comments.

(8) That in his response, the petitioner argued that the construction would not have proceeded without any consent from the county, and that the county should have halted the works upon discovering the improper procurement processes.

Further, an internal memo from December 2022 indicated prior consultation between the chief officer and the county attorney. Therefore, meaning that county government could not avert taking responsibility for the damage to his crops.

(9) That in the recommendation made by CAJ, the county government of Siaya was directed to conduct an investigation into the matter and provide a report within 60 days outlining timelines towards addressing the complaint in case the county government is found responsible. And that the petition is not pending before any court, constitutional or legal body.

The petitioner, therefore, prays that the Senate investigates the matter with a view to recommending compensation to the petitioner and recommends the diversion of the illegal road created through the portions of land parcel Siaya/Pap Oriang/428 to a position recognized by the survey of Kenya map of that area.

Hon. Senators, pursuant to Standing Order No.238(1), I commit the petition to the Standing Committee on Roads, Transport and Housing for its consideration. And in terms of Standing Order No.238(2)(a), the committee is required in no more than 60 calendar days from the time of reading the prayer, which is today, to table its report to the Senate

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for consideration. The Senate shall, thereafter, consider and adopt the report of the committee.

*(The Petition was committed to the Committee
on Roads, Transport and Housing)*

I thank you.
Next Order.

PAPERS LAID

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

The Speaker (Hon. Kingi): Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I beg to lay the following papers on the Table of the Senate, today, Wednesday the 5th March, 2025 -

Report of the Auditor-General on Financial Statements of the County Executive of Murang'a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of the County Assembly of Murang'a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of the County Revenue Fund - County government of Murang'a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of the Receiver of Revenue - County government of Murang'a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang'a County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang'a County Emergency Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang'a County Education Scholarship Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang'a County Small Traders Empowerment Programme Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang'a County Agricultural Farm Inputs Subsidy and Incentive Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Fort Beverage Industries Company Limited – County Government of Murang'a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Municipality of Murang'a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kenneth Matiba Eye and Dental Level 4 Hospital – County Government of Murang'a for the year ended 30th June, 2024.

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Report of the Auditor-General on Financial Statements of Muriranjas Level 4 Hospital – County government of Murang’a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kangema Level 4 Hospital – County government of Murang’a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kirwara Level 4 Hospital – County government of Murang’a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kigumo Level 4 Hospital – County government of Murang’a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kandara Level 4 Hospital – County government of Murang’a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Maragua Sub-County Level 4 Hospital – County government of Murang’a for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang’a Water and Sanitation Company for the year ended 30th June, 2024.

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

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

Report of the Auditor-General on Financial Statements of Murang’a West Water and Sanitation Company Limited for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Murang’a South Water and Sanitation Company Limited for the year ended 30th June, 2024.

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

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

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

Report of the Auditor-General on Financial Statements of the County Revenue Fund - County government of Vihiga for the year ended 30th June, 2024.

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

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

Report of the Auditor-General on Financial Statements of Vihiga County Assembly Members and Staff Mortgage and Car Loans Scheme Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Vihiga County Education Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Vihiga County Trade and Enterprise Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Vihiga County Facility Improvement Fund for the year ended 30th June, 2024.

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Report of the Auditor-General on Financial Statements of Vihiga County Sports Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Climate Change Fund – County government of Vihiga for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements Vihiga County Referral Hospital – County government of Vihiga for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements Amatsi Water Services Company Limited – County government of Vihiga for the year ended 30th June, 2024.

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

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

Report of the Auditor-General on Financial Statements of the County Revenue Fund - County government of Bomet for the year ended 30th June, 2024.

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

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

Report of the Auditor-General on Financial Statements of Bomet County (Staff and Public Officers) Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2024.

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

Report of the Auditor-General on Financial Statements of Bomet County Education Revolving Fund for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of County Climate Change Fund – County government of Bomet for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Bomet Municipality – County government of Bomet for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Longisa County Referral Level 4 Hospital – County government of Bomet for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Ndanai Sub-County Hospital – County government of Bomet for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Sigor Sub-County Hospital – County government of Bomet for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Kapkoros Sub-County Level 3A Hospital – County government of Bomet for the year ended 30th June, 2024.

Report of the Auditor-General on Financial Statements of Cheptalal Sub-County Level 3B Hospital – County government of Bomet for the year ended 30th June, 2024.

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

Mr. Speaker, Sir, I beg to lay.

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(Sen. Cheruiyot laid the documents on the Table)

The Speaker (Hon. Kingi): Next Order.

QUESTIONS AND STATEMENTS

STATEMENTS

The Speaker (Hon. Kingi): Statement pursuant to Standing Order No.53(1).
Senator for Marsabit County, the Hon. Mohamed Chute.

STATUS OF CONSTRUCTION OF BOREHOLES IN SAGANTE, LAKABARICHA AND KITURUNI IN MARSABIT COUNTY

Sen. Chute: Thank you, Mr. Speaker, Sir. This is a request for a Statement on the status of construction of boreholes in Sagante, Lakabaricha, and Kituruni in Marsabit County.

I rise pursuant to Standing Order number 53(1), to seek a statement from the Standing Committee on Land, Environment and Natural Resources regarding the status of construction of boreholes in Sagante, Lakabaricha and Kituruni areas undertaken by the County government of Marsabit.

In the Statement, the Committee should-

(1) Provide an update on the implementation status of the borehole projects in Sagante, Lakabaricha and Kituruni, indicating whether they have been completed or still under construction.

(2) Confirm whether the boreholes are fully functional and operational and state reasons for any delays noted, providing the expected timelines for completion.

(3) Disclose the details of contractors awarded the tender for the said boreholes, including information on the tendering process and the criteria used in selecting those contractors.

(4) State the total cost of each borehole project and clarify how much has been paid so far, indicating whether full payment has been made.

Thank you very much.

The Speaker (Hon. Kingi): Senator for Taita-Taveta County, Sen. Mwaruma.

Sen. Mwaruma: Thank you, Mr. Speaker, Sir, for this opportunity to request for two statements.

I would like to read them concurrently. The first one is a statement on statutory deductions in Taita-Taveta County.

STATUTORY DEDUCTIONS FOR
EMPLOYEES IN TAITA TAVETA COUNTY

I rise pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on Labour and Social Welfare regarding the status of statutory deductions for employees of Taita-Taveta County.

In the Statement, the Committee should-

(1) Provide an update on remittance by the county government of Taita-Taveta of statutory deductions from its employees and indicate any entities that have not yet received such deductions.

(2) Present a report on the status of statutory deductions from health workers payments by the county government. Particularly following the return to work following the return-to-work agreement signed between the health workers' union and the county government.

(3) Inform the Senate of the measures the county government has put in place to clear all the pending statutory deductions from its employees as well as a road map to prevent future backlogs of unremitted statutory deductions.

UTILISATION OF THE NG-CDF ALLOCATION
FOR TAITA-TAVETA COUNTY

Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Finance and Budget regarding the utilization of the National Government Constituency Development Fund (NG-CDF) allocation for constituencies in Taita Taveta County.

In the Statement, the Committee should-

(1) Provide a breakdown of the annual NG-CDF for Voi, Mwatate, Wundanyi and Taveta constituencies from the 2017/2018 financial year to the 2024/2025 financial year.

(2) Table a list of-

a) all projects in the four constituencies that were funded by the NG-CDF allocations for the specified financial years indicating the commencement and completion dates for each of the projects and the respective project cost;

b) companies that submitted bids for each project undertaken during the period in question specifying those that won the tender; and,

c) companies that were awarded tenders under the Access to Government Procurement Opportunities (AGPO) programme.

I thank you.

The Speaker (Hon. Kingi): Can we hear from the Senator for Nandi County, Sen. Cherarkey? Is there a Senator holding brief for him?

Senator for Nairobi City County, are you holding brief for the Senator for Nandi County? If so, you may proceed. He has three Statements.

UNSETTLED ELECTRICITY BILLS OWED TO
KENYA POWER BY COUNTY GOVERNMENTS

Sen. Sifuna: Mr. Speaker, Sir, I hold brief for the Senator for Nandi County. I hope that I will not be denied an opportunity to speak to the Statements because I have read them.

This is a request for Statement by Sen. Cherarkey. Pursuant to Standing Order No. 53(1), I rise to seek a Statement from the Standing Committee on Energy on the pending power bills owed by counties to Kenya Power Limited.

In the Statement, the Committee should-

(1) Provide a list of all counties that have unsettled power bills to Kenya Power indicating the amounts per county and the period the bills have been accrued.

(2) State the role of Intergovernmental Relations Technical Committee on harmonizing and assisting counties to settle power bills and other pending bills owed by counties to other entities.

(3) Explain the reason that led to the recent confrontation and clash between Nairobi City County Government and Kenya Power company providing details on the status of resolution on the stalemate and a clear way forward to avoid such altercations and interference of service delivery to the public in future.

(4) Appraise the Senate on the Kshs19.2 billion written off bad debts by Kenya Power and whether there are counties whose bills were written off further giving details on the additional revenues that Kenya Power earns from hosting cables on their poles yet the entity is reporting losses due to poor revenue collection.

ALTERNATIVE REVENUE STREAMS
FOR KENYA POWER

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Energy regarding the alternative revenue streams for the Kenya Power company.

In the Statement, the Committee should-

(1) Provide an annual breakdown of the revenue earned by the Kenya Power company from hosting optic fibre cables on their electricity poles from the financial years 2021/2022 to date.

(2) Disclose all other alternative revenue streams that Kenya Power is currently exploring to diversify its income.

(3) Explain strategies being implemented by Kenya Power to address the persistent issue of poor revenue collection.

EMERGENCY RESPONSE PREPAREDNESS AND
DISASTER MANAGEMENT IN NANDI COUNTY

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on National Security, Defense and Foreign Relations regarding the state of emergency response preparedness and disaster management in Nandi County.

In the Statement, the Committee should-

- (1) Provide an overview of the Nandi County risk management policy.
- (2) State the number of staff currently working in the Nandi County Emergency Response Unit providing details on the nature and frequency of capacity building programmes and refresher training undertaken to enhance their effectiveness in responding to emergencies and disasters.
- (3) Provide details on the operational state of all ambulances and firefighting agencies in Nandi County explaining the many reported instances of ambulance breakdown during emergency response.
- (4) Explain why the county government of Nandi has not established emergency response centres outside Kapsabet town thereby subjecting residents in those areas without the centres to significant losses occasioned by delayed response.
- (5) Indicate the level of utilization of the Nandi County Emergency Fund explaining why the Fund was not utilized to compensate traders affected by the fire incident at Kaptumo and Chepterit trading centres.

I thank you.

The Speaker (Hon. Kingi): Can we hear from the Senator for Kirinyaga County, Sen. (Dr.) Murango? He has two Statements.

STATUS OF PURCHASE OF WHEAT FROM
KENYAN FARMERS

Sen. Nyutu: Mr. Speaker, Sir, I am standing in for the Senator for Kirinyaga County, Sen. (Dr.) Murango. I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the status of purchase of wheat from Kenyan farmers.

In the Statement, the Committee should-

- (1) Provide a list of all licensed wheat millers in the country.
- (2) Table the memorandum of understanding between the cereal growers association and the Ministry of Agriculture, Livestock Development regarding the purchase of local wheat by millers and the price per bag for the year 2024.
- (3) Table a report of quantities of wheat purchased from the local farmers as well as quantities imported by each miller explaining why the millers did not fully absorb locally produced wheat before purchasing the quotas allocated for duty free import.
- (4) State whether the wheat imported above the quotas attracted duty and if not, state how much in cash equivalent the Government forfeited on duty in the year 2024.

The Speaker (Hon. Kingi): Sen. (Dr.) Murango had two Statements. Let us hear Sen. Maanzo in the meantime.

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EMPLOYMENT STATUS OF STAFF CONTRACTED
UNDER UHC PROGRAMME DURING COVID-19 PANDEMIC

Sen. Maanzo: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare on the employment status of staff contracted by the national Government under UHC programme during the Covid-19 pandemic.

In the Statement, the Committee should-

(1) Provide the total number of healthcare workers recruited under the UHC programme during the Covid-19 pandemic period who remain on contractual terms of service to date.

(2) Explain the reasons the service of these health care workers has not been translated to Permanent and Pensionable (PnP) terms, despite their continuous service, outlining any steps the Ministry of Health is taking to ensure that they are accorded fair employment terms in accordance with the law.

(3) State whether their budgetary provision to facilitate their transition to permanent terms, confirming the expected timeline for their absorption into permanent and pensionable employment.

I thank you.

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

PROPOSAL BY KESSHA TO INCREASE SCHOOL
FEES IN PUBLIC SECONDARY SCHOOLS

Sen. Mumma: Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Education regarding the proposal by the Kenya Secondary Schools Heads Association (KESSHA) to increase school fees for national, extra-county and county secondary schools, and to introduce school fees for public day secondary schools.

Mr. Speaker, Sir, KESSHA explains that the proposal is based on, among other things, the partial and delayed disbursement of capitation funds, as well as the failure by Government to review the capitation allocation to account for inflation. KESSHA states that these factors have caused immense financial strain on management of schools and pushed secondary schools to the brink of financial collapse, with some considering early-mid-term breaks to manage costs.

In the Statement, the Committee should-

(1) State the position of the Ministry of Education on the proposal by KESSHA to increase school fees for national, extra-county and county secondary schools, and to introduce school fees for public day secondary schools, explaining the Ministry's assessment of the justification provided by KESSHA.

(2) Provide an assurance for the continued implementation of free day secondary school policy, which has been key in enabling access to secondary education to thousands of students.

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(3) Explain why the Government has not reviewed the capitation allocation per student since 2018 to account for the rise in the cost of food, utilities and essential learning materials, stating whether there are plans to review the same.

(4) Provide a timeline for the disbursement of all outstanding capitation funds to secondary schools, outlining actions being taken to ensure the schools remain operational with no disruption in learning, rationing of meals, project delays or overall deterioration of learning conditions due to the reported financial constraints.

(5) Outline the short, medium and long-term strategies being implemented by the Ministry of Education and the National Treasury to ensure the timely disbursement of capitation funds going forward.

I thank you.

The Speaker (Hon. Kingi): Sen. Okenyuri proceed.

INSECURITY INCIDENTS IN BOMACHOGE-BORABU, KISII COUNTY

Sen. Okenyuri: Thank you, Mr. 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 insecurity incidences reported in Bomachoge-Borabu Sub-County in Kisii County.

Quite a number of people have been injured following clashes along the Transmara West-Bomachoge-Borabu border in Kisii County over alleged cattle theft. The violence began on Saturday, 1st March, 2025, after three cows were allegedly stolen from the Bomachoge-Borabu side on Friday, 28th February, 2025. Youths pursuing the suspected thieves encountered hostile gangs within the Transmara villages, leading to a confrontation that spread to the neighbouring villages.

In the Statement, the Committee should-

(1) Conduct investigations into the recent cattle theft incidences in Kiango, Nyabitunwa, and Nyachenge areas near the border of Kisii and Narok counties, which have resulted in the loss of livestock for affected families.

(2) Enquire into the criminal activities that have taken place in the aforementioned areas, including the invasion and destruction of sugarcane farms, which have led to attacks and injuries to residents.

(3) State the measures taken to hold the perpetrators accountable for these heinous acts and ensure the safety and protection of the affected areas.

(4) Highlight the steps taken by the national Government to address the ethnic tensions between the Kisii and Maasai communities, as well as the initiatives that are taken to promote lasting peace in the border areas, where ethnic animosity between the two communities has been observed over the years.

Mr. Speaker, Sir, as I speak, the war is continuing and we do not want *Chinkororo* to come back.

I thank you.

An hon. Senator: What is *Chinkororo*?

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

RAMPANT CASES OF BANDITRY IN
LAIKIPIA WEST, LAIKIPIA COUNTY

Sen. Kinyua: Mr. 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 rampant cases of banditry in Laikipia West Constituency, Ol Moran Ward, Wangwaci area.

In the Statement, the Committee should-

(1) State whether the security apparatus in the county is seized of the issue of theft of eight cows and 30 goats belonging to Mr. Kipruto, and four cows and 19 goats belonging to Mr. Francis Ndukoi, residents of Ol Moran Ward, Wangwaci area, which were later recovered by the National Police Reservists (NPR), as well as provide an update on the status of investigation.

(2) Outline the measures and the programmes the Government is taking to address the socio-economic factors in combating the rapid cases of banditry in Laikipia County.

