COMMUNICATION FROM THE CHAIR

MOTION

Date 1st July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On: VISITING DELEGATION OF MEMBERS OF KITALE WEST CULTURAL COUNCIL OF ELDERS, TRANS NZOIA COUNTY

Sen. Kanainza: Thank you, Mr. Deputy Speaker, Sir. I join my fellow Senators in appreciating the visit by this team. It is a great honour to have the Kitale West Cultural Council of Elders from Trans Nzoia County visit the Senate. This is the first cultural group of elders that has visited the Senate. So, it is a great honour to the “Upper House” of this Republic. We really appreciate the role that councils of elders have continued to play in this country, especially in ensuring that we maintain peace, order and unity among our people. We congratulate them and the Senate, being the “Upper House”, will not disappoint. We are up to the task to ensure that devolution works.

Date 1st July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: VISITING DELEGATION OF MEMBERS OF KITALE WEST CULTURAL COUNCIL OF ELDERS, TRANS NZOIA COUNTY

Sen. Nabwala: Thank you, Mr. Deputy Speaker, Sir. I would also like to appreciate the visit by the council of elders from Trans Nzoia County. We are honoured today because we know that these are old men of honour who have played a key role in mapping the politics in Trans Nzoia and in bringing about peace. I, therefore, congratulate them and hope that they will enjoy their stay as they watch us deliberate in this House.

Date 1st July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: RAMPANT CASES OF CHILD SEXUAL ABUSE BY TEACHERS IN KENYAN SCHOOLS

Sen. Nabwala: Mr. Deputy Speaker, Sir, I rise to seek a Statement on the rise in cases of sexual molestation in schools. Pursuant to Standing Order No.45(2)(b), I wish to seek a Statement from the Chairperson of the Committee on Education regarding the rampant cases of child abuse and molestation by teachers in Kenyan schools. In the Statement, the Chairperson should address the following issues:- (1) Is the Chairperson aware of the ever increasing incidences of sexual abuse and molestation by teachers in Kenyan schools? If so, what are the reasons for such escalation? (2) Could the Chairperson provide the details of such cases which have been reported to the Teachers Service Commission (TSC) or other agencies in the last five years and indicate the action taken in each of the cases?
(3) Could the Chairperson confirm that some of the cases have been settled out of court? If so, what has the Government done in such instances to ensure that the culprits are apprehended and disciplined appropriately?
(4) What other measures has the TSC taken to ensure that the menace of sexual offenses against students in schools is completely eradicated and ensure that disciplinary measures are taken against the teachers involved?
Thank you, Mr. Deputy Speaker, Sir.
Date 1st July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On: RAMPANT CASES OF CHILD SEXUAL ABUSE BY TEACHERS IN KENyan SCHOOLS
Sen. Kanainza: Mr. Deputy Speaker, Sir, I would also wish that the Chairperson of the Committee on Education to clarify what measures will be taken to ensure that the lives of both girls and boys are taken care of in such a case. What is the outcome of sexual molestation? We are aware that when children go through sexual molestation, after the case has been settled, or the teacher has been taken to court, the education of the child is interfered with. Nothing happens to ensure that the child either goes on with his or her education. They do not also go through counselling sessions and all that. The Chairperson should clarify about measures that are taken to ensure that the lives of the victims are safeguarded.
Thank you, Mr. Deputy Speaker, Sir.
Date 1st July, 2015

Member of Parliament: Sen. Sijeny

Contribution She Made On: RAMPANT CASES OF CHILD SEXUAL ABUSE BY TEACHERS IN KENyan SCHOOLS
Sen. Sijeny: Mr. Deputy Speaker, Sir, that is, probably, what I wanted to say? I need protection. I am being attacked by Sen. Wetangula.
Mr. Deputy Speaker, Sir, this House passed a Motion by Sen. Ongoro. It was about the aftercare of the young children once they have been impregnated while still in school. I would like to know the roadmap that the relevant Ministry has taken.
Date 1st July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: OUTBREAK OF MALARIA IN THE WESTERN REGION
Sen. Kittony: Mr. Deputy Speaker, Sir, since the issue has now come to our Committee, we will respond in two weeks’ time.
Mr. Deputy Speaker, Sir, tomorrow is a Thursday. Even if I went to the Ministry tomorrow, I may not get that Statement this week. We will issue it on Thursday, next week.
Date 1st July, 2015

Member of Parliament: Sen. Gwendo
**Contribution She Made On:** IMPLEMENTATION STATUS OF THE REPORT OF THE PRESIDENTIAL TASKFORCE ON PARASTATALS REFORMS

**Sen. Gwendo:** Mr. Deputy Speaker, Sir, I am following up on my Statement with regard to the Presidential taskforce on the reforms in the Tourism Authority that I had requested a while back from the Committee on Finance, Commerce and Budget. I understand that the Chairperson of the Committee on Finance, Commerce and Budget was ready with the Statement yesterday, but I was not available.

*Date 1st July, 2015*

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** IMPLEMENTATION STATUS OF THE REPORT OF THE PRESIDENTIAL TASKFORCE ON PARASTATALS REFORMS

**Sen. Ongoro:** Mr. Deputy Speaker, Sir, I was on the Chair yesterday when Sen. Gwendo walked into the House. Is she in order to misinform this House that she was unwell when a day before yesterday she was live on television and looked very well? When I was on the Chair yesterday, she actually came to the House? Is she in order to misinform this House?