(3) Provide a clear action plan and timelines in mopping up of illegally held firearms driving out of herders who have illegally invaded residents' farms in Rathia area, and street law enforcements.

(4) Outline the security strategies, development programmes, peace building and reconciliation efforts and the areas of collaboration in addressing the rapid cases of banditry.

I thank you.

The Speaker (Hon. Kingi): Hon. Senators, we will do 20 minutes of interventions. Given an opportunity, kindly stick to three minutes.

Sen. Wafula. Hon. Senators, if you have nothing to offer, kindly just move out of the dashboard. It is pretty crowded.

Sen. Oketch Gicheru.

Proceed, Sen. Sifuna.

Sen. Sifuna: Mr. Speaker, Sir, allow me to make brief comments on the two Statements by the Senator for Nandi County on the pending bills owed to Kenya Power by counties and the alternative revenue streams for Kenya Power.

I am sure you all remember there was a very embarrassing spectacle in Nairobi City County just a few days ago, where the county government got into a spat with the Kenya Power over unpaid bills. It resulted in something of a very petulant action that was taken by the Governor or the county government, which was to dump garbage outside the Kenya Power offices and other premises of their power utility.

I am happy that my governor has already apologised to the people of Kenya for that unfortunate incident. However, there are very serious underlying issues. I am happy that this Statement has been brought by the Senator for Nandi.

I understand that there has been a long-drawn-out disagreement about how much Nairobi City County (NCC) owes the Kenya Power Company (KPC). I am also aware that there has been joint auditing of those bills by both the utility and the NCC. There is a joint communiqué that was signed on just how much this amount is. There was an

initial claim of about Kshs3 billion. However, after auditing jointly, they came to a figure of Kshs1.8 billion.

Now, of importance is that out of that Kshs1.8 that is claimed by the utility, the KPC, Kshs1.5 billion is arising out of street lighting. Now, here is a conversation that I want this Senate to help us with, especially here in Nairobi. Although this street lighting is termed as a function of the county government, this is admittedly a national security function.

The Ministry of Energy themselves have agreed as much. I sat in a meeting with the Cabinet Secretary for Energy, the Hon. Wandayi, and he told me that the Ministry has acknowledged that this is something that the national Government has to take up as a security function. In fact, by the time of that meeting, which was about a month and a half ago, he told me that they had already written to EPRA, so that this becomes a formal policy that county governments should not continue to pay street lighting bills.

The funny thing is that although KPC acknowledges that the bulk of that bill is arising out of street lighting when you have a dispute with them, they do not switch off the street lights.

This is also a tacit admission on their part that they know that it is critical for Nairobi to continue to have those streets lit. If you look at the law that exists, Section 5 and 6 of the Urban Areas and Cities Act, it is recognised that Nairobi stands in a unique position as a city of power, as a capital city of a country and also as a diplomatic hub.

Although certain functions are county functions, the national Government must step in from time to time to support the workings of the county government. So, we want to continue to urge the Ministry of Energy to follow through with that promise and make sure that because this is a national security function, they help counties to settle these bills.

Finally, because you limited our time, there is a conversation about Own-Source Revenue (OSR) for counties. We have a spectre here in Nairobi where the county government used to host utilities, like they would do those utility lines on the ground. Then if you had your fibre optic cables or data cables you wanted to use, you would pay the county and it was a very serious source of revenue.

We have a situation where KPC says they are not supposed to pay for wayleaves in Nairobi or in other open spaces because the law says that you have to get the consent of a Cabinet Secretary.

First of all, that is ridiculous. You give a county the power to levy rates and then you make those powers subject to the national Government again. Of course, the Cabinet Secretary for Energy will never allow Nairobi to levy rates for those wayleaves.

However, the most critical thing is, that the KPC then takes up business that was a source of revenue for the county government and tells the service providers who are doing data connections and the others that you can put your cables on our power lines. This is essentially robbing county governments of OSR. So, since I happen to be a Member of the Energy Committee, this is a situation that I am hoping we will have a robust conversation about.

Lastly, one of the things that is forgotten in the public debate is the Energy Act that restricts the collection of rates on wayleaves without the permission of the Cabinet

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Secretary, is a 2019 Bill. If you look at the Kshs1.5 billion that KPC says is a debt owed by Nairobi, those debts precede that law.

So, how can you tell us that in 2017 we did not owe Nairobi money for wayleaves? A final appeal on behalf of the people of Nairobi. The national Government institutions in Nairobi have refused to pay rates. Unfortunately, one of those institutions is this House; the Senate and the National Assembly; Parliament as an institution. All these buildings here in Parliament Square and the Government Square have refused to pay Nairobians rates. As we speak, it is over Kshs100 billion that we are owed as Nairobians for unpaid rates by the national Governments.

If you gave us that money, we would be able to do a light rail, the equivalent of the one that was done in Addis Ababa, so that all of you can come to work without having to sit in traffic. I can assure you, we will make a tunnel stop here so that we drop you at work. You do not have to sit in traffic. So, I am beseeching you and the entire Senate, please, join Nairobi in asking the national Government to pay us this money.

I thank you.

The Speaker (Hon. Kingi): The Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Matters have been raised this afternoon by colleagues and have been directed to the Committees. Allow me to perhaps very quickly comment on two of them.

One is on the security situation in Laikipia. I continue to empathise with Kenyans who, out of challenges of security, lose their property. However, because it is not in the traditional categorisation of what property is, it is not a building or a car or parcel of land in a prime location in this city, people do not treat it with the seriousness that it deserves.

Many times, when you see Senators bring Statements that a family has been robbed of their cattle, it is, most of the time, their only source of livelihood. Therefore, it ought to be treated with the same seriousness as you would if today you were told that somebody had walked into someone's house or an apartment here in Nairobi and evicted them.

Therefore, I want to appreciate that Sen. Kinyua continues to speak on behalf of the people of Ol Moran Ward in Laikipia County. This is not the first time that this matter has come to the Senate. Therefore, I hope that the new Vice-Chairperson of the Committee, who is seated very comfortably in the House this afternoon, is following this conversation so that they treat it with the urgency that it deserves, to ensure that Mr. Francis Ndukuyi and Mr. Kipruto are properly reconnected with their animals and are compensated.

I also appreciate the good work as reported in this Statement that is being done by the National Police Reservists (NPR). Many times, there has been a debate in this country by the usual ignorant gang who speak out of abundance of ignorance on issues that they completely know nothing about. They insist that NPRs are a militia. You have seen from the Statement of Sen. Kinyua that it is actually the NPRs that led the recovery of these animals and continue to keep certain parts of this country safe.

Therefore, I want to continue stamping my voice, like I did when that matter first came to this House in 2018. The Government must continue to keep that service of NPRs

working in the difficult parts of this country where you would otherwise struggle to keep police officers.

Last thing, is on the Statement by Sen. Jackson Mandago on wheat importation into the country. We spoke about this last week and I said, I would wish to understand what is it that makes these millers want to ignore the wheat that has been produced locally here by our farmers. Unfortunately---

The Speaker (Hon. Kingi): The Senate Majority Leader, do not comment on the Statement that has been read out by Sen. Nyutu. He was holding brief for Sen. Murango, and he wrongly read a Statement meant for Sen. Mandago. So, that Statement remains deferred.

It will be read by Sen. Mandago when he is in the House. So, at that appropriate time, you will make your comments on that particular Statement.

The Senate Majority Leader (Sen. Cheruiyot): Okay, Mr. Speaker, Sir, I am properly guided. I yield the Floor then to other Senators.

The Speaker (Hon. Kingi): Thank you.

Sen. Ledama.

Sen. Olekina: Mr. Speaker, Sir, I rise to make some comments and provide some useful information to two Statements. One is a Statement read by Sen. Essie Okenyuri. The clashes on the border of Narok and Kisii is historical. The problem started. This has got nothing to do with cattle rustling. It has everything to do with land.

Way back, there was a gentleman by the name of Oringo from the Kisi community who fundraised a lot of money to buy Maasai land, about 10 kilometres from Kisii border, all the way to Kilgoris Town. This gentleman disappeared with the money.

Therefore, the land remained owned by the Maasai community. There is also a case in court where the Luo community of Awendo took the matter to court because of a place called Oloontare. This is a place where the late President Daniel arap Moi used to cultivate. It is where there is plenty of good land that the Maasai use.

The gentleman who went to court from Awendo lost that case from Nairobi. That case has been transferred to Kisumu. This is an issue that these three communities must sit down and agree on because the land belongs to the Maasai community. The Kisi community wanted to buy that land. The Luo community on the Awendo side also want to take this part called Oloontare. This is a challenge. This is an issue that we have to ask ourselves whether we need to be changing laws when it comes to the issue of acquisition of land. It is a big crisis.

This issue where people are pretending that they are going into some land because they are following their cows which were stolen, and then they cause people to be killed-- - I know this weekend two people from my county of Narok were killed by people who came from the neighbouring counties. This is a land crisis. This is an issue where people want to take land by force. If there is pressure for one community in this country to get land, that is not our problem. That is a problem of the national Government.

We have so much land in this country, which is not occupied by anybody. Those people can migrate and move to that part. However, forcing and moving people in this boundary called Oloontare and also allowing land brokers to bring conflict between three communities, should not be tolerated.

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When the Committee is investigating, let us not go to petty things like stealing a cow. Let us look at the problem. What is causing the Kisii community or the Luo community in Awendo to move to Narok County to claim land which they were conned by this gentleman called Oringo? In fact, the problem is this, and I want to tell my sister, Esther, there is a community called the Pusunya.

The Pusunya community are cousins of the Kuria and Kisii communities. This Pusunya community are the ones who are trying to say we need this land. They are the ones who donated money and participated in this fundraiser by this fellow called Oringo. Thus, the problem is not the Maasai nor the Kisii. The problem is the brokers who got the money and disappeared with the money. This issue of land is something that we must resolve for boundary disputes.

Secondly, it is about time that we change the law, since the issue raised by Sen. Cherarkey on the issue of electricity has got to do with the law. Section 33 of the Energy Act, 2019 bars public entities from charging Kenya Power way leaves for its network. The law further says that the entity can only demand the fees with approval from the Cabinet Secretary for Energy.

Now, Sen. Sifuna said, how do you expect the Cabinet Secretary for Energy to say, "Nairobi City County, you can charge Kenya Power, yet, Kenya Power is one of its State Department?" The issue here is that we need to change the law. I propose that we change two laws. One, the law that has to do with land on boundaries. Instead of selling land in the boundaries of counties, let us propose that the communities along those boundaries can lease this land out to people, so that land remains historically to be owned by the community which is domiciled in that area.

Two, we need to change Section 33 of the Energy Act. If, to be honest, Nairobi City County is owed billions by Kenya Power, and it wants to be paid for the electricity of streetlights, which to me I believe is a security issue, the national Government has got now to decide. The Ministry of Interior and National Administration is allocated a lot of money together with the Executive. I do not think the Executive will feel the pinch if they decide that they will no longer drink tea or they we will never entertain people, but we will just pay for the street lighting.

Mr. Speaker, Sir, I am aware that there is a programme, which is a Public-Private Partnership (PPP) programme, that is budgeted to spend about Kshs10 billion to deal with this issue of streetlights. Honestly, for every county, and it is not only Nairobi, in my own village of Eor ekule in Narok County, we oftenly find the streetlights are off and it is an insecurity issue. When you ask the community there, they say, they have asked Kenya Power to restore the security lights and they say the bill has not been paid by the county government. So, who is going to pay?

In fact, one young boy from Eor ekule asked me: "Senator, who is going to pay for this?" We are afraid of even walking at night. We walk from our technical college, Masaai Technical College, a Technical and Vocational Education and Training (TVET) institution, all the way to the centre at night after prep, because there is not enough accommodation and there are no streetlights."

My colleagues, I want to beseech you, that instead of just looking at the top layer, let us dig inside to find out what the problems are. Let us change the laws, so that we can

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ensure that the time that God will give us to live on earth, we can live peacefully. Additionally, we can also be able to have the services which other countries have for free.

If you go to Dubai, I do not think there is a time that the local authority or the power company in Dubai will decide to shut off power, or the local authority will decide to go and dump garbage outside the offices of another department. These are things that require us to be disciplined and mature enough to sit down and have a conversation.

I look forward to the time that we will engage both Nairobi County and Kenya Power, so that we can have a lasting solution to these problems. Otherwise, we will continue going around in circles. When the Committee on Land and Natural Resources or the Committee on National Security, Defence and Foreign Relations looks at this statement brought by Sen. Okenyuri, let us dig deeper to be able to understand historical challenges. It is the same thing in Laikipia.

Thank you.

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

Sen. Abass: Thank you, Mr. Speaker, Sir. I want to contribute to the Statement by Sen. Chute.

As you are aware, 70 percent of these countries are in the Arid and Semi-Arid areas and mainly, those areas depend on boreholes. There is no running water or rivers. There are only some seasonal rivers that are only used for three months.

More money has been spent by the counties and national Government to at least do a hydrological survey to be able to access the subsurface water. However, of late, there are many contractors that pretend to be hydrologists. Many of them do not even have the capacity.

Many contractors are being given contracts, but they do not meet the specifications. They just dig the holes of unspecified depth. What happens is that the boreholes in those places go up to 200 meters to 600 meters, at different levels. However, because they just want to make a profit, they do shoddy jobs. As a result of that, many boreholes have been drilled, but they dry out. Since, there was no hydrological survey that was done and these people do not have any knowledge to drill boreholes.

Furthermore, these contractors do not have the equipment because some of the equipment do not even meet that specification where boreholes can be drilled up to 400 or 500 meters. As a result, most of the boreholes that have been started have been abandoned. Today, as we talk, there is severe drought in those areas and most of the boreholes are dry. The rivers have dried and a lot of money has been spent.

Therefore, I request the Committee to take this matter seriously and visit the specific areas that the Senator has asked to find out what happened. I am sure the money has already been paid, the boreholes have been drilled, but there is no water. I request the Committee to visit those areas in order to stop this business of giving contracts to wrong people with no capacity to drill borehole or to do any other specifications.

With those few remarks, I beg to support.

The Speaker (Hon. Kingi): Sen. Beatrice Akinyi.

Sen. Ogola: Thank you, Mr. Speaker, Sir. I rise to support the Statement by the Senator for Nandi County on unsettled electricity bills owed to the Kenya Power and Lighting Company (KPLC) by the county governments. I insist that county governments

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must pay their electricity bills. We cannot tell other Kenyans to pay their bills, while governments that draw budgets and have allocation for the same not to pay their bills.

If the bills have been accumulated for long, we may suggest that through the intergovernmental forums, the Cabinet Secretary for Energy could constitute a sitting with the Cabinet Secretary for the National Treasury and Economic Planning along with the Council of Governors (COG) and find an amicable way of settling the bills. The counties have disbursements every month. They could settle it in a way the bills for KPLC are ring-fenced and could be paid in bits if not once.

Hon. Speaker, we know that county governments have allocations. Why then would they not be encouraged to pay their bills? The issue of streetlights is just a small percentage of these bills. We all know that the streetlights are also subsidised bills.

I support the Statement because county governments are not only owing these bills on streetlights, they are not paying hospital bills, the buildings they use and a number of services. All Kenyans pay bills. It is an excuse that we could encourage county governments not to pay bills.

Secondly, I want to comment on the Statement by Sen. Catherine Mumma on the proposal by the Kenya Secondary Schools Head Association (KESSHA) to increase school fees in public secondary schools. We know Kenyans are struggling. I would not support the fact that school fees should be increased, especially for day secondary schools.

We are encouraging education for all, which includes students and pupils that do not come from advantaged families. Therefore, if fees is increased, we might see a dropout rate that is going up. In some of the schools, we have often seen stories where students even fall out of school because of inability to pay Kshs5,000. If the school fees is increased, it would affect learning of students.

The Statement has given two reasons why KESSHA is proposing that school fees should be increased. One of them is the delay in disbursement and the non-review of capitation to schools. I suggest that the two reasons need to be looked into.

If there is a delay in disbursement, we need to ensure that the National Treasury disburses the funds to the schools at the right time and not to punish our people who are struggling. I support these Statements. There should be no increase in the current school fees that is being paid in the public schools.

I thank you.

The Speaker (Hon. Kingi): Sen. Alexander Munyi Mundigi.

Sen. Munyi Mundigi: Asante Bw. Spika. Naunga mkono Taarifa ya Sen. Kinyua kuhusu usalama na wizi wa ng'ombe na mbuzi na wizi kwa maduka ya biashara. Haya sio mambo yanayotokea Kaunti ya Laikipia pekee, bali yapo kwa kaunti nyingi. Yanafanyika North Eastern, West Pokot na Turkana. Shida hii imekuwa nyingi katika nchi yetu. Tuna kaunti 47 na kati ya hizi, zile ambazo hazina mambo ya wizi wa ng'ombe na mbuzi huwa zinafanya kazi nzuri kwa kilimo wakipatiwa pesa za kilimo.

Naunga mkono kwamba kuwe na Kamati itakayoshughulikia mambo ya wizi wa ng'ombe na vitu vingine ili zile pesa Maseneta wanapeana kwa kaunti zifanye kazi kwa njia inayofaa. Hali hii imeleta shida katika kona zote. Watoto wengi hawawezi kuenda

shuleni kwa sababu ya wizi wa ng'ombe na migogoro ya mashamba. Kwa hayo, naunga mkono Taarifa ya Sen. Kinyua.

Pia naunga mkono Taarifa ya Sen. Cherarkey wa Kaunti ya Nandi. Ni mara nyingi tumelalamika kuhusu kampuni ya Kenya Power and Lighting Company (KPLC). Sisi wanyonge na wale wengine tunalipia stima kila mwisho wa mwezi lakini kampuni kubwa hazilipii. Kaunti zote 47 zinahitaji usalama na zinahitaji kwekewa stima na KPLC lakini wamekuwa na shida kulipia.

Naomba kufanywe upelelezi vizuri ili tujue kwa nini kile kitendo kilifanyika katika Kaunti ya Nairobi. Mji wa Nairobi ndio mzazi wetu. Walifanya kitendo kilichoonekana dunia nzima. Ni kama mtu ameenda kudai deni halafu unaenda kwa nyumba yake kumfungia nyumba na hakuna sheria kama hizo. Kilikuwa kitendo cha aibu sana. Tunajua kuna shida hapa na pale. Kaunti nyingi hazilipi madeni---

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

The Speaker (Hon. Kingi): Sen. Alexander Mundigi, Sen. Peris is on a point of order.

What is your point of order, Sen. Tobiko?

Sen. Tobiko: Mr. Speaker, Sir, Sen. Mundigi has used the term, "Sisi wanyonge". If in this House we say, "*sisi wanyonge*", those Kenyans who are down and feeling like ni *wanyonge* will think that we are playing with their psyche.

The Speaker (Hon. Kingi): Sen. Mundigi.

Sen. Munyi Mundigi: Bw. Spika, kampuni zote---

The Speaker (Hon. Kingi): Sen. Tobiko, the Hon. Senator used that term to prove his humility in terms of identifying himself with the people on the ground. I do not think he meant to rub the people the wrong way. He is within the parliamentary practises to use that word.

Proceed and conclude, Sen. Mundigi.

Sen. Munyi Mundigi: Bw. Spika, kusema ukweli, tumekuja hapa kutetea wanyonge. Kwa hivyo, kama tumekuja hapa kutetea wanyonge, hata sisi ni wanyonge. Kaunti zote tunazopatia pesa ni matajiri na hawalipi KPLC pesa yao.

Wakati kile kitendo kilipofanyika, kuna watu wa mazingira wako pale. Pia kuna magari hupitia pale. Kwa hivyo kungetokea vita, hakuna mahali watu wa usalama wangepitia. Tuko hapa kutetea wanyonge kwani ndio walionileta hapa ili niwatetee. Sikuwa nimekosea.

Kaunti ya Nairobi ambayo Seneta wake ni Katibu Mkuu wa Muungano wa Azimio la Umoja aliyesimama kuongelea kisa hicho. Isipokuwa ametoka, angekuwa hapa aone vile Kaunti yake imefanya makosa. Kaunti nyengine zikifuata mkondo huo, itachafua mazingira na kudhoofisha usalama. Naunga mkono kwamba kutengenezwe kamati ichunguze kwa nini Kaunti ya Nairobi ilifanya kitendo kama hicho.

Nimesikia akisema kwamba Seneti iko na pesa ya Kaunti. Huenda ikawa hajaitisha pesa halafu wanaenda kufunga barabara. Dawa ya deni ni kulipa. Ningeomba deni ya KPLC ilipwe na kaunti zote. Sio kaunti pekee ambazo hazilipi madeni ya KPLC, kuna wizara nyingi hazilipi madeni.

Bw. Spika, naunga mkono kuwe na Kamati ya kufuatilia ili kuona vile watu watakuwa wanalipa pesa ya stima.

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The Speaker (Hon. Kingi): Sen. (Prof.) Ojienda.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Speaker, Sir. I wish to contribute to the Statement read this afternoon by Sen. Mumma on the question of the declaration by the Kenya Secondary School Heads Association (KESSHA) to increase public secondary school fees.

I proceed on a different note because I have information that what is currently outstanding is the payment of Kshs28 billion, out of which Kshs14 billion has already been released to the Junior Secondary School (JSS) level.

This is in view of the fact that the Government, through the Cabinet Secretary for Finance, hon. John Mbadi pays a capitation of Kshs1,420 per learner for the lower school, that is, free primary education, which is covered by Sections 14 to 20 of the Basic Education Act, No. 14 of 2013. The reduction of the initial sum of Kshs22,244 paid to secondary school students now stands at Kshs15,042.

The Government has now released KShs14 billion, and there is a balance. The term is not over; it is only half-term and, therefore, the precipitate action taken by the Kenya Secondary School Heads Association is uncalled for.

It is uncalled for because in the day schools, parents pay up to Kshs12,000 per year after the capitation is received, and parents cannot be put under the pressure of adding any further sums because the Cabinet Secretary Finance has indicated that the payment shall be made.

This Statement, however, is important because the Government must ensure that payments are made within time. There has been a delay, and some parents are, therefore, claiming that money should be refunded when they paid more money. This Statement is also apt because it concerns the ordinary parent, and this is not a time when parents should be asked to dig into their pockets to add more money.

The Basic Education Act, Cap 211 of the laws of Kenya, contemplates a level of education that parents can afford. It contemplates contributions from both the national Government and parents' pockets.

I support this Statement to the extent that it ensures that responsibility by the Ministry of Education is carried out at the levels that are set out. This morning, I had to visit the Cabinet Secretary for Education, Mr. Julius Ogamba, Senior Counsel, who is my classmate – I have classmates in Cabinet. These are some of the issues that I raised, and the Cabinet Secretary was emphatic that there shall be timely release of capitation funds as contemplated by the guidelines. He also indicated that he has worked on the university funding model. With the assistance of his technical staff, he has gone through all the issues that touch on the education sector, and we hope that the Cabinet Secretary will continue to do the good work that he is doing.

Lastly, on cattle rustling, we buried the late Sen. Cheptumo on Saturday. He had worked on a Bill on cattle rustling. As the Vice-Chair of the Committee on Defence and Foreign Relations, we shall ensure that we prioritise that Bill so that cattle rustling can be a thing of the past in this country.

Cattle rustling, as we can see, is rampant in certain counties, including West Pokot and Laikipia, where we can see the Statement by Sen. Kinyua. Even in some counties like my county, in Nyakach, which is the border sub-county with the Senator

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Majority Leader's County of Kericho, where we have had serious issues of cattle rustling reported. We have put a framework where leaders cooperate so that we can deal with this issue of cattle rustling and bring it to an end.

In the Bill by the late Sen. Cheptumo, we proposed a framework where we will ensure that livestock is labelled and specific to a county to enable any person to trace its origin so that you cannot steal livestock from Kericho County and transport it to Kisumu County or to Kakamega County. That way, we will bring an end to the perennial problem of cattle rustling in this country.

I support.

(Interruption of debate on Statements)

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATIONS FROM KIAGUTHU AND NARUMORU COMPREHENSIVE SCHOOLS, NYERI COUNTY

The Speaker (Hon. Kingi): Hon. Senators, we will come back to those Statements, but allow me to make the following communication.

I would like to acknowledge the presence in the public gallery this afternoon of visiting students and teachers from Kiaguthu Comprehensive School and Narumoru Township Comprehensive School, Nyeri County. The delegation comprises 45 students and five teachers who are undertaking a study tour to the Senate.

On behalf of the Senate and myself, I extend a warm welcome to the delegation and wish them all the best during their visit.

VISITING DELEGATION FROM MAMA NGINA UNIVERSITY COLLEGE, KIAMBU COUNTY

Also, I would like to acknowledge the presence in the Speaker's Gallery this afternoon, a visiting delegation from Mama Ngina University College, Kiambu County. The delegation comprises 15 student leaders and one lecturer who are undertaking a study tour of the Senate.

Now, hon. Senators, on behalf of the Senate and myself, I extend a warm welcome to the delegation and wish them all the best during their visit.

I will allow the Senator for Nyeri County to extend a warm welcome to the delegation from his county in under one minute. Afterwards, I will call upon the majority leader to likewise extend a warm welcome to the student leaders from Mama Ngina University College in that order.

Sen. Wamatinga: Thank you, Mr. Speaker, Sir, for granting me this opportunity to welcome pupils from my county. Indeed, rural schools do not have the advantage that the urban set-up has.

It is indeed such a moment that, at times, shapes the destiny of small children in their learning process. I, therefore, want to take this opportunity to welcome both

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Narumoru Township Comprehensive School and Kiaguthu Comprehensive School from the Othaya Sub-County to the Senate.

I would want to tell them that it is indeed in their hands, and every dream they have is valid, that some of us started in such schools, and we ended up here.

Therefore, I take this opportunity to welcome the students and the teachers, and I want to wish them well in their studies. I would want them to work hard in school, to be obedient and to be quite faithful in praying so that one day they can come and sit here because this House belongs to those who believe that they must take leadership in this country.

Thank you.

The Senate Majority Leader (Sen. Cheruiyot): Thank you. Mr. Speaker, Sir, I join you on behalf of my colleagues to welcome the comrades from Mama Ngina University College.

I hope the students have had to follow what's happened in the house thus far. Today is one of those slow days if what they know about Parliament is to be considered. There has not been any significant drama or debate, but it is not to say that that is assured for the rest of the day.

However, Senators are reacting to Statements that their colleagues have raised on various topical issues. Thereafter, those Statements will be shared with various Committees to give a response to the specific Member on those issues. That is what we have been doing for the last few hours. Occasionally, we do that when there is no heavy agenda ahead of us, not to say that it is not important business.

I hope these students will learn a thing or two about their country and how the legislature works. They should take comfort and encouragement from the fact that many of the leaders who serve in this House, including yours, truly began their journey into leadership during their days as university student leaders.

Therefore, I am happy for their endeavour and pursuit in the things that they seek to learn and understand about this House. I hope that by the end of their tour, they will get to full comprehension.

Mr. Speaker, Sir, I want to challenge them to participate more actively in the affairs of the country as they have been doing it both online and offline in their universities or colleges and wherever they can to make this country a better place.

I thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Kavindu Muthama.

(Resumption of debate on Statements)

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir, for this opportunity.

I want to comment on Sen. Mumma's Statement. I do not agree with this Statement because KESSHA members are having difficulties in running their schools. Parents also have many difficulties because the cost of living in Kenya has gone up and everyone is feeling it.

If we increase school fees for secondary schools, what will we be doing to parents and where are they going to get money? What Sen. Mumma should have done is to bring

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a Statement requesting for the capitation to be transferred to schools in time, so that teachers can continue doing their work properly without any struggles. We should not add an extra burden to the parents. Therefore, I do not support the Statement.

I would also like to comment on Sen. Cherarkey's Statement on Kenya Power. All counties must be compelled to pay their bills. However, we have been seeing Kenya Power increasing their rates in a way that nobody understands. For the common *mwananchi*, those rates are so high that some people have preferred to do without electricity. Many people have turned to solar power because they can no longer afford electricity due to the rates. That should also be checked.

Even as we ask the counties to pay, the bills should be checked. They should agree on the mode of payment because as I speak, in Machakos Town, there are streets without lights because electricity bills have not been paid. That is the situation all over the country and not just in Sen. Cherarkey's area. The counties and Kenya Power should sit and agree on how they will pay the bills.

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

Sen. Cherarkey: Mr. Speaker, Sir, I rise to support the Statement by Sen. Chute of Mandera. Due to the ongoing drought situation in the country, it is very sad that 60 years down the line, we as a country are still discussing non-access to clean and safe water, yet many millions have been allocated.

There is an agency called the National Drought Management Authority (NDMA). That agency and the water works that we have should be proactive. If boreholes are non-functional, you can imagine the suffering of Kenyans.

Garissa Town is less than one kilometre but there is no water there, yet we are in the Holy Month of Ramadhan. It is unfortunate that our Muslim brothers and sisters are suffering during the holy month.

When you go to Takaba Town, they have a paybill to fundraise, so that they can buy water. Being the Holy Month of Ramadhan, our people should not lack water.

The other day we were in Mandera courtesy of my brother and party leader, Sen. Ali Roba. I was disappointed to see Mandera residents demonstrating because of lack of water. There are three non-functional generators and no electricity, yet we are in the Holy Month of Ramadhan.

I want to call out Kenya Power for this ineptitude, incompetence and being moribund in-service provision. It is not a favour or privilege that they are doing to Kenyans.

I do not support what Hon. Sakaja did by dumping garbage at the Stima Plaza. If Kenya Power cannot rise to the occasion, we should not blame decisions or actions that Kenyans take.

When we were with the Senate Majority Leader in Mandera, he was informed about the lack of electricity. I want to propose this to the Kenya Power. Senate Majority Leader, you can inform the Cabinet Secretary for Energy, Hon. Opiyo Wandayi, about this. They should allow importation of electricity from Ethiopia. That way, it will be cheaper and affordable to the people of Mandera and Northern Kenya.

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

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The Speaker (Hon. Kingi): Senator for Nandi, would you wish to be informed?

Sen. Cherarkey: Nowadays he is wise. I accept.

The Speaker (Hon. Kingi): Proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, as his senior, he has no option but to listen when I speak.

I wanted to inform Sen. Cherarkey that Kenya imports significant power from Ethiopia. What he is asking for is already happening. The only challenge that we have is that to do transmission lines from the sub-station closest to Mandera Town, it is quite a significant investment. That is why that has not been done over the years.

Mr. Speaker, Sir, Sen. Ali Roba is here. During the last visit by the President last month, it was agreed that instead of having to wait for power the closest sub-station, which is hundreds of kilometres away, the residents should be connected to power from Ethiopia and we pay alongside the power that we import.

Therefore, Sen. Cherarkey's proposal is already being implemented, albeit with much delay. It needs to be expedited, especially during this Holy Month of Ramadhan.

I thank you.

The Speaker (Hon. Kingi): Senator for Nandi, you may proceed.

(An hon. Senator spoke off record)

You have a point of information? I will give you an opportunity. Senator for Nandi, proceed and conclude.

Sen. Cherarkey: Mr. Speaker, Sir, what the Senate Majority Leader has said is happening on paper. It is only yesterday that the residents of Mandera demonstrated because Kenya Power has not added them a generator. In fact, Kenya Power should have added them another generator at the beginning of the Holy Month of Ramadhan but they have not done so.

I am speaking from a point of information. When we went there, we established that Kenya Power is yet to do something. The Senate Majority Leader should direct the Cabinet Secretary for Energy to do this. He should sit with him and find out what the problem is such that the people of Mandera do not have electricity.

I remember Garissa had similar challenges. Let us connect each and every county. I like the President's motto which seeks to unite the entire country. Let every Kenyan have access to the national grid. You will find that residents of Nandi are connected to the national grid but not the people of Mandera, yet they pay similar taxes.

Mr. Speaker, Sir, I request the area Senator, who is also a party leader, to ask his residents to calm down. He is a co-principal of the Kenya Kwanza Administration just like you. They should sit with the President and discuss at that level. They do not need to demonstrate because the President promised to construct the road from Mandera to Isiolo which is about 750 kilometres.

Finally, on the issue of green energy, I want to call upon the Ministry of Energy. Let us zero-rate solar panels. You will remember that during the previous Parliament, Value Added Tax (VAT) was being included on importation of solar panels and other items. The President has been on the forefront on the issue of climate change and use of

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green energy. We must zero-rate solar accessories and panels, so that Kenyans who cannot access electricity---

Mr. Speaker, Sir, in fact in your area, which is Kilifi, and Northern Kenya, people should be using solar energy because apparently there is a lot of sun and wind. Look at Garissa. There is no water, yet the river passes in the town. As we call upon the Ministry of Energy to provide electricity, governors must also be held accountable. I know you did a good job while in Kilifi.