*Date 1st July, 2015*

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** CONTINUED CLOSURE OF GARISSA TTC

**Sen. Elachi:** Mr. Deputy Speaker, Sir, this is a very sad issue. I hope and I am praying that the teachers who decided not to go back to north eastern part of Kenya are not, at the moment, earning a salary. It would be very sad if they are earning a salary and yet they are at home doing their own businesses. We have students who are supposed to start their mock examinations in July and are supposed to be assessed like any other student in the country. After we pass this Motion, we should ask ourselves whether the Ministry will implement it. I support the idea that we call the Cabinet Secretary for Interior and the Cabinet Secretary for Education, Science and Technology to confirm to us, that they will move the issue with speed.

*Date 1st July, 2015*

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** CONTINUED CLOSURE OF GARISSA TTC

**Sen. Ongoro:** Mr. Deputy Speaker, Sir, most of the issues that I wanted to raise have been raised by my colleagues. When this attack happened, the first call that I got was from an international caller. That tells you how widely it was covered both nationally and internationally. The whole community, globally, is waiting to see what Kenya will do in reaction to what happened. Our brothers and sisters in the north eastern part of Kenya are actually bearing this brunt on behalf of all of us because of their proximity to Somalia. It is known that idle minds are a fertile breeding ground for just about anything. The more we allow these students not to be integrated back to the system and to be positively engaged, we are actually risking giving them more opportunity to even now then, in apathy, cross over to join the other side.

I want to plead with the Chairperson of the Education Committee that I have listened to him make a suggestion which is really good that we also should involve the Cabinet Secretary in
charge of security. However, as a Committee, they are mandated even before we reach that stagnation and stalemate to have thought it wise to seek any other Ministry that has some relevance to this issue. This is not just a matter that we should seclude to north eastern; it is a matter that is affecting all of us. Al Shabaab is now waiting to see how long and whatever else we put in place before they, probably, cross over to attack the University of Nairobi or Bondo University. I plead with the Chairperson of this Committee, on behalf of this nation, that this is, probably, the most important matter that has been brought to their Committee and we want to see very serious undertakings through your Committee by the national Government on the matters and process, complete with timelines, that it is doing to ensure that we do not experience this kind of attack again, not just in north eastern, but in any other institution.

Date 1st July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: RELOCATION OF THE HEADQUARTERS OF KIAMBU COUNTY GOVERNMENT

Sen. Elach: Mr. Temporary Speaker, Sir, this is a Statement that was requested by the Senator for Kiambu, Sen. Wamatangi. The Senator wanted to know why the Governor relocated the headquarters of Kiambu County to Thika. The answer is as follows:- The Transition Authority was established to facilitate and coordinate the transition to devolved systems of government as provided under Section 15 of the Sixth Schedule to the Constitution. In response, I would like to state as follows:- The designated headquarters of Kiambu County Government is Kiambu Town. After touring and inspecting the infrastructure and facilities available in all the 47 counties prior to the general election of 2013, the Transition Authority identified the following to serve as county government offices for Kiambu County: The former County Council of Kiambu offices in Kiambu Town to be used as the county assembly. The former Municipal Council offices to house the county executive and the county treasury to be housed at the former Municipal Council of Kiambu offices. All the three identified premises are in Kiambu Town and hence the County Government of Kiambu headquarters is Kiambu Town.

As per the attached advisory published in all the daily newspapers on Tuesday, 17th January, 2013, the Transition Authority has continued to give advisories to the county governments as per their mandate of facilitating and coordinating transition to devolved system of county government. However, some counties have ignored some of the advisories, not only such a case but on such issues as recruitment of human resources.

The Transition Authority is requesting that the Senate intervene and the County Government of Kiambu to immediately relocate back to its offices in Kiambu Town and an advisory be given on the same so that the Senate and the Senator to know when they will be going back to Kiambu Town. Before any decision is made to transfer the headquarters of the county, it is important for all the stakeholders of the county, the leaders, wananchi and the Transition Authority to be consulted in a manner to ensure smooth transition, efficient and effective services delivery.

I think it is an issue of the House now. It is a very direct issue and should be dealt by the House to assist the people of Kiambu. Therefore, I request the Chair to give directions.

Date 1st July, 2015

Member of Parliament: Sen. Ong’era
Contribution She Made On: HAZARDS POSED BY NAIROBI DAM

Sen. Ong’era: Mr. Temporary Speaker, Sir, thank you for giving me this opportunity. Sometime in May, I sought a statement with regard to the hazards caused by the Nairobi Dam. This answer was supposed to be submitted to the House by 20th May, 2015. Today, it is over six weeks and no answer is forthcoming from the Chair of the Committee on Lands and Natural Resources with regard to this very sensitive and important question. As I indicated last time, the hazards caused by Nairobi Dam have killed very many people including my bodyguard’s son. I thought that this matter should have been given the due urgency it deserves.

Date 1st July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)

Sen. Ong’era: Mr. Temporary Speaker, Sir, thank you for giving me this opportunity to conclude my contribution to this Bill. As I indicated yesterday, this is a very good Bill which, for the first time in the history of our country, brings a law to regulate issues of food security, particularly to give effect to Articles 21, 43 and 53 of the Constitution. This Bill seeks to ensure that there is adequate food in this country and not only adequate food but also good quality food. The food must also be nutritious.

Mr. Temporary Speaker, Sir, these are some of the issues with regard to food security that we have sought for a very long time and we did not get legislations that translated into law. However, I have some concerns which I hope the Mover will address. I hope that by formulating this Bill and eventually enacting it will not be another way of using the back door to bring back the principle of the management of food in this country by the national Government.