I was sad today to see the Governor of Wajir, who is the Chair of the Council of Governors, using Kshs7.3 million to repair a generator. It is very unfortunate, when counties do not do things in line with the law.

I do not know whether Governor Barasa has woken up from slumber, but Sen. (Dr.) Khalwale will tell us some other day. He should go and become the governor.

I support.

Sen. Ali Roba: Thank you, Mr. Speaker, Sir. I support. I wish to weigh in on the Statement that has been shared by the Senate Majority Leader and Sen. Cherarkey. I was honoured to have the company of Sen. Cherarkey in Mandera.

The problem that is being discussed has been ongoing for the last three years. The Government has been making promise after another. When the President visited Mandera County, two generators were brought to back up power production. Unfortunately, three on the ground are not working. Of the two that were brought, one is not working.

While the President's intent was noble and he had made commitment for this solution to be realized by the people of Mandera, the situation has appeared to be extremely deliberate by Kenya Power Company Limited as if the people of Northern Kenya are not equals in this Country.

We had discussed the challenge of power in Mandera when I was the governor there. Unfortunately, it is not a devolved function and cannot be billed to county governments because provision of electricity is not liberalized but is a monopolistic business run by Kenya Power and Lighting Company.

The situation is going from bad to worse. What is very embarrassing in present-day Kenya and extremely disheartening is that Bulahawa, across the border with an unstable government has power.

At the farthest corner from the center of Mogadishu, Bulahawa, has several private vendors, and they have reliable electricity. When Mandera is in the dark, fridges are not working and people are fasting they cross to the border to go and buy ice and cold drinks from Bulahawa.

It is extremely painful that when you look at Bulahawa belonging to a country that was unstable for 30 years. The resemblance of government is only starting to exist right now, yet, that town across the border, less than 100 meters from our border, is able to have reliable power supply. Kenya a middle-income status country, is struggling to provide electricity to its people.

We have talked about this repeatedly. The leaders are in pain to the level that the leaders of Mandera County are at loggerheads with each other; one blaming the other for not doing this and that, with the belief that somebody is sabotaging somewhere, yet the responsibility of provision of electricity lies squarely with Kenya power. One of the 47

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counties in this country is without power and perennially, every year we are discussing this.

Mr. Speaker, Sir, it is about time for our President, His Excellency President William Samoei Ruto to take the bull by the horn. The noble intent of connecting us from across the border, which is about 78 kilometers from Ethiopia, has been in discussion, but realization of the same is not happening. The problem is persistently there.

The people are at pain. Yesterday, there were demonstrations in town. We have tried to suppress it for years, to the extent right now it has become impossible. It is reaching explosive levels within the community, where leaders will not have a choice. Since we have kept on telling them not to demonstrate, we might end up joining them for purposes of realizing sustainable electricity supply for the people of Mandera town.

Mr. Speaker, Sir, it is very agonizing, and I cannot really overemphasize. Last time, we managed to calm the population of that town by telling them the President was coming, solution was on its way, and the generators had been promised. We told them we had met the Principal Secretary and the Cabinet Secretary. That the matter would be resolved and they needed not demonstrate.

We promised them that if that did not happen, the leadership of that county, including the governor, would join in the demonstration to demonstrate the pain that the public are feeling in that county.

I beg to support.

The Speaker (Hon. Kingi): Next Order.

BILL

First Reading

THE COUNTY GOVERNMENT LAWS (AMENDMENT) BILL (SENATE BILLS NO.52 OF 2024)

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

MOTION

ADOPTION OF REPORT ON ALLEGED FRAUDULENT DEALINGS AT THE DIAGEO, EABL, KENYA BREWERIES AND UDV (KENYA) LTD

THAT, the Senate adopts the Report of the Standing Committee on Trade, Industrialization and Tourism on a Petition to the Senate regarding alleged fraudulent dealings at Diageo PLC, East African Breweries Limited, Kenya Breweries and UDV (Kenya) Limited, laid on the Table of the Senate on Thursday, 5th December, 2024.

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(Sen. Okenyuri on 4.3.2025)

(Resumption of debate interrupted 4.3.2025)

The Speaker (Hon. Kingi): Now, Hon. Senators, this Motion had been debated. Where we are now is for the question to be put. Clerk, can you confirm that we have the requisite quorum for purposes of putting the question?

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

(The Quorum Bell was rung)

The Speaker (Hon. Kingi): Now, hon. Senators, I will proceed to put the question.

(Question put and agreed to)

Take your seat, hon. Senator, as we move to the next.

Next Order, Clerk.

ADOPTION OF REPORT ON INTRODUCTION OF
HOSPITALITY PROFESSIONALS BILL

THAT, the Senate adopts the Report of the Standing Committee on Trade, Industrialization and Tourism on a Petition to the Senate on the need for the introduction of the Hospitality Professionals Bill, laid on the Table of the Senate on Thursday, 5th December, 2024.

(Sen. Okenyuri on 4.3.2025)

(Resumption of debate interrupted on 4.3.2025)

The Speaker (Hon. Kingi): Hon. Senators, I will proceed to put the question.

(Question put and agreed to)

Next Order.

BILLS

Second Reading

THE PUBLIC FUNDRAISING APPEALS BILL,
SENATE BILLS NO.36 OF 2024

(Division)

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The Speaker (Hon. Kingi): We will defer that particular Order.

(Bill deferred)

We do not have the requisite delegates to carry out a Division.
Next Order.

Second Reading

THE ENVIRONMENTAL LAWS AMENDMENT BILL,
SENATE BILLS NO.23 OF 2024

(Division)

The Speaker (Hon. Kingi): Similarly, we will defer that particular order for the same reasons.

(Bill deferred)

Next Order.

Second Reading

THE COUNTY CIVIC EDUCATION BILL,
SENATE BILLS NO.4 OF 2024

(Division)

The Speaker (Hon. Kingi): For the same reasons, we will defer that Order.

(Bill deferred)

Next Order.

MOTIONS

ADOPTION OF REPORT OF THE MEDIATION COMMITTEE
ON THE CONFLICT OF INTEREST BILL, NATIONAL
ASSEMBLY BILLS NO.12 OF 2023.

THAT, the Senate adopts the Report of the Mediation Committee on the Conflict of Interest Bill (National Assembly Bills No.12 of 2023), laid on the table of the Senate on Thursday, 5th December, 2024 and further that pursuant to Article 113 (2) of the Constitution and Standing Order 167 (3) of the Senate, approves the mediated version of the Bill.

(Resumption of debate interrupted 27.2.2025)

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(Division)

The Speaker (Hon. Kingi): So, for the same reasons, we are going to defer Order No.14.

(Motion deferred)

Next Order, clerk.

ADOPTION OF REPORT ON CATASTROPHIC
MAIZE DISEASES IN BOMET COUNTY

The Speaker (Hon. Kingi): The Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries.

Sen. Wafula: Thank you, Mr. Speaker, Sir. I beg to move-

THAT the Senate adopts a report of the Standing Committee on Agriculture, Livestock and Fisheries on a petition to the Senate regarding the catastrophic maize disease that farmers in Bomet County have endured for the last 12 years, laid on the table of the Senate on Thursday, 5th December, 2024.

This matter affected many farmers in the North Rift. It affected over 90 per cent of maize farmers in Kericho and their attempt to seek redress from the county government from service providers like Apollo, fell on deaf ears.

The petitioners acknowledge that there was no effective intervention and measures from national and county governments to ensure and get alternative crop varieties and that affected the production of maize in that particular area. Despite the efforts to engage the authorities on the pressing issues, the petitioners felt the concerns were not satisfactorily addressed and they had no alternative but to move to this House.

The Committee acknowledged devastating impact on the maize, lack of adequate support an intervention from both national and county governments, the withdrawal support from development stakeholders in terms of input and sustaining their livelihoods and the Committee also expressed concerns about the potential of this disease in other maize growing areas in the country.

Having investigated the matter in accordance with its mandate, the Committee made the following resolutions and recommendations-

(1) National and county governments to allocate sufficient funds to assist farmers affected by this disease in Bomet County.

(2) The Ministry of Agriculture, Livestock Development should develop and implement comprehensive strategies for managing and controlling this disease in Bomet County and other affected regions.

(3) The Kenya Agricultural and Livestock Research Organisation (KALRO) should expedite research on the disease and get maize varieties that are resistant to the disease to farmers in the affected region of Bomet.

(4) The Kenya Plant Health Inspectorate Service (KEPHIS) to enhance surveillance and monitoring of the disease and promote the adoption by farmers in the County.

(5) The Pest Control and Products Board should ensure that availability of effective and safe pest control products in managing the disease.

(6) The national and county government should provide farmers with training and extension services, alternative crop varieties.

(7) The Senate Standing Committee on Agriculture, Livestock and Fisheries should conduct regular monitoring and evaluation of the implementation of these recommendations.

Mr. Speaker, Sir, the catastrophic maize disease in Bomet poses a significant threat to food security and livelihoods to farmers in this region. The Committee's recommendations provide a roadmap to addressing the crisis and ensuring a sustainable for maize production in Bomet County and beyond. The positive is that Kenya Seed Company has developed a maize variety that is resistant to maize lethal necrosis disease.

I beg to move and request Sen. Cherarkey to second.

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I want to congratulate the newly elected Chairperson of the Committee on Agriculture, Livestock and Fisheries, Sen. Wafula, who is the Senator of Bungoma County. I expected him to move the Report in Kiswahili. He has started with new energy. In Tanzania, they refer to such energy as *nguvu mpya ama nguvu kazi*. I also want to congratulate the Committee on Agriculture, Livestock and Fisheries.

The issue of maize diseases continues to give us a challenge. Maize is grown in all the counties and even across our borders. The challenge sometimes emanates from the seeds because the organisations that propagate the seeds are not keen to prevent some of these challenges. The Kenya Seed should come up with seeds based on the soil type and climatic conditions of a region. They should, therefore, not develop the same seed for Narok and Nandi or Bomet.

I am happy that Kenya Seed Company Limited has developed maize that is resistant to maize lethal necrosis in fight against that disease. As we thank the Kenya Seed Company Limited, we also want to challenge the Cabinet Secretary for the Ministry of Agriculture and Livestock Development and Bomet County Government to compensate the farmers. The issue of compensation of livestock through insurance in Northern Kenya should be extended to maize farmers. I saw border clashes in Kisii and Narok counties and acres of sugarcane were burnt. We, therefore, must normalize compensation.

Being a farmer, in this country, is hard. I am a small-time farmer and the money that one puts in farming is not equal to what they get after harvesting. It is one of the hardest things to do in this country. That is why the average age of a farmer is 50 years. That means that farming is never attractive to the young vibrant people. We should make farming to be an agribusiness. The input should be less for us to encourage the young people to start farming. Your guests, who are in the public gallery, are still young and we should think of how we can make them get into farming.

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We should make agriculture attractive by introducing incentives and safeguards. The County Government of Bomet through the agricultural department, the Kenya Seed Company Limited and the Ministry of Agriculture and Livestock Development must compensate the farmers of Bomet who were affected by the maize lethal necrosis disease. That will be one of the safeguards.

There is drought and the National Drought Management Authority should ensure that the livestock insurance is also given in Kajiado and other counties such as Samburu that are affected it. The farmers should also be compensated. That is how we can make agriculture attractive.

I heard some people tell the youth in a graduation ceremony, in my County, that they should now go and create employment because they have graduated. I remember that when we graduated, we could not even get employment yet we were here asking young people to create employment. The only way to create and channel the energy of young people, including the Gen-Z, is by making agriculture attractive.

The other issue is contract farming. I am happy that the Government has registered more than 4,000,000 farmers in Kenya. I want to thank President William Samoei Ruto because us, the maize farmers, have subsidized fertilizers in our stores as we prepare to start planting. We are now buying the fertiliser at Kshs2,500 and we will use it to plant maize. This applies to all farmers.

In Nandi County, we have one selling point in Mosop Constituency run by the National Cereals and Produce Board (NCPB). The other one is Chesumei in Mosoriot Town, which is at my doorstep and there is one is Lessos NCPB. However, the rest of Nandi such as lower Nandi, the northern Nandi that is towards Kericho, Kakamega and Vihiga do not have access to NCPB. My County, under Governor Sang maladministration, is on autopilot because he is not seeking for any other term.

I request that the Ministry of Agriculture and Livestock Development assists us with last mile distribution of fertilizer. A farmer from the border of Kericho and Nandi have to come all the way to Maraba, which is about 50 minutes away, to pick fertilizer. They use *boda boda* or Probox. I want to ask the President from this Floor of the House to direct the Ministry of Agriculture and Livestock Development to do last mile distribution of fertilizer to farmers. The same case applies to Uasin Gishu.

A farmer has to travel all the way from Kabongwa or Kamung'ei, where I went to after we interred our colleague in Baringo, to Selia to get fertilizer, yet the road network is pathetic. My governor has left everything on autopilot and is busy with bad governance. I appeal to other governors to do last-mile distribution of fertilizer to the farmers.

I want to thank the Kenya Seed Company Limited (KSC) for bringing prices down. They were selling two kilogrammes of maize at Kshs700. I am happy with the directive of Ministry of Agriculture and Livestock Development through the guidance of the President, that we are now buying two kilogrammes of maize seeds at between Kshs400 to Kshs420 which will allow farmers to plant during this season.

I appeal to KSC, we are at the beginning March, if they know that we are expecting rains, they should prepare themselves by propagating enough seeds to allow us

to plant on time. The reason there were expensive seeds was because they were not propagating enough seeds.

It is the same way we were discussing the issue of electricity. If KSC does not have the capacity and ability to produce enough maize, beans or any type of seeds for propagation, then we liberalize the production of seeds. It does not only have to be through KSC. We can open it up.

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

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

The reason Kenya Power Company (KPC) can take years to respond to challenges that are there across the country such as in Mandera County is because they are a monopoly. If we were to open up KPC and KSC, then we would allow more sector players and there will be fair competition in the markets.

Therefore, I appeal to KSC, that even as they make the prices affordable for farmers, they should ensure that the seeds in the market are of good quality, so that we do not have Maize Lethal Necrosis Disease (MLND) that can affect our farmers.

Mr. Deputy Speaker, Sir, I am bringing a legislative intervention. I am happy the Government is mopping more than 34,000 bags of wheat in Narok County. Why is it that wheat, beans, potatoes and ndengu are in 50 kilograms.

I heard somebody being referred to a ndengu farmer and he felt very bad. If I am referred as a cattle farmer, I do not have a problem. I do not know why people have a problem of being called ndengu farmers. If you call me *mfugaji*, I will not have a problem.

If all these are 50 kilograms, why is it that maize is 90 kilograms? I hope the consumers of Ugali, like Sen. M. Kajwang', should not lie that he is eating spaghetti because from his physique, he is the beneficiary of ugali. He cannot lie. Let him be fair because he must eat ugali.

Why is it that there is 50 kilograms for all cereals, but when it comes to maize, it is 90 kilograms? We want to amend this. I am aware Narok County plants a lot of maize. I am bringing an amendment that all cereals be in 50 kilograms bags. Why is it that with other cereals it is 50 kilograms, but when it comes to maize it is 90 kilograms yet we are not getting good price of Kshs3,500?

Mr. Deputy Speaker, Sir, when you farm in Narok County the same way I do, you must lease the farm and get a tractor which is expensive in terms of fuel. You must also dry it to avoid aflatoxins and even go to the National Cereals and Produce Board (NCPB) to sell it.

Afterwards, you do not get value. That is why in Kericho, Nandi, Trans Nzoia, Kakamega, Uasin Gishu and even Meru counties, farmers plant for consumption only. The market does not give value.

I agree with the petitioner as I second. KSC has a duty of care. Senior Counsels such as Sen. Mungatana, MGH will tell you that they owe a duty of care. That they must

propagate seeds of high quality so that we do not come up with MLND that will undermine and threaten the life of a farmer.

I can tell you today, many farmers in the North Rift cannot farm because there are no resources. Even in Narok County, it is a big challenge. We must rise up to the occasion. Let us support all farmers of wheat, maize and tea, so that we ensure food security. I am happy with the President's subsidy programme on the affordable seeds. Now, the sufurias that were on the people's heads in 2022 to 2023 have come down and are now being used to cook ugali in most of our homes.