As you are aware, the Ministry of Agriculture, Livestock and Fisheries was devolved to the counties and with that, the issues of food security were also devolved. I want to particularly look at Part 3, Clause 11 of the Bill. I did not expect a national authority to be formulated. I expected to see a county food security authority which is specific to the needs of each county.

Mr. Temporary Speaker, Sir, as you are aware, concerns of food security differ from one county to another. For example, I feel that the situation in Marsabit County will not be the same in Kisii County. Therefore, there was need of forming a county food security authority, so that we get people who are experts and tailored for that county’s specific needs, as opposed to having a national authority, whereby there is a chairperson appointed by the President, a Principal Secretary for the designated Ministry for Devolution and Planning, the Ministry of Agriculture, Livestock and Fisheries and the Ministry of Health. This is returning us back to the national Government when we have devolved this function.

I would also like the Mover to look at Clause 15 of this Bill with regard to the appointment of the chairman. We all know that when the chairmen of public bodies are appointed, they do not have to be people who are highly educated. The Director-General could have a master’s degree but I do not see why a chairman must have a master’s degree from a university which is recognized in Kenya. We have had many chairmen who are equally competent and not many of them had masters degrees yet they excelled in the jobs they were given.

I specifically think that the chairman should not necessarily be a person who is knowledgeable in issues of food security because that would be the work of the secretariat led by the Director-General. The chairman should be an all rounder who understands any issue that is presented before the board. Unless the Mover could tell us whether they have a particular person in mind, I think the threshold or the criterion of having such a chairman is very high.
Mr. Temporary Speaker, Sir, I finally want to ask the Mover to ---

Date 1\textsuperscript{st} July, 2015

Member of Parliament: Sen. Ong’era

\textbf{Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)}  
\textbf{Sen. Elachi:} Mr. Temporary Speaker, Sir, what is not in order is that we have no idea who will be the chair. This is an issue that was brought with 21 memoranda in that Committee. Mr. Temporary Speaker, Sir, is the Senate Minority Whip in order to say that we, as the Committee on Agriculture, Livestock and Fisheries, know whoever will be the Chairperson of this Committee?

Date 1\textsuperscript{st} July, 2015

Member of Parliament: Sen. Ong’era

\textbf{Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)}  
\textbf{Sen. Ong’era:} Mr. Temporary Speaker, Sir, I had asked a question and I am very happy to hear the Mover say that they have nobody in mind. I was worried by the manner in which the criterion was set. It is normally a criterion that is not set for Chairmen. I have been a drafter of Bills, having worked for a long time in the Attorney General’s Chamber, and I know that when you are presenting the qualifications of Chairmen, you do not get into such details, unless it is for the post of a director general or a managing director. I am very happy that the Mover has indicated otherwise.  
Clause 5(g) is with regard to having special food programmes for food poor persons. The Mover could consider making some amendments to provide for concrete programmes for food poor people in this country. I have in mind situations like what happens in the United States of America (USA) and to an extent South Africa, where such people are provided with specific programmes, not like welfare but programmes where such people are provided with actual food.  
Mr. Temporary Speaker, Sir, I stand guided. I shall definitely be doing so at the relevant time. Otherwise, I would like to congratulate the Mover once again for coming up with such a Bill, because food security is an issue that especially we, as women, are very passionate about because we are the ones who know the pain of a child sleeping hungry in a home.  
I beg to support this Bill.

Date 1\textsuperscript{st} July, 2015

Member of Parliament: Sen. Kittony

\textbf{Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)}  
\textbf{Sen. Kittony:} Thank you Mr. Temporary Speaker, Sir, for the opportunity to thank the Mover of this Bill and to support it. This Bill has come at a very appropriate time. In fact, it should have come yesterday. I am saying this because 50 years down the line, we have been a country governing itself, but we have not been able to manage the hunger that our people experience. There is no business seeing people going hungry simply because we have not managed our food resources very well.  
Establishment of a Food Security Authority will be of great help. I would like the Mover to go into the details and amend some of her proposals and make sure that food storage becomes a priority. If we have food and we do not have the proper storage, then we shall still be talking of the same story and people will continue going hungry.
Mr. Temporary Speaker, Sir, God gave Kenya very fertile soil. We have enough food but we have not been able to manage it. As I said, this Bill has come at an appropriate time, but unfortunately I have just seen it now. I have not had enough time to go through it. However, as an experienced farmer, if the food that we produce is managed properly, Kenyans will no longer go hungry. It is a shame that sometimes people starve to death because of lack of food as a result of drought and other reasons.

In Article 53 of the Constitution, every person has a right to basic nutrition. Article 21 talks of the implementation of the rights to fundamental freedoms under the Constitution and the connected purposes to make sure that it is a right for every Kenyan to access food. Every household should get food at the right time. Therefore, Mr. Temporary Speaker, Sir, adequacy and availability of food, its quality and quantity is a necessity for a human being. This Bill is very appropriate and I support it. The Mover has done the right thing at the right time.

Thank you, Mr. Temporary Speaker, Sir, I beg to support.

Date 1st July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)

Sen. Ongoro: Mr. Temporary Speaker, Sir, as I give my contribution in support of the Bill, I am skeptical. However, I believe that this time round, this kind of a Bill which is timely and appropriate will not suffer the gap that has existed in this country between policy formulation and implementation. We pass very good Bills; we have very good policies passed in this nation but implementation is the problem. I hope that this time round, just with a little bit of strategy, focus and facilitation including adequate budgetary allocation, we will ensure that this kind of a Bill is implemented.

It is, indeed, a shame that 50 years down the line, a nation like Kenya is still discussing food security. We really do not have any reason to pride in being an independent nation when we cannot feed ourselves.

Mr. Temporary Speaker, Sir, I have always been shocked to find, for example, processed fish on our counters when our own lakes and rivers produce a lot of fish. We have not just had the strength and the mental focus to put just a little bit of budgetary allocation in the right Ministry at the right time with the right emphasis to process our own fish. I was a Member of the Tenth Parliament which proposed an allocation to encourage people to start fish farming. However, there was no subsequent allocation to build or construct a processing plant that would encourage the finished product to be harvested and taken to a national plant for processing.

Mr. Temporary Speaker, Sir, it is really shocking that every year in this nation, we suffer drought. You will see pastoral communities losing thousands of cattle. We know that it will happen every year. Why would this Government - the Jubilee Administration - not find it reasonable to put aside some money to buy cattle in good time and construct a meat processing plant in the pastoral areas so that they can be slaughtered in time, processed and stored for redistribution to Kenyans in need? I do not understand why, for example, we do not have a fruit processing plant. We produce very many mangoes and other fruits in all parts of this country. Why are we not processing, for example, fruits from the former Eastern Province so that the issue of nutrition that we suffer every other time is sorted out?

Mr. Temporary Speaker, Sir, as long as this nation will not take it seriously to put enough resources towards the harvesting of water in other parts of this country that experience a lot of rain and even in other parts that experience drought and rain in equal measure so that we store the water and use it for irrigation, then this kind of food insecurity will persist. I do not
understand, for example, why we still do not even have budgetary allocation for urban agriculture which is something practiced globally.

Mr. Temporary Speaker, Sir, sometime earlier this year, I was on a foreign trip and I found myself in a library over the weekend. It was very interesting to know that the relationship between poverty eradication - which we always put a lot money into - slum upgrading, insecurity, cattle rustling, environmental degradation and many other items for which we put a lot of money have got their direct interlink and origin in the issue of food security. For as long as there is no food security in this nation, we will always deal with the issue of slums and put a lot of money into slum upgrading.

If you put enough food in the rural areas, nobody will leave rural areas to come to urban centres in search of a better life because they will be leading a better life there. By extension, we will not have the issue of housing problem in urban centres. The money that we put into slum upgrading and research on how to eradicate poverty will be a thing of the past. It just takes a little bit of strategy - as I said at the beginning - focus and support from the Executive to sort out this perennial problem.

As I conclude, I want to differ a little bit with my colleagues who find fault with the creation of the national authority. In my opinion, this is a very important matter. I support devolution to the core. I believe that the devolved units must have their own devolved functions and systems on how to feed the counties. However, there must be a national authority. What happens in case one county is not running an adequate programme to feed its populace? In such event, the function will be transferred to the national Government because the Government is still mandated and has an obligation to feed its people.

So, I support the creation of a national authority but with a decentralised system in all the 47 counties that liaise just in the same manner that we have created the 47 devolved units so that we have an oversight authority; the National Authority working closely with the different 47 authorities in the counties that will have tailor-made policies specific to those counties in respect of the climatic conditions and other issues. However, the National Authority will be called upon in case there is a deficit in any part of the country.

Mr. Temporary Speaker, Sir, we have discussed before the need to re-direct certain rivers to provide water in some counties. In the absence of this kind of a national authority, we will not have a platform to implement such policies.

Mr. Temporary Speaker, Sir, in conclusion, I would like the Mover even as we present this - of course, at the Committee level, we will present the various issues we want to be tackled - to ensure that the Bill has got a very strong component of budgetary allocation with it; probably a specific percentage. Sen. Sang has reminded us that Kenya is a signatory to certain protocols that have put a limit at 15 per cent.

It is really shocking that even after being a signatory to those kinds of agreements, we still come back home and contravene whatever we have agreed on and reduce the allocation to 6 per cent. Honestly, we can come up with policies, conduct research and do everything possible. But if we are not going to have the seriousness to allocate adequate resources towards such an important cause as feeding the nation, which also has interconnections with all other issues that affect this nation, because we are not able to feed ourselves, then this is going to be an effort in futility.

Mr. Temporary Speaker, Sir, my last point is on civic education. I think we take certain things for granted. I want to support and plead with the Mover to also have that aspect of civic education included. We take it for granted that Kenyans are aware of good eating habits, but the public should be encouraged. We have a lot of foodstuffs even growing wildly. As a young girl I remember eating all manner of fruits. Whenever I visit certain supermarkets nowadays, I am shocked at the prices of those fruits on the shelves.
We have so much in this country, but sometimes people just do not know what comprises foodstuffs. Why do we not conduct research and expose people to certain foodstuffs which are very healthy? We should also encourage our populations to introduce certain varieties and staple foods that take shorter time to mature and yield more in terms of quality and quantity.

I have visited other communities where whatever we take for granted here is really considered delicacies. I visited a country in the West recently and was shocked that what we take here for granted - the snail - is considered such a delicacy. In fact, I am thinking of starting a snail farming business, because they are actually looking for snails all over the place. You can hardly afford a snail in that country.

I talked to some people and they told me that it is one of the most nutritious foods. In fact, the family of every pregnant woman in that country must collectively try to find a way of ensuring that she takes, at least, three snails per week. It is very good for the baby in terms of brain development and everything else; no wonder they are really terrorizing us in terms of mental capacity all over the place. I will not mention that nation. I know that Rome was not built in a day, but we need to reintroduce certain staple foods, open our eyes also to certain possibilities worldwide and encourage, especially the young generation to be more innovative and adventurous in our eating habits. We should also be a little bit disciplined even in whatever we are already practicing and our eating habits.

Mr. Temporary Speaker, Sir, with those remarks, I beg to support.