Sen. M. Kajwang' has been smiling for the last two years because of the good quality of maize. I advise my Chair and Senate Majority Leader because I normally see them playing football, not to eat sifted maize. Get the unprocessed maize, take it to the posho mill, and eat that ugali. Eating sifted maize by these other companies might not give you the necessary energy to play football and 'play' football at night.

Mr. Deputy Speaker, Sir, with those many remarks, I beg to second this Motion and agree with the findings of the committee. I thank you.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): I can see a few Senators want to contribute to this Motion. All the Members here are not on my screen. Sen. Cheruiyot, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I do not know---

(Interruption of debate on Motion)

The Deputy Speaker (Sen. Kathuri): Just one minute. Before I give the Floor to the members, I have a communication to make.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM PCEA
NGONG' HILLS SECONDARY SCHOOL

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon, of visiting teachers and students from Presbyterian Church of East Africa (PCEA), Ngong' Hills Secondary School, Kajiado North Constituency in Kajiado County. The delegation comprises two teachers and 48 students who are in the Senate for a one-day academic exposition.

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

Sen. Seki, under one minute.

Sen. Seki: Thank you, Mr. Deputy Speaker, Sir. I also take this opportunity to join you to thank the PCEA, Ngong' Hills school for finding time to be with us today. I

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know this school and understand its' performance. Ngong' has been a long historical town in our county and in the entire nation.

We thank you for finding time to be with us this afternoon. Senate is a renowned. It is the Upper House which legislates issues of education in national and county levels. I know you will learn much more as you continue to have this great time with us. You are most welcome. I know we will have more interaction outside there as I will come and greet you. *Na tutapiga picha.*

Thank you and God bless you.

(Resumption of debate on Motion)

The Deputy Speaker (Sen. Kathuri): Senate Majority Leader, proceed.

(An Hon. Senator rose on a point of order)

The Deputy Speaker (Sen. Kathuri): He is not replying, but---

Sen. Mungatana, MGH: I thought the Senate Majority Leader moved.

The Senate Majority Leader (Sen. Cheruiyot): We are still debating.

Sen. Mungatana, MGH: Okay.

The Senate Majority Leader (Sen. Cheruiyot): You know Sen. Mungatana arrived from South Africa.

Sen. Mungatana, MGH: That is the problem.

The Senate Majority Leader (Sen. Cheruiyot): I guess that is the problem. I suspect he did not get enough sleep while there.

Mr. Speaker, Sir, I rise to support this report and reply to a Petition by Mr. Kerich Kiprono, Hillary, a resident of Bomet County. I do not know exactly where in Bomet. However, as a House, we must continue to show appreciation to citizens who believe in the power of this House to resolve issues that affect them. When a citizen petitions this House to consider a matter that he finds to be grave, we must always remember that he is exercising a constitutional power that citizens of this country enjoy. The right to petition public institutions, one of which is the Senate of the Republic of Kenya.

I must confess from the onset that I am not a very big fan of maize farming. I find maize farming to be one of the economic activities, which has impoverished my people. When I speak in public, I encourage them to diversify. They should grow sufficient maize for their own food, because you can never separate Kenyans from *ugali*. However, also divest and grow other crops that are high-income generating.

There are Kenyans who draw their livelihood from this trade. As such, I do not want to be judged by my comments. I have said this many times that the people who roam around the streets of Nairobi, Nakuru, Kisumu and Mombasa demanding that the price of *unga* come down, should also be taken back to the farms to understand the challenges that maize farmers go through.

By the time farmers are petitioning the Senate because of the prevalence of a disease such as this, probably these fellows or online keyboard warriors, are seated, making noise that the price of *unga* must come down. They do not realize there is a

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farmer who woke up very early in the morning, ploughed their farm, prepared it, and has to sell that maize to a miller who will prepare *unga*, then they can buy from the supermarket.

We must continue to respond to the issues that are raised by our farmers because this country is sustained by a working agricultural economy. I am not certain of the exact percentage, but I know that there is no employer larger than the agricultural sector combined in this Republic.

When our farming communities are happy, the country is largely happy. When our farming communities thrive, the country thrives. The converse is also true, that many times when our farmers are facing difficulties such as this, it is difficult to keep the population happy and healthy together.

I must appreciate the time that the Standing Committee on Agriculture, Livestock and Fisheries took, including meeting with officials from the Ministry of Agriculture and Livestock Development, the Kenya Agricultural and Livestock Research Organisation (KALRO), the Kenya Plant Health Inspectorate Service (KEPHIS) and the Pest Control Products Board (PCPB) who gave their submissions and thoughts on this menace that has affected the people of Bomet County. I believe also in other parts of the country.

The committee is leading this House to recommend to county governments and the national Government on the things that they need to do. Many times on the Floor of this House, we have heard people speak and say: "Oh, you know agriculture is a devolved function, why do you have money that remains at the national Government?"

It is because we need to sustain institutions such as this. Not justifying the huge figures that are left there. However, remember if we do not properly resource our research institutions, our disease surveillance departments at the KEPHIS and the PCPB, then we run a risk as a country. If this was to be left to our county governments to individually deal with it, we may easily run into trouble.

I still find it difficult that many of our county governments do not have either a liaison or a way through which they interact with these institutions. They can domesticate unique challenges that are county-specific and find a way of interacting. This is because these institutions on their own cannot address this matter.

They will need the support of the county governments. You would expect that our county governments find a nexus through which reports from all these three extremely important agricultural institutions can interact with at a better level. They should ensure that they send information in advance, so that county governments react in good time. We do not want to see farmers losing the crop as has been the case in Bomet County for the last 12 years. I appreciate the fact that the committee is urging the national and county governments to allocate sufficient funds to assist farmers affected by this MLND in Bomet County.

It is something that I hope that even though this is a Petition that was sent by an individual resident, this report, perhaps through the office of their Senator, can find its way to the county assembly, so that as Members of the Bomet County Assembly do their budget and they set aside some funds to respond to this menace. Working alongside the expertise of KALRO, KEPHIS and PCPB to ensure that they respond sufficiently to this particular menace.

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The PCPB is also being urged to ensure the availability of effective and safe pest control products for managing various vectors of this disease. They should ensure that the national and county governments provide farmers with training and agricultural extension services.

I know there are challenges with funds and resources in many county governments. However, rarely do you find county governments hiring a requisite number of agricultural extension officers. Yet if we have good extension officers in the various parts of the county, then it means our farmers live a decent life. They also could earn better from their farming and respond to issues such as this.

I have just noted that the distinguished Senator of Bungoma and chairperson of the Standing Committee on Agriculture, Livestock and Fisheries is in the House. Sen. Mungatana and Sen. M. Kajwang, are among the top attendees in this House. Even on many afternoons when the House is virtually empty, you will find them here following proceedings and making their contributions. We must celebrate such Members who take the time to follow the things that happen in this House.

The point I was making is that Sen. Wakoli, you must lead this House in establishing in your interactions with county governments, for example, how many agricultural extension officers exist in our devolved units. We want to be told that in Narok County, for example, there 50 extension officers. In Homa Bay and other counties, they are this or that number of extension officers. Why is this necessary? It points to county governments that have placed agriculture and the success of the farmers at the core of their business.

I know it is not possible to provide, let us say, to a village, but at least a serious governor must ensure that one or two agricultural extension officers cover every ward. These officers can move around because they have a near personal relationship with the residents of that particular county. Otherwise, you will end up with governors or devolved units that do not react or respond to issues such as what is being canvassed in this Petition. They should not imagine that disease control and surveillance is a function of the national Government.

It is expected by our Constitution that our county governments will provide ways and means through which our county governments can respond and react to matters such as this. I hope Sen. Wakoli will lead this House because you have already handled too many Petitions of various citizens of this country who are reminding us of challenges that they are facing.

It is not just about maize as is the case here, it includes so many other crops and livestock farming, where citizens are left to battle on their own with no intervention from either the county or the national Government. You must also be able to lead this House in establishing a nexus through which the national and county governments collaborate for the benefit of our farmers.

I have already pointed out that it is not possible for Kenya to achieve a thriving economy if our farmers continue to suffer. The easiest way through which this country can have a better and more thriving economy is if we support our farmers as has been the case of late. This is not a complaint. However, I must appreciate that despite the things that we are talking about lately, including even the wheat problem that we were talking

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about a few minutes ago, it is on account that we have supported our farmers to produce sufficiently. That we celebrate.

Now, we must do the next step which is to ensure that we secure and lock the market for them, then we will have completed the equation. Our farmers will be happy and they will go home celebrating that their leaders have responded to their needs.

If you see the production in almost all crops in this country today, for instance, it is the first time today in 2024 we sold tea worth Kshs215 billion. That has never happened in the history of this country. It is on account of the fertilizer subsidy programme and the fact that God was extremely favourable to us and we had good weather condition in 2024.

Our coffee is on an upward trend. I saw a tweet from somebody who is a keen follower of the Nairobi Coffee Exchange, that for the first time in history, that exchange went into the night and into the second day. People were bidding because of good production.

I was at a public function in a place called Majimoto in Kipkelion West sub-county; one of the top coffee growing areas in my county and in the Republic of Kenya. When one of the farmers took microphone, though we were at the funeral of a gentleman who had been unfortunately been murdered, he appreciated Government for one thing. That because of the interventions that have been done in the coffee subsectors, they are beginning to see better prices. They are now earning 100 plus, things that were history in the past.

Yesterday we were in Kakamega and the farmers were urging us to make sure the supply of this fertilizer and urea which they use to grow their sugarcane is available, especially at this time as we anticipate the March long-rains season going into April, so that they can thrive and do better.

I must appreciate those interventions that have been done by this administration. It is for the very first time in a long time that rural agriculture is working. It is on that account that even our food import bill is reducing. I hope there can be something to report about from every part of this country. I do not believe there is any part of this country that cannot find something that will make the citizens to put their hands to and have a rural economy that works for them.

Subsequently, when a farmer such as this gentleman, Mr. Hilary Kerich Kiprono, points to us of the challenges that they are facing in the maize growing area in a small region, it should lead the Senate of the Republic of Kenya into a broader conversation beyond just this issue in Bomet County. We must find ways through which we ensure that rural agriculture works and many of our citizens continue to earn.

It is a shame of monumental proportions for us to continue importing food and yet we know that every time a ship docks in Mombasa with wheat, sugar, rice or maize, that is a farmer of another country that we are empowering to the detriment of our own farmers.

I want to challenge this House that we must come up with regulations on this power that we gave to our Cabinet Secretaries to issue waivers on importation of any food that is grown by our citizens, be it sugar, maize or wheat. Parliament needs to take a decision on this particular matter, so that when I vote to allow importation of maize into

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the country, I must return back to Londiani and tell my farmers why I have allowed maize importation.

Sen. Ledama must be able to stand in Narok town and see the wrath of his wheat farmers and urge them or listen to them before taking that decision.

Otherwise, when you leave it to be a power to be exercised by the Executive alone with no significant checks, you will find yourself in a situation such as the one we are dealing with of the wheat farmers presently. Farmers have had a good crop and their stores are full.

However, importers are applying to be allowed to import wheat from Ukraine, Russia and all these other parts of the world with no justifiable reason. That cannot be allowed. The Government cannot be investing billions of shillings that they are investing in the fertilizer subsidy programme, but only for farmers to die with their crops in their stores. We must assure a market for them.

Sen. Ledama and the Senators that are listening, I do not know if you know this, but the challenge we have is that the milling industry in this country is controlled by a very small elite group. Imagine three, four or five people sitting down round a table and take a decision for the rest of all our farmers. They decided not buy local farmers' produce unless the price drops to a particular ratio.

We must increase competition. The Government must ensure that they provide proper motivation to other players in the milling industry to ensure that even small-time milling farms can crop up in our smaller towns. These big milling companies that continue to ignore farmers and our farmers have to sell their crop at their whims, becomes a thing of the past.

Otherwise, I celebrate the industry of this committee. I hope we can draw the lessons. I want to challenge Sen. Wakoli together with all the Members of the Committee on Agriculture, Livestock and Fisheries that this is just a pointer to a broader problem.

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

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

That, while this response here responds to the calls that have been made by Mr. Hillary Kiprono, we must see this in the broader context of the entire country. What we perhaps need to do is to establish the issue of disease control and surveillance in the country and ensure that each of these national Government institutions have presence in our counties and have the support of our county governments. This is to ensure that our farmers continue to earn better. The same can be said almost of all other industries.

With those very many remarks, Mr. Deputy Speaker, I beg to support.

I almost thought I was replying, so Sen. Mungatana was not very far from the truth.

Thank you, Madam Temporary Speaker. I noticed change of Chair as I was concluding.

(Interruption of debate on Motion)

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COMMUNICATION FROM THE CHAIRVISITING DELEGATION FROM LIGHT
ACADEMY IN NAIROBI COUNTY

The Temporary Speaker (Sen. Mumma): Hon. Senators, there is a Communication from the Chair about visiting teachers and students from Light Academy in Nairobi County.

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon of visiting teachers and students from Light Academy in Nairobi County. The delegation comprises of five teachers and 50 students who are in the Senate for a one-day academic exposition.

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

I thank you.

I give an opportunity to Deputy Speaker, Sen. Kathuri, to also welcome them.

Sen. Kathuri: Thank you, Madam Temporary Speaker, for this opportunity to welcome our visitors from Light Academy in Nairobi. We have two Light Academies, one in Nairobi and the other one in Mombasa County.

This is one of the progressive schools that we have in this country. I want to report that also my son is a part of this delegation. He is in Form 4. I want to appreciate their performance in last year's Kenya Certificate of Secondary Education (KCSE). They were one of the top schools both for the school in Nairobi and the one in Mombasa. Therefore, I encourage the Form 4s that are currently doing revisions to follow the footsteps of their brothers that left last year.

Madam Temporary Speaker, I also advise those who want to pursue their career in politics that this is a very good career. Those who want to fit in those shoes can do that. I know my son is a bit sceptical on whether he should join politics, but I wish him well wherever he wants to go in the future.

I encourage the school and the five teachers that are here that we are happy for your visit. I know you have also visited the National Assembly and learnt one or two things during your visit.

The Members who are not in this House are in the committees doing other Senate work. They are not asleep or at home. They are out doing other duties pertaining the Senate.

I thank you very much for your visit. I wish you all the best in your academic work.

Thank you.

The Temporary Speaker (Sen. Mumma): Sen. Mungatana.

(Resumption of debate on Motion)

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Sen. Mungatana, MGH: Madam Temporary Speaker, I thank you for giving me this opportunity. May I start by congratulating Hon. David Wakoli, the new Chairman of the Standing Committee on Agriculture, Livestock and Fisheries. This is one of our growing stars in the Senate and I am so proud of him. He has been an extremely useful basketball player for this Bunge.

I am glad to see that his discipline and dedication has been translated to this committee as the chairperson. As a first-time Senator, he has done well and I thank the people of Bungoma County for bringing him here.

Madam Temporary Speaker, this is a sad report. It is an indictment of the attitude we have had to our farmers over a long period of time. The petitioner who has brought this matter to the Senate, Mr. Kiprono Hillary, has done so because he has tried to deal with the various Government agencies for assistance and do all other things, but has failed. He has resorted to the Senate because they have been suffering from this disease for 12 years.

The MLND has plagued these farmers for the last 12 years. They said that in 2011 they noticed a plague that was killing their maize crops in Longisa Division, Bomet County. They gave it a local name, *Koriot* to try and describe the problem because they did not know what it was. When you translate that word in their vernacular, it means plague. They could not explain what was happening. It then spread to higher altitudes of Bomet County and went further to the neighbouring counties. It has now reached the Senate after 12 years.

In 2012, 90 per cent of the crop in Bomet County failed and it became very serious. They looked for help in the national and county government, but the attitude has not been supportive. They have now landed here.

The problem of the maize disease is a reflection of what has happened. I am saying this because even farmers in my county, particularly the maize farmers in Bura Irrigation Scheme, have not received the kind of support they would expect from their county government.

Our farmers continue to suffer and there is no proper response. Can you imagine that despite all the effort that our farmers in Bura Irrigation make do not have any form of active allocation from the county government? It is like they do not deserve to get any support from the county government.

We appreciate what the national Government is doing in Tana River to support these farmers. We appreciate the visits that His Excellency the President made last Thursday to deal with the irrigation issues and availability of water for the farmers. However, while the rest of the country are celebrating that fertilizers prices have been dropped from Kshs7,000 to 2,500, KSC buy the same fertiliser for Kshs2,500 and sell it to farmers at Kshs4,700 in Tana River County in Bura, yet it is a Government agency.