Date 1st July, 2015

Member of Parliament: Sen. Chelule

Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)

Sen. Chelule: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to also contribute to this Bill. First, I want to congratulate and thank the Mover for bringing this very important Bill.

I want to talk about marketing. Today, many farmers are suffering because of lack of good marketing strategies. We have farmers who practice horticulture and also people who come from Arid and Semi Arid Lands (ASALs), for example, Turkana and other areas. In Nakuru County, for example, we grow a lot of potatoes, cabbages and other vegetables. I hope that the issue of inter-county business will be addressed in this Bill, so that potatoes and other horticultural produce grown in some counties can be sold in other counties.

We know that many farmers suffer today because they cannot take their produce to the market due to poor road networks. I hope that this Bill will enable farmers to easily take their produce to the market. I also support the formation of authorities at the county and national Government levels. This will address the various problems that we go through as a country. At times, we face famine which cannot be addressed at the county level, but the national level. When we begin adding value to our produce, the farmer will benefit from it. I hope that this Bill will promote value addition and storage. I am specifically referring to potatoes and other perishable produce. With value addition, farmers will have time to market their produce, as opposed to the case now where farmers are forced to sell their produce at throwaway prices because they do not have storage facilities. Also, the farmers who grow fruits in this country are not given enough support. I hope that this Bill will put in place measures to support such farmers.

In addition to the formation of authorities at the two levels of Government, I encourage the Mover to ensure that the farmers are also encouraged by the Government to form co-operative societies through which they will sell their produce and buy farm inputs.

It is not common for the Government to promote farming among the youth in our country. I hope that this Bill will empower the youth to do farming because of unemployment. They
must be empowered. I am not talking about civic education alone, but they must be funded to undertake any kind of farming.

Mr. Temporary Speaker, Sir, there is a policy in our country that 30 per cent of tenders must be allocated to the youth, women and persons with disabilities. Unfortunately, when they get these tenders, they cannot implement them because of lack of funds. So, I hope this Bill will empower youth to undertake farming activities. With those few remarks, I beg to support.

Date 1st July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)

Sen. Elachi: Mr. Temporary Speaker, Sir, first, I thank all the Senators who have contributed and appreciate their input in ensuring that we enhance the Bill as we go to the Committee Stage.

The key object and purpose of this Bill is to provide a framework that promotes the realization of the right to freedom from hunger and access to food of acceptable quality as a fundamental human right. The Bill is anchored in the Ministry of Devolution and Planning. The Government will always call upon the Cabinet Secretary of this Ministry to ensure that food supplies are taken to the counties where there is hunger or emergencies.

I have listened to most of the contributors with regard to the establishment of the authority. We had wide consultations in the Committee stage with regard to this authority. It is important to note that the President is the Head of State and is obligated to ensure that this country is food secure. It is his responsibility to ensure that no Kenyan sleeps hungry.

The Bill also ensures that when we have an emergency and wish to seek assistance from international donors, it will be the responsibility of the Head of State to do so. If we leave it to the 47 counties to seek assistance, it will be difficult for the donors to come to our support.

To ensure inclusiveness in the composition of the authority, we have three members from the Council of Governors. We also have committees which have many functions that they need to undertake at the county level. They would be the first whistle blowers to prevent any Kenyan from dying from hunger.

Mr. Temporary Speaker, Sir, for the first time in this country, this Bill introduces penalties for people who will sell relief food. The penalty for this offence is eight years imprisonment or a fine ranging from Kshs3 million to Kshs5 million.

I thank the Senate because this Bill will bring the realization of Articles 43(c)(1) and 53(1) which gives every child the right to have nutritious food. Also, we are trying to take our country back to the past to ensure that the traditional and non-traditional foods are cultivated and ensure that Kenyans appreciate the food that we used to eat in the past. That is why diseases that we suffer from today were not there at that time. With those remarks, I thank you and request that we defer the putting of the question under Standing Order No. 54(3) because we do not have the numbers to proceed.

STATEMENTS
Date 2nd July, 2015

Member of Parliament: Sen. Kanainza
Contribution She Made On: CRITERIA USED IN ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES
Sen. Kanainza: On a point of order, Mr. Deputy Speaker, Sir. The Chairperson of the Committee should tell us how many youth of this Republic have benefited from Uwezo Fund. We all know that the Kshs6 billion was meant for young people although it has been shared amongst the youth, women and people living with disability.
Date 2nd July, 2015

Member of Parliament: Sen. Gwendo

Contribution She Made On: IMPLEMENTATION STATUS OF THE REPORT OF THE PRESIDENTIAL TASKFORCE ON PARASTATALREFORMS
Sen. Gwendo: Mr. Deputy Speaker, Sir, in regard to what Sen. Billow has brought to the House, it is good he has mentioned that this agency is supposed to be responsible for promoting Kenyan products in the regional market. Kenya is known for sports, tourism and other good things which we cannot promote if we do not develop the hotel industry. These loans are supposed to be available for investors who would like to develop the hotel industry. Currently, these loans are not available due to the fact that the board is not in place.
I sought this Statement in November, 2014 yet until now investors cannot get these loans. Could the Chairman state whether there is a specific time that investors will get these loans? We cannot say that investors are unable to do things that will promote our country as a tourism destination while we cannot support our investment.
NOTICE OF MOTION
Date 2nd July, 2015

Member of Parliament: Sen. Gwendo

Contribution She Made On: MEASURES TOMITIGATE TRAFFIC CONGESTION IN NAIROBIMETROPOLITAN
Sen. Kittony: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion.
THAT, aware that traffic congestion in Nairobi metropolitan region is increasingly becoming worse, leading to increased costs, longer travel times, constrained economic productivity and adverse health and environmental externalities; concerned that the economic cost of the congestion is estimated to be over Kshs1 billion annually on account of wasted man-hours and wasted fuel due to vehicle queuing; appreciating the Government’s effort in mitigating the problem by expanding infrastructure and initiating other interventions such as installation of traffic lights in the Central Business District, the Senate now calls upon the Government to consider formulating additional policy interventions and mitigate the problem by:-
(1) Enacting legislation to allow only high capacity public transport to operate in the city; and,
(2) Creating regulations to:-
   (a) require all deliveries to business premises to be done at night;
   (b) require construction on roads that are in use to be done at night; and,
   (c) reroute heavy commercial vehicle to use the by-passes that have already been done.
Thank you.
MOTIONS
Date 2nd July, 2015

Member of Parliament: Sen. Sijeny

Contribution She Made On: RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

Sen. Sijeny: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion. I wish to support and commend the Mover. I know that having been a teacher and an educationist before, he is concerned about the standard of education of not only his voters, but all Kenyans. This is a very good and urgent move that will, not only help solve the unemployment problem, but also an issue which if left for a long time will be a danger to not only that region and the country, but the entire continent.

I support this Motion and urge the national Government to go ahead and immediately introduce the untrained teacher programme, as well as in-service training for the untrained teachers in the northern region. This can be done on contractual basis. Once the Government is able to deal the major issue of insecurity within the region, then the education system can go on as usual. The untrained teachers will not be left idle as they could still help by providing other services like tuition amongst others. This will help not only the weak students, but those who shall have lost in many ways.

Mr. Deputy Speaker, Sir, leaving these young Kenyans without education because of emergency situations, which is certainly beyond their control, is very dangerous. This is because they will obviously become very idle and can be tempted to join the bad boys and more recently, the bad girls. This is a risk which we cannot tolerate by us, as leaders and parents. We cannot allow children to be attracted to terrorism, prostitution, drug abuse and alcoholism. We have seen what alcoholism has done to the men; both young and old. This is a generation that we must protect with all our powers.

The major advantage of this programme is that it is not very expensive. If you go for untrained teachers, they will not demand a lot of money as other trained teachers. We know they are equally experienced and can impact knowledge to our children in those schools.

I remember sometime last year or the year before, I was approached by so many women from Isiolo and other parts of the north eastern region who had sons that had once served in the army and were well trained in handling arms. For one reason or another, there was a time that the Government had trained them as far as in the United States of America (USA), but they had quit the service. So, they were so idle and needed jobs, but they could not be absorbed or get any jobs.

Mr. Temporary Speaker, Sir, the employment of untrained teachers will solve some of these issues of unemployment among the youth who are highly competent. Some of them are graduates, but have just never been trained as teachers. Simple programmes can be introduced which can enable them to perform the duties required. We have to move on together as a nation. We cannot allow other regions to be left behind, yet the syllabus is being completed in other places. Some children get scholarships and move to other levels while others are stuck. We know how both the national and county Governments have made it possible for the children to achieve their education. For example, if you have free medical care and food programmes, you are able to entice children or young people to attend school and remain there.

With those few remarks, I beg to support.
Date 2nd July, 2015

**Member of Parliament: Sen. Kittony**

**Contribution She Made On:** RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

**Sen. Kittony:** Thank you, Mr. Temporary Speaker, Sir, for giving a chance to add my voice to this Motion. Education is compulsory for every Kenyan. I feel sorry for the north eastern region for what has befallen them. However, if young people are not engaged in education, and are left to be idle, they will be subject to many things. Knowing that the north eastern region borders other countries, if these young people are not engaged, they can be lured to be very dangerous people in our nation.

Mr. Temporary Speaker, Sir, since charity begins at home, I would propose that the people of north eastern region should be given a chance to employ their own untrained persons. These untrained teachers will help the young generation to access education and be engaged. This is because if they are left without education, they will be exposed to very bad things that will ruin their lives forever. When people are growing up, there are so many temptations in life. Education is the key to any good society and paramount to a good life. So, I strongly agree that the young people should be given chance to teach as untrained persons in their own areas.

It is a pity that we lost so many trained teachers, even from my own county, who volunteered to go and teach in that region. The other day, we buried two young teachers from my county who taught in the north eastern region of Kenya. I support this Motion and urge that the young untrained teachers in that locality be given a chance to teach. I am sure we will get young people there to offer the services and save the situation that may befall these young people in that region.

I beg to support.

**Date 2nd July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

**Sen. Elachi:** On a point of order, Mr. Temporary Speaker, Sir. With all due respect to Sen. Muthama, we are trying to look at a solution on how we shall get untrained teachers to ensure that normalcy returns in educational institutions in the north eastern part of Kenya. Is he in order to bring in other issues which when anybody will read in the media, they will not know what we were doing?

**Date 2nd July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

**Sen. Elachi:** Mr. Temporary Speaker, Sir, he is talking about land issues and the presidency and yet we are talking about very serious issues. Today, Kenyans may listen to him and forget what
we are really trying to achieve. We are dealing with a specific issue. Is he in order to derail our line of thought?

Date 2nd July, 2015

Member of Parliament: Sen. Elachi

**Contribution She Made On:** RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

**Sen. Elachi:** Mr. Temporary Speaker, Sir, first, I want to thank the Mover of the Motion. This is a Motion that seeks to unlock the challenges that we are facing in the education sector in the north eastern part of Kenya. It is a Motion that is very emotional and we should not play around with it.