They give these farmers the fertilizer and then deduct from them when the harvest comes. Farmers are wondering why they are not making money. It is like some sort of a loan, which is later on deducted from the money they are supposed to pay these farmers. That is another example of lack of support for local farmers.

Madam Temporary Speaker, the petitioner, Mr. Hillary, has said that they have not had support in the fight for saving their crop---

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The Temporary Speaker (Sen. Mumma): Is his time up? How many more minutes does he have?

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

Sen. Mugatana, you have 14 more minutes. The system is faulty. Please come to the Dispatch Box.

Sen. Mungatana, MGH: Thank you, Madam Temporary Speaker. I have another example of lack of support for our farmers. I am now focussing on Tana River County. You will find that loans that were advanced to them by the Agricultural Finance Corporation (AFC) and Equity Bank have left almost all the farmers on the Credit Reference Bureau (CRB).

They now cannot get any more loans to support the next crop just like the farmers in Bomet County. Due to the lack of support, money that comes to help them start working comes from commercial sources. When they fail to pay because of the lack of support from county governments, they are left with loans.

The Senate, through the Standing Committee of Agriculture, Livestock and Fisheries and the adoption of this report, is telling the executive and our various county governments to put more effort in supporting our farmers. This is the biggest employer across the entire Republic of Kenya. May we put money where it will support our farmers.

I fully agree with one of the recommendations here that says we give money or loans to support the Bomet farmers to start again. The Bomet County farmers are looking for loans, which is okay. However, the Tana River County farmers are urging that the national Government to steps in because this is about Kshs103 million for all the farmers in the Bura Irrigation Scheme.

We have made this request and we hope it will be considered. These farmers' loans will be waived so that they are given a fresh start. In Bomet, they should be given support to start again. This is because when you have lost all your crops, you have lost everything. Again, crop insurance is one of the recommendations.

A lot of work goes into preparing the land and buying inputs for the farms. If anything goes wrong, whether rains are delayed, water from irrigation is delayed or dried up, or machines break down, then we lose the whole crop. If this should happen and there is no crop insurance, then it is a total loss to these farmers.

Madam Temporary Speaker, I repeat that we need to support our farmers more, put in more effort, especially financial effort and bring crop insurance to our farmers so that they can survive in these tough economic times.

I want to take my seat. However, I will congratulate Mr. Hillary for bringing this petition before the Senate. I thank again the Committee on Agriculture, Livestock, and Fisheries for their work. It is important for us to realise that without farmers, Kenya is sunk.

This is the biggest employer. This is where we should be putting our money. It is an indictment on this Ministry of Agriculture and Livestock Development at the national

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level and our various Ministries of Agriculture at the county level that for 12 years now, we have not helped the farmers of Bomet County.

The risk is that the disease is spreading to other parts of the country. So, I fully support this report. I pray that as we endorse, accept and vote in support of it, that various agencies mentioned in it and who were called before the committee will effect the recommendations of the Senate and help the farmers of Bomet as well as farmers in other parts of this country.

I support this report.

Thank you.

The Temporary Speaker (Sen. Mumma): Sen. Olekina, proceed.

Sen. Olekina: Thank you, Madam Temporary Speaker. I rise to support this report by the Committee on Agriculture, Livestock and Fisheries.

As I support this report, I want to appreciate the diligence of the young Kenyan from Bomet who has educated us on what is going on in this country. The reason we have seeds that are prone to diseases is simply because institutions have failed to perform their work.

We have an institution called the Kenya Plant Health Inspectorate Service (KEPHIS), which is supposed to provide a service and regulate seeds in this country. However, it appears that for last 12 years, a disease has attacked the basic food that sustains this economy and they have done nothing about it. In 2021, Bomet County lost almost 90 per cent of its crop. Yet we have institutions that collect billions of shillings to ensure that our farmers are protected.

These are the kind of things that make some of us propose legislation to separate some of these tasks that they are given. I want to tell the honourable Kenyan who brought this Petition that this Petition will not just go like any other petitions. Most of the time, when Kenyans come and petition here, just because the Constitution gives you the right to do so, it is quite seldom that action is taken or whatever the recommendation we give is fully implemented.

Madam Temporary Speaker, this is one of those actionable petitions and we can implement it because it touches on our existence. If you tell the people of Rift Valley that they cannot grow maize - I heard my good friend, the Senate Majority Leader - say that because of all these disadvantages and challenges, he is now advising his constituents to diversify. I understand where he is coming from.

As a farmer like me, I have to grow maize because apart from feeding my own family with it and my community, I also have to feed my cows. However, the truth of the matter is that I cannot feed my cows with maize that has a disease because I will pass that disease to other people. So, what is the neatest thing to do? The Committee on Agriculture, Livestock and Fisheries has done its task. All the distinguished Senators who spoke here have also supported this committee and emphasised its findings.

We all know agriculture function is devolved. It is about time that county governments ensured that their field officers in rural homes guarantee that the seeds sold by KSC and all these agro vets are certified.

Within the next few weeks, I will introduce an amendment to the Seed and Plant Variety Act. This is the Plant Variety Act. I will seek to introduce a standard-based seed

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registration system to facilitate the timely approval of seed varieties. The problem we have now is that a cartel heads KEPHIS.

When the basic seed approval process takes years who are we protecting? We are definitely not protecting our farmers, but the people who introduce seeds such as maize and beans. They do not want any other variety to be introduced that can adjust to the different changes in our climate.

My Bill, which is already being sent for pre-publication, will address these issues. I was so happy when I read this report because it is like we are intertwined. We were sitting down with the Committee on Agriculture, Livestock and Fisheries and looking at the prayers. If you read this petitioner's prayers, they are simple.

They are asking us to make sure that any seeds sold to maize farmers are seeds that do not have any diseases. When I introduce my Bill, you will see that I have taken that into consideration. It is now imperative that we try to separate because a lot of seeds come from abroad. We have KEPHIS, which should provide a service. However, I am a firm believer that the Kenya Bureau of Standards (KEBS), which is fully equipped, can ensure that the certified seeds, are good for this economy.

The problem is that when you have one Government entity that is tasked with approving seed varieties and inspecting them, believe it or not, there is always room for mischief. This is because quote-unquote; they are the alpha and the omega. They are the ones who make all the decisions.

Madam Temporary Speaker, it is time for us to listen to what is happening on the ground. Make sure that any seed varieties that are sold in this country are seeds that are clearly labelled and you can follow them.

We should now ensure that whoever sells seeds that have some form of disease pays suffers the consequences. The petitioner is seeking some form of support or compensation. We need to encourage and educate our farmers that there are insurance policies that can protect their crops.

I believe we are all farmers here. The distinguished Senator from Bomet County, Counsel Hilary Sigei, recently harvested his wheat. Since we had a crisis in the country, all he did was to store it until we had a situation where he could sell it. All that was brought by the fact that when Cabinet Secretaries meet, they do not have a picture of what is happening on the ground. Therefore, decisions are not made locally, but elsewhere so that farmers continue to suffer.

Madam Temporary Speaker, it is important that we encourage innovations to develop local seeds before any seeds are imported from outside the country. Secondly, before any wheat or maize is imported, we should make sure that there is absolutely no wheat or maize in this country.

I dare say that sometimes because of business interest, some people will sell seeds that will ensure that there is a shortage of maize in the country. This is because they import millions of metric tonnes into this country because we are a consumer economy. We must change to becoming a producer economy. We should be producing and selling.

Listen to this, Madam Temporary Speaker. It is a shame that because of all these challenges we are facing in the wheat sector, out of 100 per cent of the wheat consumed in this country, the wheat that we produce in Narok, Uasin Gishu and Nyandarua counties

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is only 5 to 8 per cent. What is so hard for millers to mop up that 5 to 8 per cent? They still import wheat from outside the country.

Let me appreciate the work of the new Cabinet Secretary for Agriculture, Livestock and Fisheries Development, Hon. Mutahi Kagwe. I am happy that he listened and saw where the problem is. He knew that those people had 260,000 metric tonnes of wheat at the port. However, farmers in Narok, Uasin Gishu and Laikipia have got about 320,000 metric tonnes. They need to go and buy all those bags first before they are given approval to offload the ship. He told them to pay the demurrages as they wish.

They are all crying, but we have to be our brothers' keepers. We have to make sure that we protect the people who give us an opportunity to serve them here. The gentleman called Hillary from Bomet should awaken our desire to help uplift the standard of living of our people. This should be very dear to all of us. It should be something we should take seriously because if those people are not happy, trust me, you are the ones who will get all those phone calls asking you to help them.

Madam Temporary Speaker, I am happy that the committee recommends that the Ministry of Agriculture and Livestock Development must develop a support mechanism for the rural farmers. That support mechanism should not be left only to the Ministry. It has to go down to the county governments.

I am happy that all of us agree that we should introduce agricultural extension officers. When we were growing up, it was fun being a child in this country. You would find agricultural extension officers coming. In fact, back then when we used to grow wheat, you would go to school knowing that there is a crop and somebody would come to buy it.

Even if you did not have school fees, the fact that you had a crop in the field, that would give you a ticket to education. Now, nobody is sure whether they will harvest whatever they plant.

Madam Temporary Speaker, you should have seen the frustration and anger of the wheat farmers in Narok County. When I asked them what was going on, they were like; where were you when we were suffering? Little did we know that we have issues. We must ask ourselves how we should educate our farmers.

The biggest problem we have is that we are not educating our farmers. When Nyeri County farmers complain about tea or coffee, unless the distinguished Senator for Nyeri goes there and educates them, to tell you the truth, the county government may not invest in educating them. Since we have this national platform, let us ensure that the decisions we make here trickle down. This is a House of union because it unites all the 47 counties on issues that affect our people.

I was listening to the distinguished Senator for Tana River talking about compensation of the farmers. The way we are busy drumming up support for the Social Health Authority (SHA) and saying that we want universal healthcare, we should do the same for food security.

I wish Members of the National Assembly were listening to this. We should encourage industries to be established in rural areas and waive 100 per cent taxes for innovation because that is the only way. If you have industries across the 47 counties, you will encourage more people to develop new seed and grow crops.

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There is absolutely no reason as to why I should be buying *unga wa ugali* from Mombasa yet I grow maize in Narok. How many people are in Narok? We have over 1.4 million people. That economy should sustain itself.

I am glad that the distinguished Senator for Bungoma is listening. Sometimes it behoves us to think how to devolve all the services. For example, we can take seed inspectorate services to Bungoma, Narok or Bomet counties, so that immediately we realise there is a disease affecting farmers, action is taken locally.

If you go the KEPHIS, before they send somebody to the ground, you might be asked to fuel their vehicle. That does not just happen in the crops, but also in the livestock sector.

Madam Temporary Speaker, did you know that for them to test pesticides and acaracides for spraying cows, they do all the testing in Trans Mara? If you have a cow in Bungoma County that has tick borne disease, if a new acaracide has been brought to help solve that problem, unless the testing is done in Kilgoris, there is no way you can use it. We need to divorce ourselves from the old mentality, control and bureaucracy and open the field.

As I conclude, I hope that the Committee on Agriculture, Livestock and Fisheries will support my Bill once it is tabled because it goes into the call of this Petition, so that at least this Parliament can be remembered as having solved the problem of that maize disease.

Finally, Madam Temporary Speaker, it is time that KEPHIS mopped up all the maize seeds causing that disease. There is no way you can have one seed for 12 years and that disease spreads every year. There is something wrong with it, unless somebody is protecting it. The KSC and all other companies that sell seed must look at that seed.

As far as I am concerned, many seeds come from Kitale. However, those diseases are not in Kitale. I am wondering what is going on. Is it because of the pesticides we use that are causing those diseases because maize seeds are grown in Kitale?

They are certified that good. However, once they are planted in Narok or Bomet, they have diseases. Is it the pesticides? Is it that we have really corrupted our soils to a point where any crop you put in it just dies? Those are the questions that we must ask ourselves.

Madam Temporary Speaker, I fully support this report. I hope that the Committee on Agriculture, Livestock and Fisheries, even though we do not have an implementation committee, will follow through to make sure that all your recommendations, which are sound, are implemented.

Sen. Wakili Sigei: Madam Temporary Speaker, let me begin by appreciating the Chairperson of the Committee on Agriculture, Livestock and Fisheries, Hon. Sen. Wakoli moved this report this afternoon. I also appreciate the rest of the members of that committee, particularly those who are involved in the investigations to the Petition that was filed before the committee leading to this report today.

To the team, it is one thing to receive it and it is another thing to make the recommendations that they have made in regards to this Petition.

When history is written, this young man, Kerich Hilary, who is my namesake, Kiprono and who comes from the world that I come from in Bomet County, will go into

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the right path of it. This is for the reason that in the year 2011 and 12 years thereafter, leading all the way to 2021-2022, this MLND indeed affected over 90 per cent of the entire crop within Bomet County. It did not just affect the crop, but the entire livelihood of thousands and thousands of people.

The decision by Kerich to file this Petition and to seek for the recommendations that ultimately has come from this committee have really made me proud as a citizen of this country, particularly where it is speaking to the mainstay of the livelihoods of thousands of people.

Madam Temporary Speaker, when you look at the report itself and the investigations that were conducted, the disease did not only affect Bomet County, but it has spread over the country, including the neighboring countries.

The sensitization that this Petition has brought in itself is something that is worth lauded and appreciated. I also appreciate the gentleman from Nyangores Ward, Hilary Kiprono Kerich, for taking this bold step. Despite the fact that he lamented in his Petition of the efforts that he made prior to filing this Petition, he did not give up or surrender because he had a vision to seek to establish the root cause of this disease.

A description of the condition of the maize as a crop that has been affected by this disease is quite worrying, especially when it took more than 10 years for the Government to manage its spread and also the consequences that it has caused. Ordinarily, you would find a mature crop going up to two or three metres high.

Madam Temporary Speaker, the only crop that they entirely rely on would only grow to a certain stage, barely a metre high, turns yellow and stagnates. It could affect the rest of the intercrops and ultimately, there is zero harvest.

When we went before the committee - where I also appeared - the interrogations that went in, including the participation of the Ministry of Agriculture and Livestock Development, KALRO and the relevant other Government agencies, brought out the real challenge and effect of the disease.

The most unfortunate thing and the sad situation about this is the fact that it has taken more than 10 years for this to be out of the shelves. Further challenge has been occasioned by the inability or the unwillingness of those who are involved in the county government because this is a devolved function. Agriculture is a devolved function.

Madam Temporary Speaker, in the absence of a commitment on the part of those who are running the county and related agencies operating within the county government, the farmers or residents will have no other recourse to do what Hillary did. He filed Petition before the Senate leading to the involvement of the Committee on Agriculture, Livestock and Fisheries to deal with this.

The consequences of it, as I said, went beyond food security. This affected not only the people of Bomet, but it went beyond the county. It is something that would go to the national and the regional level. As I have stated in this aspect, the challenge is the absence of commitment and involvement of extension officers.

The county government in most cases, especially Bomet County, has a budget that has already been set aside for purposes of this. Instead of investing in such very specific, public and of great concern agricultural aspects, the funds go into great waste in what we

have now made it as a devolved corruption. This is one of the reasons why Hillary decided to appear before the Senate.

Madam Speaker, on the day that this gentleman appeared; that is in the year 2023 September, that was almost 11 years after the discovery of this particular disease. The consequences the appearance of the Principal Secretary in the Ministry of Agriculture and Livestock Development led to the decision of the Government at the national level. They took that decision to support in the control of the spread of this disease. By extend the supervision of the extension officers who ordinarily are expected to support the farmers and all those who are involved in dealing with this situation.

This one intervention was aimed at ensuring that there is reduction in the extension and the spread of the disease for the future. They also supported farmers in order to ensure that they get appropriate seedlings that were either disease resistant or indeed a different variety. That would help the farmer to ensure that they harvest the crop.

In other words, there was also a request, which in the petition came as a recommendation that farmers should be encouraged to ensure that they also diversify in having other varieties of the crop. In some instances, take crop insurance that will support them to mitigate the losses.

The major gain out of this particular Petition is the recommendation that was made. Among them, of course, the fact that instead of just dealing with the maize as a crop, whether cash or by definition the mainstay of the farmer; they were encouraged that they should be able to have other varieties that are resistant. They should also ensure that they participate fully in terms of the engagement by the extension officers so that we are able to educate them on what to do; we are able to have extension services get to the farmers.

A team that was set up by the Minister of Agriculture, Livestock and Fisheries. Where a multisectoral team was picked up to deal with this menace. As I speak, though we still have this challenge, we still have the disease though in some scattered situations or places. Last year was when we had the first harvest of this crop with limited effects of this disease. This means it is being phased out over time, courtesy of the interventions that were done by the national Government.

In this instance, the interventions that the Ministry of Agriculture and Livestock Development in conjunction with KALRO and other related entities have participated in to support the farmers. This could not have happened had it not been for this Petition. This could not have happened had Hillary not taken it upon himself to create an attention in the context of the disease that affected farmers.

Part of what has happened is that the Ministry of Agriculture and Livestock Development has held public *barazas* across the 75 divisions in the county. As a result, farmers have appreciated planting other varieties or other alternative crops. In Chepalungu constituency where I come from, farmers were encouraged to plant sweet potatoes and other subsistence crops instead of maize. That would not have happened had it not been for this Petition.

As a consequence of this Petition, there has been a lot of public awareness and farmers have been informed on what they are supposed to do. I believe that the greatest

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cause of this is the fake seeds that were supplied to the farmers. The most unfortunate situation is that the Government took more than ten years for to phase it out of the market.

One of the requests that the petitioner sought is compensation. It is sad that in the year 2012, the Government rejected a request for compensation on the basis of lack of a policy. I believe that the proposed Bill sponsored by the Senator for Narok County, who is my neighbour, Sen. Olekina, will set up an enactment on the compensation to farmers. With that, if farmers are made to lose their harvest or investment courtesy of such fake seedlings or inability in the part of Government to create interventions, then they are entitled to compensation.

I believe that in the context of the recommendation that has been made by the committee on the Petition filed, the demand for compensation is still alive. I believe that in the fullness of time, the farmers who sought for compensation having suffered for that period because the Government did not intervene will get compensation.

I want to appreciate the contribution by the Members and the Members of the Committee on Agriculture, Livestock and Fisheries who went out of their way. I wish that they visited this county to experience what farmers went through. However, in the absence of that visit, they still submitted before the House a report that I wish it will be implemented.

Earlier on, in the Liaison Committee, we discussed that even though the Senate does not have an implementation Committee, we need to consider creating a Liaison Committee that comprises all the Chairpersons of the Committees and have it as an Implementation Committee.

There is need for the reports that are relevant and core to the lowest level of representation that we have in this House be implemented. If we do so, we will ensure that the farmers or any other person who has been affected by such mishaps in the course of Government administration are compensated for lose that they incur.

I support this Petition. I also want to tell Hilary that he should proceed to fight for the interest of the farmer and those who are unable to get to the place that he took this Petition to.

The Temporary Speaker (Sen. Mumma): We will hear from Sen. M. Kajwang’.

Sen. M. Kajwang’: Madam Temporary Speaker, I also rise to support this report of the Committee on Agriculture, Livestock and Fisheries, which is a response to the Petition that was lodged in the Senate by Kerich Kiprono Hillary on the 12th June, 2023.

I have noted some procedural innovations, which I am happy about. Previously, when committees had a report responding to a petitioner, the report would just be laid and that ends there. There could just be some general comments and that would be the end of it. I am happy that the House has innovated. When there is a Petition or a report on a Petition, it is brought to this House as a Motion for adoption. This gives it further effect, because previously, the committee would just respond to the petitioner without any resolution of the House.

Madam Temporary Speaker, I also note that petitions are meant to be resolved within a period of 60 to 90 days maximum, with extension. This Petition has taken some time, but I am happy that the committee has come back with a report.

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In its conclusion, the committee has given very clear action that should be undertaken by the Ministry for Agriculture and Livestock Development and the Bomet County Government to respond to the prayers that were put to the Senate by Mr. Kerich Kiprono Hillary.

Again, because these are innovations, how I wish that this report would have a matrix, so that we know specifically what the Ministry of Agriculture and Livestock Development and Bomet County Government should each do. Agriculture is a shared concurrent function between the national and county governments. So, if we do not assign clear responsibility, you end up with a situation where everyone assumes someone else is doing something, but they end up doing nothing.

All in all, it is good that we have responded and directed the Ministry of Agriculture and Livestock Development to establish programmes to ensure that there is financial assistance to the farmers who lost their crop. For example, in 2012, there was a 90 per cent crop failure because of the MLND.

Madam Temporary Speaker, there is something happening in county governments that this Senate must address. At the onset of devolution, we had Farmers' Training Colleges (FTCs) across the country. I had one farmers training college in my county of Homa Bay. Then when this ambition and thirst for universities came, we converted the FTC to a university, the Tom Mboya University; a beautiful institution with very good infrastructure. I believe it shall be the host for the next devolution conference. However, we did not provide an alternative for training of farmers.

If today you were to ask the Senator of Bungoma County, Sen. Wafula, to make for you a dish called, *Lasagna* he cannot because he does not even know what it is. He has no idea how it looks like. Of course, if you told him to make *ugali*, he would because he has seen it being made, and perhaps his mother taught him how to do so. If his mother did not, then he taught himself how to make it in campus because comrades know how to take care of themselves.

The reason I am giving this illustration is that if someone does not teach you how to make *Lasagna*, you will probably never know how to make it. If someone does not teach you crop husbandry, you will fumble and probably not know how to undertake proper crop or animal husbandry.

Our children, the ones living here in Nairobi may not know what we went through as we were growing up. I told my son some time back that in mornings such as this, I would have already gone to the farm to weed, came back milked the cows and taken the donkeys to the lake to fetch water. He told me "Daddy, I cannot do those things because we do not have a donkey, a cow or a farm."

If we expect our children to understand crop or animal husbandry, without teaching them, then we will be expecting too much. The future of agriculture is bleak in this country because we have killed the units, colleges and the places where someone who comes from a fish breeding area can go and learn how coffee is grown.

Madam Temporary Speaker, you cannot know how to take care of a cow if you are not taught. The natural instinct that God gave humans is how to take care of a human beings, not how to take care, feed or milk a cow. We must bring back our FTCs and they must not be seen as places for retirees. That once someone has retired in Nairobi City

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County, they go to an FTC, so that they can start a poultry project, which then collapses once their pension runs out. It should target young people.

Madam Temporary Speaker, the fishermen in my area are still using traditional hunting and gathering techniques. They are investing nothing in the lake, but expecting that, at the end of the day, they will have a full catch. It has been like that for thousands if not millions of years

That has been how humanity has approached fishing. They believe that God has put fish in the lake, rivers and streams, and our job is to go there with a hook and catch. However, recently, an American investor called Victory Farms came up with cage fish farming, putting cages in the lake that we have had for millions of years. He put fish in those cages in the lake, giving them food and controlling the environment in which they thrive.

Today, Victory Farms is generating Kshs5 billion gross revenue in a year in a far corner of Suba. Almost the same revenue that the County Government of Homa Bay has at its disposal. Why? They brought innovation, science, technology and people who had been taken to school to study how fish breeds, grows and how it can be taken care of.

We must bring back farmers training colleges. Planting of maize is not just something you wake up and do. In my community, we would of course plough the fields with oxen ploughs. That in itself is an art. To manage six cows tethered on a yoke, pulling one plough and to be able to do that with straight lines for acres upon acres, those were traditional techniques, which I do not know who will teach them. Perhaps mechanisation has made it obsolete.

Madam Temporary Speaker, when I go to the village, I am told that the farms that were tilled using tractors tend to turn the soil too deep. As a result, it brings up certain pests that are buried further down. Our people have got very interesting knowledge. They will tell you this farm was ploughed using a tractor, this farm was ploughed using an ox. Now, the skills of oxen ploughing are virtually dead. I do not think it used to be taught in farmers' training colleges.

Now, after you have ploughed your farm, we would then plant seed, and that seed would not come from a shop. The seed would be the residue from the last harvest. What our people would do is if you got a good crop, you would choose the biggest corn or the biggest ears of maize, then you would dry it and put ash on it. Then you would stick it on the roof which was a grass-thatched. Particularly where there is a kitchen, so that for the entire year, the smoke would bellow, that seed would harden, and it would not be attacked by weevils or any other pests, so that the next season, you could plant it.

There are now innovations. There are now seeds that can grow in different areas, but our people do not have the knowledge because they do not have access to farming training and innovations that they are supposed to get through the county governments. Once you have planted the seed, you come back to weed your farm, and you find your farm has the beautiful purple foliage of a weed called striga. There is no other weed that is as beautiful, but as damaging as striga.

The striga weed, just like the MLND that we are discussing right now, affects Bomet and Homa Bay counties. However, one other big pest that we have to contend with in our regions is that very beautiful purple flower. When you are driving past or

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when you are passing a farm, you will be amazed. This is a beautiful farm, very beautiful purple flowers, but that is the biggest pest that we have to contend with.

For some time, the International Centre for Insect Physiology and Ecology (ICIPE) based in Mbita Town in Homa Bay County tried to help farmers to deal with the striga menace. The only solution that seems to work, so far, is for farmers to pull out the striga at an early age. Striga seeds propagate through the roots.

If you do not pull out the entire thing from the roots, then it continues to propagate. The striga weed seeds grow very deep. Our people are saying that when you use a tractor to plough, it brings up the seeds and then you have got beautiful purple foliage of a pest. Our people did not know how to deal with striga and it really stunts maize. It would affect production by more than 60 per cent. It also drives up the cost of producing an acre because you have to weed not just once, but twice and yet we have the herbicides.

Our people do not know how to use herbicides. They cannot imagine that there is something that you can spray in your farm to kill weeds and preserve the maize. They can only do that through demonstration farms and training. They also do not know that you can use fertilizer because naturally our soil is fertile. Someone should demonstrate to them that when you use fertilizer, then your production goes higher.

A training needs to be done all the way through the chain, including harvesting. You harvest your maize, take it to the market and then you are told it has got aflatoxin. As a person who grew up in the village going through these processes, I can tell you I do not know how aflatoxin looks like. I do not know whether anyone in this House can look visually at maize and say this one has got aflatoxin and this one does not have aflatoxin.

Madam Temporary Speaker, we would harvest, gather everything, put them on donkey drawn carriages, put them in a granary, leave them in a granary and put some little ash on them, so that they can survive to the next harvest.

When you take your maize to the market, you are told it has aflatoxin. Can someone come and teach us how aflatoxin looks like? Can someone come and tell us what to do with our soil because I hear that aflatoxin comes from the soil. What should we do so that that aflatoxin does not get into the maize, so that our maize can get to the market?

Madam Temporary Speaker for last 10 years the FTCs have died. We must now push for the revival of them. When we will be coming to Homa Bay, if we are doing the Devolution Conference at Tom Mboya University College, let us remember that was a farmer's training college. Therefore, for the benefit of farmers in Bomet and in other counties, let us push. If each county cannot do an FTC, let us then have regional centres of excellence where our farmers can be taught what to do.

We passed a law in this House called the Warehouse Receipt System. We have a Warehouse Receipt Systems Council in this country. The Warehouse Receipt System was supposed to move maize farmers from peasant subsistence farmers to people who could use their produce as collateral. You go harvest your maize, you have been trained how to tell whether it has aflatoxin or not, take it to a certified warehouse, keep your 100 bags of maize in that certified warehouse and you are given a warehouse receipt. With that

warehouse receipt, your child should never be sent away from school because it is as good as cash.

To what extent have our farmers understood that concept or is it just the big millers and farmers, who are taking advantage of that situation? Taking advantage of good storage facilities offered by the National Cereal and Produce Board (NCPB).

I believe that they have one of the registered warehouses where you can make your depository of crop and get a warehouse receipt. Since I sit with Sen. Wakoli in the Committee on Livestock, Agriculture and Fisheries, it is time for this House to query, to what extent has a warehouse receipt system been adopted in this country? What is the level of understanding or appreciation of our farmers? Maize farmers walk around as if they are the poorest people. We can only fix that by bringing them back to the cash economy.

Madam Temporary Speaker, as I finalize, because this is a Petition, and already the committee has given directives, for me, my only emphasis is let us help our farmers to get the best practice, science and innovations that can help them to do agriculture, not just as a hobby, but as a cash and economically empowering activity.

Let us also push the Ministry of Agriculture and Livestock Development because we do not have a clear agricultural sector strategy in this country. When the late President Hon. Mwai Kibaki took over, we had the strategy for revitalisation of agriculture. Through the strategy for revitalisation of agriculture, we collapsed all the many parastatals and put up one thing called the Agriculture Food Fisheries Authority (AFFA).

Ten years later, from AFFA, we have divested fishery, livestock, tea, coffee and milk. We have reversed everything that the Kibaki's Government put forth. That was what was going to help us realise Vision 2030. Today, we do not have a coherent plan. The last one was called Agricultural Sector Transformation and Growth Strategy that was launched by either hon. Munya or Linturi.

The current Cabinet Secretary for Agriculture and Livestock Development should come to this House and tell us what is the overarching agricultural sector strategy. How does it fit into the Vision 2030? We need to ensure that our farmers are not just beggars. That our farmers, particularly women and youth, can also be part of the cash economy.

Madam Temporary Speaker, with that, I support. Thank you.

The Temporary Speaker (Sen. Mumma): Sen. Mundigi.

Sen. Munyi Mundigi: Asante, Bi. Spika wa Muda kwa kunipa ruhusa nchangie Hoja inayoendelea kuhusu Kamati ya Kilimo ambayo mimi ni Naibu Mwenyekiti. Katika kaunti 47 za Kenya, kilimo kiko mstari wa kwanza. Vyakula muhimu Kenya ni ugali na mchele.

Mambo hayo yote yametokea kwa sababu kilimo cha mahindi na mchele hakipewi kipao mbele. Yale tunayoyachambua hapa yameendelea kwa muda wa miaka kumi na miwili. Ni ajabu kwani tumechambua mambo ya kilimo kwa miaka mingi. Tunajua kwamba kilimo kimepewa kipao mbele. Siku hizi watu wote; wakubwa na wadogo, mawaziri na watoto wa shule--- Tunawaelimisha vijana wetu kwamba wakikosa kazi wajishughulishe na mambo ya kilimo.

Bi. Spika wa Muda, tunaongea kuhusu kilimo cha mahindi na yale mambo yanayoendelea katika kaunti ya Bomet. Nakumbusha Seneti kwamba wakati wa zamani

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Hayati Rais Moi alikuwa anaongoza nchi. Tunakumbuka vizuri kulikuwa na Agricultural Extension Officers ambao walifunza watu kuhusu mmomonyoko wa udongo, kupanda miti na uchimbaji wa mitaro. Kilimo cha wakati huu kiko na shida.

Tukishikilia kilimo vizuri, tutaishi vizuri kwani mtu akikosa mshahara na anaweza kuishi kwa pesa kidogo. Nakumbuka vizuri wakati tulichaguliwa mwaka 2022 kulikuwa na janga la njaa lakini Mungu akatusaidia na mvua ikanyesha. Nakumbua tulikuta unga wa mahindi ukiuzwa shilingi mia mbili na kumi. Wakati mvua ilinyesha na kilimo kikafanikiwa, unga sasa hivi unauzwa shilingi mia moja na thelathini.

Kama Mungu alitusaidia, watu wa kilimo upande wa Serikali wangetusaidia kwa kutupatia mbegu nzuri, kuchimba mabawa ya maji na kutupatia pembejeo za kilimo cha mahindi, hatungesikia yale mambo yaliyofanyika katika kaunti hiyo.

Tumechangia na kusema kwamba ni kaunti moja tu ya Bomet. Tunajua kwamba sio kaunti moja bali kaunti nyingi. Ni vile yule Seneta ameona hayo mambo yanaendelea huko kwao na yamefunikwa na hawakushughulika kujua watayatatu vipi.

Naunga mkono ripoti ya Kamati ya Kilimo ambayo mimi ni Naibu Mwenyekiti. Tulichambua kisa hicho na tukasema kwamba wale watu wafidiwe.

Bi Spika wa Muda, kuna bima ya kilimo. Hakuna mmiliki wa gari hupenda kulipa bima ili alipwe fidia. Vilevile, kwenye kilimo hakuna mkulima angependa kuweka bima ili apate fidia.

Ningeomba Serikali inayotuongoza ya Kenya Kwanza iweke kipao mbele masuala ya kilimo, hasa upandaji wa mahindi. Mchele unapanwa katika Kaunti ya Kirinyaga na kaunti zingine pia. Hivi sasa kaunti ya Kirinyaga kuna wadudu wengi. Ilhali kuna agricultural officers ambao wameshindwa kupambana na wadudu hawa. Hili jambo haliko Kirinyaga pekee, wakulima wa Kisumu pia wanapitia changamoto hizi.