It is not easy for us to convince our brothers and sisters from other regions to go back to north eastern and continue working because of fear. If we give them the strength through this Motion by recruiting untrained teachers, students in north eastern will sit for their mock examinations like any other student in this country.

Mr. Temporary Speaker, Sir, we also need to look at the issue of extremism. It does not just affect the youth who come from north eastern, but this is happening all over.

This is a problem which is affecting the youth and we must address it. When the teachers wanted to go back, the KNUT came out very strongly and told them not to go back unless their security was assured.

We forgot that even in Mandera, we had challenges, but we still have our brothers from other regions working there. The moment the KNUT started that campaign, all teachers left. They left because they thought that the more Sossion campaigned, the more they will be given the money and yet this was a big lie. This is an issue that the Senate must address. If possible the Committee on Education should summon Sossion and ask him a few of these questions.

Date 2nd July, 2015

Member of Parliament: Sen. Elachi

**Contribution She Made On:** RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

**Sen. Elachi:** Mr. Temporary Speaker, Sir, now that I should not talk about him, let me talk about the KNUT in general. The KNUT came out very well in both the electronic and print media.

Having said that, today we are looking at finding a solution.

I urge fellow brothers and sisters from north eastern who are well educated to come forward and assist their own brothers and sisters to ensure that they also perform well in their education.

Mr. Temporary Speaker, Sir, this is a very unique issue. It is an issue that as much as we want to come in and ventilate about it, we should also know that we have a challenge of terrorism. That is why there is fear. We know that terrorists want to intimidate and cause fear so that people can run away.

Since the security docket was allocated more money in the budget, we want to see change in the region as we move to the new financial year which has begun this July. I also urge Members of Parliament (MPs) to use the Constituencies Development Fund (CDF) money to bring change. I saw in the newspaper that Mandera East Constituency will receive Kshs 220 million. I would wish that they focus and prioritise matters education. They should ensure that there are boarding
schools where students will feel safe. A few teachers should also be housed in those schools. There is no need of a scenario where everyone fights to own a school yet facilities are not standard. We should make schools a “heaven” for children.

Mr. Temporary Speaker, Sir, I would wish that leaders look at the issue differently. We should explore other ways of safeguarding education of our children. The Constitution is very clear that everyone has a right to education. Anyone can go to court when that right is denied. You will remember that during the era of former President Kibaki, more than 10 years ago, we had free primary education. That meant that many children in the former North Eastern Province had an opportunity to go to school. We never focused on that even when there was the CDF. That was not only in the north eastern region but the whole Arid and Semi-Arid Lands (ASALs). We can agree on something, as a Senate, and ensure that the Government does it right. In the ASALs, untrained teachers should be given an opportunity to teach in those areas. That includes Turkana, Pokot and Samburu where there is cattle rustling and fighting. Those who suffer are women and children.

You will find that most schools have been closed down not only in the north eastern region but also in the north rift region. However, you will heard that MPs are building other schools in their constituencies. When you go to Baringo – the Senator for Kisii County can attest to that because he was with us in the Cohesion team – schools have been closed down. We need to ask ourselves – as we allocate more resources – about how to ensure prioritisation of education in the ASALs. We should ensure that prioritisation is done differently from how it is done in other regions.

We know that we have a challenge of teachers. However, we can use teachers from those regions. Those teachers should be given incentives to motivate them to teach. It should not be like what happened in Turkana where Administration Police (AP) officers walked into classrooms with guns, put them down and started teaching. The Senator for Wajir County is asking us to ensure that there is a conducive environment for children in a very harsh environment. If that is the case, they will appreciate that they can go to school and change their lives through education. That is the only thing that any child believes in; that when you have education, whether from a rich or poor family, you can afford a meal. That is the most important thing about this Motion.

If we do not address the issues affecting the north eastern region; terrorism, extremism and the rest, they will continue to persist. First of all, there should be a place where minds and attitudes of people can be changed. If there are no classrooms or any place where people can sit and discuss, then, we will face greater challenges than what we have at the moment.

The other day, there was a big security meeting where the same issues and the challenges that the youth face were discussed. We know that the youth are the majority forming about 70 per cent of the Kenyan population. Most of them are very productive. If we do not improve their conditions, we will face the same insecurity we are facing 10 years to come whether we like it or not.

The central and other regions have not addressed the issue of alcoholism. That is another form of radicalisation although in a different way. If we do not do anything, we will lose the youth. Even when we address the issue of cattle rustling but the youth are not focused, they want to transform themselves or feel the helplessness, do you expect them to take a different direction? Therefore, I plead with the Teachers Service Commission (TSC), the Cabinet Secretary (CS) and the Ministry Education that when we pass this Motion, let it not be like what happened to a Motion by the Senator for Migori County about alcoholism. They should implement it.

Alcoholism was, and still is, a disaster in this country but the Government did nothing. It is claimed that the Minister concerned was addressing the issues raised yet nothing substantial was
happening. We have woken up and are in a different spree. I do not know whether we have made it a disaster. We now want to handle it in a different manner.

The late hon. Michuki used to say that you should have a proper action or strategy when dealing with some of the very sensitive issues. Instead of managing the issues, the same people will sabotage each other just the same way they have sabotaged education in the north eastern region. When you go to the Ministry of Education, you will find games being played. One person could propose something while another one opposes it. Another one could feel that they need to see how they could make money out of that issue. They will create issues out of something so that they can benefit themselves.