Ni lazima tuwe na mazungumzo kuhusu vile Serikali itasaidia wakulima. Ajenda ya kwanza ya Serikali ya Kenya Kwanza ni kilimo, halafu afya, ujenzi wa barabara na elimu. Haya masuala yote iletwe pamoja.

Kaunti ya Embu kuna chai, kahawa na maembe. Maembe pia imevamiwa na wadudu. Wakulima wanavuna maembe iliyo na ubora wa chini. Kilimo ni muhimu na Serikali inafaa iangalie masuala haya katika kaunti zote 47.

Mimi ni Seneta wa Kaunti ya Embu. Wakulima wa Mbeere South na North wanapanda muguka. Mmea huu uko katika Crop Act. Kilimo cha muguka hakijaangaliwa vizuri. Wizara ya kilimo na Mifugo ya Hazina ya Jamhuri ya Kenya haijaangalia mazao ya kilimo ya muguka ili wakulima wanufaike.

Serikali inafaa iwaajiri wasomi wa kilimo ili waangalie changamoto za wakulima katika kaunti zetu zote. Kaunti zote nchini zijengewe mabwawa za kunyunyuzia mazao ya wakulima maji. Pia Serikali ijenge water pans na boreholes. Mvua itanyesha hivi karibuni na hakuna hifadhi ya maji.

Katiba ya Kenya imeashiria kuwa kilimo kimegatuliwa. Naomba Maseneta wakati wa bajeti tutenge pesa za kusaidia wakulima wakati mimea imepata magonjwa.

Kampuni za mbegu zinawapatia wakulima mbegu mbaya, hasa za mahindi na maharagwe. Lazima tujiandae kama Seneti ili tuweze kusaidia wakulima wapate soko ya mazao yao nchi za nje. Hivi majuzi Serikali ilipendekeza chanjo kwa ng'ombe na mbuzi ili watu wa North Eastern wauze nyama ng'ambo. Chanjo siyo mbaya, lakini hakukuwa

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na *public participation*. Nchi yetu ni ya demokrasia, lazima kuwe na *public participation* ili mkulima ama mwananchi ahusishwe.

Kaunti ya Embu isaidiwe na maji kutoka kwa mabwawa na madawa. Ningeomba *agricultural officers* kwenye Kaunti ya Embu wafanye *research* ya muguka. Tumefanya *research* kidogo. Miraa ama muguka zinaweza kutumika kutengeneza *juice*, *wine* ama *Big G*. Vilevile, zinaweza kutumika kutengeneza dawa.

Bi. Spika wa Muda, naomba tuweke kwenye mstari wa mbele mambo ya *agriculture*. Mmea wowote unafaa kufanyiwa *research* ili tuone jinsi ya kusaidia kila Mkenya. Baada ya hayo yote kufanyika, Serikali inafaa kutusaidia kwa mambo ya mazao yetu. Tukiuzwa katika nchi za ng'ambo, tunafaa kufuata njia inayofaa.

Mmea wa makadamia umekumbwa na matatizo mengi. Wakati tulipochaguliwa, makadamia ilikuwa inauzwa kwa shilingi thelathini kwa kilo. Tulipoketi kama Maseneta na maafisa husika, bei ilipanda hadi shilingi 130. Kutokana na hilo, miezi ijayo, huenda watu wengi wakaanza kupanda mmea wa makadamia ili kuuza mazao yake katika nchi za ng'ambo.

Naomba kuwe na *public participation* ili watu waambiwe kwa nini mazao ya mmea huo hayatanunuliwa. Wakulima waache kulia kwa sababu kuna shida zinazokumba mmea wa makadamia, licha ya kuwa watu kutoka kaunti mbalimbali wanaupanda.

Mimi kama Naibu wa Mwenyekiti wa Kamati ya Agriculture, Livestock and Fisheries, naunga mkono Hoja hii.

Kwa kumalizia, Bi. Spika wa Muda, mbegu yoyote haifai kukaa kwa muda mrefu.

The Temporary Speaker (Sen. Mumma): Next is the Senator for Nyeri, Sen. Wamatinga.

Sen. Wamatinga: Madam Temporary Speaker, I was worried that my colleague from Embu was going to take all the time.

I proudly sit in the Committee on Agriculture, Livestock and Fisheries. I am happy that I will sitting there with you, together with our able Chairman, the Senator for Bungoma.

Agriculture is the backbone of our economy. I come from Nyeri County; a land of many opportunities that lies between two water towers. It is endowed with one of the best coffee and tea. We have the best producers in Nyeri. Equally, we also plant maize as staple food.

The technology that we use in our farming has remained the same over the past couple of decades. I vividly recall that when I used to go to the farm with my grandmother, the technology we used in ploughing, planting, crop management and harvesting has remained the same.

We are all aware that climate change and global warming have contributed to many factors that have affected our farm produce negatively. Given the changing technologies, it is imperative that we must leverage on the available technology to ensure that we not only get the best seeds, but also have the best management of some of the pests and diseases that affect our crops.

As a Member of the Committee on Agriculture, Livestock and Fisheries, I had an opportunity to visit a number of countries across the globe. I have also had an opportunity

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to see some of the best practices. Some of the pests and diseases can be controlled using biotechnology that is available. We know that all the crops diseases can be modified in a way such that they cannot affect our crops.

It is also not lost to us that Kenya used to be one of the leading countries in this part of the world in terms of agricultural technology. I do recall that when Jomo Kenyatta University of Agriculture and Technology (JKUAT) was being financed by Japan International Cooperation Agency (JICA). One of the informing factors was to make it a hub to produce agro-engineers who would steer this country into ensuring that we have food security.

The beginning of devolution after the promulgation of the Kenya Constitution, 2010, brought a lot of good tidings to Kenyans, but also a lot of misfortunes. Some of the misfortunes include the fact that we devolved agriculture did not institutionalize some of these institutes such as research centres. Some of the counties we have are too small to afford to have the technology needed to do research.

It is imperative that we leverage the institutions of higher learning that we have in this country and make sure that we bring all the stakeholders together, be it the county government, the farmers and research institutions so that we can mobilize resources. That way, some of these researches that need a lot of resources, advanced knowledge and technology can be accomplished.

When we brought in devolution, some county governments could not afford to support field extension officers who used to be all over the country. We used to have cattle dips, research centres, people who would visit and walk with the farmers and demonstration farms that could show the farmers some of the best practices. We also had localized kind of research that identified the crops fit for a particular area.

Madam Temporary Speaker, it may surprise you that the last time we came with a crop, variety, the Ruiru 11 coffee, was way back in the 1990s. Since that time, we have stagnated because we decided to devolve functions without the budget. This was where the rain started beating us.

As we were interrogating this issue of the maize crop in Bomet, it was not lost on us that this is a problem that has continued to face many farmers; be it the coffee or even daily farming. We continue to face adverse movements of prices because of the global challenge that we have. The competition, more so from the Latin America; from our neighbouring countries such as Ethiopian and Tanzania have given us not only given us a run for our money, but have made most of the crops that we grow in Kenyan soil non-competitive.

I am glad to say that for the first time, we have a Government that is quite intentional in reviving agri-preneur and empowering the farmers. This can be evidenced and seen by the fact that this Government is providing subsidized fertilizer that is accessible to all farmers.

It is not done by just supplying subsidized fertilizers. Now that we have a population that is getting ever younger, we must come up with incentives that will make them see agri-business as an opportunity. I am happy increasingly we are seeing younger people engaging themselves in farming and coping it with the modern technology. They are able to make good returns in this.

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If we have to sustain ourselves in terms of food, we must embrace the current technologies and best practices in farming, but most importantly, we ensure that farmers are provided with the right seeds. The right seed means that it would be able to adapt to the climatic condition, withstand the pests, and diseases that can affect it.

Madam Temporary, Speaker, is no longer rocket science. Today, with biotechnology, it has become possible to eliminate threats in the genetic formation of a seed so that some of the diseases will not occur. Unfortunately, this sector has been held captive by some cartels. This remains a major challenge.

I challenge every member of this Senate that it is the high time we divorce ourselves from this sectarianism in politics and look at the challenges that this country is facing. Let us ask ourselves a valid and genuine question: Where do we want to see this country in the next 30 years?

I am happy I sit in the Committee on Agricultural, Livestock and Fisheries where we are able to fundamentally engage and change some of the approaches and practices that we have so that we can make agriculture, not just agriculture for subsistence, but as a main income earner. It has been mentioned here that sometimes the price of macadamia had collapsed. However, we were able, as the committee, engaging with the relevant authorities, to ensure that the prices were stabilised.

From my personal research in some of the major consumers in the Asian countries, for example, in the Indonesian countries, macadamia still remains a very, very good crop if managed properly. However, the biggest challenge that we have in this country is at times we lack a strategic approach in the way we sell our crops. Most importantly, in the way that we manage the bumper harvest that happens to come across the country. Therefore, the farmers end up losing from their drop in prices.

Having said that, I commend the petitioner who brought up this petition. I commend the committee that I sit in. This should be a journey that will open doors for many other approaches that we should have.

In addition, as we are doing that, we would ask ourselves fundamental questions. The organizations we have that are supposed to be doing research, how well funded are they? How functional are they? How well do they work with other institutions of higher learning? Do they just import technology or do they implement homegrown technology that will suit Kenyans? It is important to underline that the funding that is given to research institutions at times falls too short that they are not able to do any meaningful change.

If we have to harvest the products of good research, then we must also be prepared to invest in it properly.

As I wind up, let me say that it is very important that we realize that agriculture is not only important to provide us with food security, but it could be one of the answers that we are looking for to ensure that we create meaningful employment. Nevertheless, it should not stop just by growing the crops. It should not stop by just harvesting the crops. It should go on. We must do value addition and we must, therefore, interrogate.

Along the value chain, where can we be able to create opportunities for the younger generation, which is attractive enough for them, which is able to earn them

enough income, but most importantly, ensure that we produce products that are processed and value added in a way that they become competitive in the foreign market.

Madam Speaker, the world is becoming a global village. Therefore, the crops that are produced in Kenya, the same are produced in Peru and Brazil. How do we then make our products more competitive? If you go into a supermarket in Tokyo, you will buy a packet of macadamia. Just by the way, it is packaged; you will have a feeling that this is more valuable. Only for you to read the packaging and see that, that is a product of Kenya, but it was exported, processed and then packaged there.

It is the high time now that we started leveraging the technology that is available so that we can ensure that our products get maximum profit and they are able to compete globally.

As we do so, it must never be lost to us that the potential that we have as a country does not only lie in the Western countries, but within the African region. Just the other day I was in Angola and I realized the potential we have to sell our dairy product there is enormous. I was also in Ghana. I saw that the potential that we have to sell our Kenyan tea there, is enormous.

What we need to do is to divorce ourselves from being dependent on the dollar because I keep on asking myself, why does Kenya need to have dollars to be able to trade with Uganda? Why do we need to have dollars to be able to trade with Tanzania? It is the high time; within the East African region, the SADC and the Great Lakes Region, that we came up with a mechanism that will enable us to trade without overly relying on the so-called dollars.

By so doing, we limit our opportunities. We make ourselves very vulnerable to external shocks because the shortage of dollars in the American market will mean that it will affect our economy directly.

As I wind up, I challenge us all. It is the high time now we divorced ourselves from the toxic politics that we have been pushing and say that we must integrate this country in a way that we will be able to trade with our neighbours. We must ensure that the products that are produced in this country are not only competitive regionally, but also globally.

That is why we must ensure that the younger generation, the Gen Zs of this country start to embrace the idea of agri-preneur which is leveraging the current technology with the trends across the globe. I might not finish what I wanted to contribute because of time.

As I talk about advancing agriculture and creating industries and opportunities for our young people, we should also invest in their education. If we do so, they will do research and come with new varieties of crops that will withstand the climatic conditions.

It must never be lost to us that the climatic conditions have changed. The pests that we had 20 years ago have changed. They have genetically modified themselves and are now resistant to some of the pesticides that we use. It is high time for us to leverage our technology with the modern technology.

The Temporary Speaker (Sen. Mumma): I want you to hold on a little. Hon. Senators, I would like to extend the session in accordance with the relevant Standing Order by 10 minutes after 6.30 p.m. to enable the Mover to reply.

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Sen. Wamatinga: Thank you, Madam Temporary Speaker. This is a golden opportunity that the Senate has. Agriculture is a devolved function. This is time for us to put our foot down and make sure that we bring the counties on board. It is time for us to tell our governors that we have to show what we have done for our counties. That can only be seen in the input that we have made to mainstream the younger generation into agri-preneur. We also have to ensure that our Technical and Vocational Education and Training (TVET) colleges are offering courses that are in tandem with what we have.

Agri-preneur is what we have as the backbone of our economy. It is the future of this country. I am sure that with the right decision and the right intervention and commitment from the governors, we can make this country food secure. We can create opportunities for our young people and ensure that no Kenyan walks with a bowl on their head to beg for food because our country is starving.

I support.

The Temporary Speaker (Sen. Mumma): The Mover may now reply.

Sen. Wafula: Thank you, Madam Temporary Speaker. I want to appreciate the committee Members who participated in writing this report. We have Sen. Abass, Sen. Wamatinga, Sen. Munyi Mundigi, Sen. M. Kajwang', Sen. Gataya Mo Fire, Sen. (Prof.) Tom Ojienda, SC and Sen. Lemaltian. They were steadfast and they ensured that this work was done properly. I do not want to forget our able secretariat who have walked with us in the entire journey of this Petition.

I also want to appreciate the petitioner for standing up for his people and their rights. I also appreciate his for acknowledging that the Senate is a better place to articulate their issues. This is because we deal with facts and information that is justifiable. Today, the petitioner is a happy gentleman in Bomet County because the people of Bomet have a reason to confide in the Senate and their leadership.

I also want to appreciate the Senators who have stood up to congratulate, contribute and add flesh and content to this discussion. I want to appreciate Sen. Cherarkey, the Senate Majority Leader, Sen. Cheruiyot, Sen Mungatana MGH, Sen. Olekina and Sen. Wakili Sigei who is the host Senator, Sen. Munyi Mundigi, and finally Sen. Wamatinga.

Madam Temporary Speaker, when you listen to all the Senators who have spoken here today, they concur that agriculture is devolved function. They agree that the devolution of agriculture was not meant to punish the Kenyan people in the counties.

The proprietors of devolution expected that the county government will stand up to be counted. Use the devolved monies to improve the welfare of farmers by pumping resources into agricultural institutes, training and exposing farmers and working in collaboration with the national Government to alleviate what we have seen in this Petition.

Madam Temporary Speaker, you have seen what these members have said. The Government and state agents are reluctant in articulating and sorting out issues at the grassroots level leaving people to the mercies of God and nature.

We want to assure Kenyans, as a committee, we will ensure that every Arm of Government and county government will be held responsible and accountable to the

people. They must offer solutions and not only be part of the participants causing agony and trouble to Kenyans.

Members have articulated here, that the collapse of training institutions is a major blow to this country. There is a big clamour for universities, but you cannot have universities, facilities and infrastructure in this government without food. Surplus food is a tool or a means for people to add money into their pockets. As a committee, we will do so.

Finally, in terms of the recommendations as I have put here, we will ensure that we pursue them as has been requested by Sen. Wakili Sigei. We will request the implementation of this squarely to be part of the Liaison Committee and we shall do what needs to be done.

As a committee that is in charge of wheat, sugar, macadamia, rice, cotton, the nut and crop oil industries, the livestock participants and the fisheries of this country, I assure the people that we represent as that if you have a problem, kindly reach out to us. We will swiftly move in and assist by creating solutions.

Madam Temporary Speaker, pursuant to Standing Order No.66(3), I request that we defer putting of the Question to a later date because looking at the numbers in the House, we will not be able to complete the process now.

I thank you. May God bless Kenya.

(Putting of the Question deferred)

ADJOURNMENT

The Temporary Speaker (Sen. Mumma): Thank you. Hon. Senators, it is now 6.33 p.m. and having concluded the business for which I extended the hours of sitting pursuant to Standing Order No.34(2)(a), the Senate stands adjourned until tomorrow, Thursday, 6th March 2025 at 2.30 p.m.

The Senate rose at 6.33 p.m.