Mr. Temporary Speaker, Sir, the saddest thing about our country is the way we turn everything round. At one point, a game must be played and it has to have some incentive for another person. That is where we are completely losing the social fabric of our country. Even the values are gone. That is why when we see our brothers in the north eastern region not going to school – as long as that is not your region – you will not care. The same thing will happen when you see the youth drinking and becoming very helpless because you will not feel it.

Mr. Temporary Speaker, Sir, I am talking like a Kenyan who feels frustrated, not about the Government or any other person, but as a Member of the “bus.” As a political party, we feel frustrated sometimes about certain issues as the Government does in as much as we support it. There are some ideologies I would not want to believe in. We still experience ideologies of discrimination 50 years after Independence. We should give a positive response now that we have a Senate and county governments. The Government should allow county governments to assist in some areas like education. If that happens, we will solve some of the problems that we face as a country.

Therefore, Mr. Temporary Speaker, Sir, as I support this Motion, we must look at the issues of extremism, radicalisation, drug and substance abuse and all other ills in a very strict manner. I believe that there are men and women of wisdom in this Senate who have worked for this country. They will be disappointed that 10 years to come, a country may disintegrate and there may be no country to be referred to.

It is normal to play politics. However, at one point, we should stand firm without looking at parties in this Senate and say that our country is going to the dogs and we need to save it.

With those few remarks, Mr. Temporary Speaker, Sir, I beg to support.

Date 2nd July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

Sen. Nabwala: Mr. Temporary Speaker, Sir, I also like to add my voice to this important Motion which has been brought to the Floor of this House by Sen. Abdirahman. It acknowledges that the north eastern region and other counties are faced with challenges of acute teacher shortage following what happened recently when one of the schools was attacked by Al Shabaab. We lost the lives of our children. The Motion asks the national Government to immediately reintroduce the untrained teacher programme as well as in-service training for untrained teachers in the north eastern region as a measure to bridge the shortage of teachers.

I agree with the Mover of the Motion because Article 56 of the Constitution addresses the issue of minorities and marginalised groups. It states:
“The State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups— (b) are provided special opportunities in educational and economic fields;”

Mr. Temporary Speaker, Sir, this Motion is rightly before the House. I support the Motion. As I speak, many of our children of school going age cannot access education since the teachers left the north eastern counties due to insecurity.

I welcome this Motion because we cannot watch helplessly as the education crumbles in some counties. For instance, sometimes back in Turkana, chiefs had volunteered to teach children in schools. In the Arid and Semi-Arid Lands (ASALs) areas, we have volunteers who have signed up to teach and ensure that students continue with their education.

If the untrained teacher programme is introduced, we shall have Form Four or Form Six graduates who live within the affected regions opting to join this programme. Therefore, challenges of teachers who are foreigners in the ASALs will be addressed because we shall have the locals teaching in the regions where their children are affected. This Motion is very good. We cannot leave the education sector to go down like that. It is a blow to Kenya’s performance on our Millennium Development Goal (MDG) No. 2 which seeks to achieve Universal Primary Education by 2015. The national Government needs to take strong measures so that the estimated 2,000 teachers who have fled the area are replaced by the untrained teachers who will be reintroduced in this programme to fill that vacuum left by the trained teachers.

ASALs are hardship areas. If you are paying a teacher the same amount as one who teaches in Nairobi, that is not fair. Teachers in those areas should be paid more so that they can be motivated. If there is no motivation, performance will decline.

The health sector has also been affected because of insecurity. Many doctors and nurses have opted to go back home or seek greener pastures elsewhere because they do not enjoy that incentive. For instance, if a police station is attacked, how safe is the common person? That is one thing we need to ask ourselves. Sometimes we have seen our own policemen being disarmed by Al Shabaab. Are Al Shabaab clever than our trained forces? The forces have been trained so that---

Date 2nd July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: RE-INTRODUCTION OF UNTRAINED TEACHER PROGRAMME IN NORTH EASTERN REGION

Sen. Nabwala: Mr. Temporary Speaker, Sir, this is common knowledge. This has been in the media, for instance, in Mombasa. So, I do not have to cite the instances unless, it is his deliberate move to derail me.

I, therefore, support the objective of the Motion by calling upon the national Government to re-introduce the untrained teacher programme as well as in-service training for untrained teachers in the north eastern region as a measure to bridge the shortage of teachers.

The programme was there before and it worked well. We should embrace it and urge the national Government to implement it. We should not sit back and watch our children go astray. For example, if they are not in class, what else could they be doing? They will be involved in other activities that are harmful to them, particularly drugs. Since they live in an area which is prone to radicalisation, they may be easily radicalised. Drugs and alcohol is found everywhere in this
country. We condemn alcohol and drugs because we know how much damage it does to our children. I beg to support.

Date 2nd July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: Re-introduction of Untrained Teacher Programme in North Eastern Region

Sen. Nabwala: On a point of order, Mr. Temporary Speaker, Sir. Sen. Ndiema has referred to an incident I quoted regarding chiefs teaching in a school in Turkana. That was also on the media. I sought a statement on this Floor. I do not know where he just got his information from. Is he in order to mislead this House?

Date 2nd July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On: Re-introduction of Untrained Teacher Programme in North Eastern Region

Sen. Kanainza: Thank you, Mr. Temporary Speaker, Sir, for giving me an opportunity to also add my voice to this Motion.

First of all, I want to appreciate Sen. Hassan Abdirahman for thinking about the people he represents. Education has been said to be the backbone of many economies both in our country and internationally. However, it is unfortunate that in our country Kenya, education has not been given the seriousness it deserves. Currently, we have over 90 schools in Wajir and Mandera counties that have been closed and children are not going to school because of the problem of insecurity. We urge the national Government to immediately introduce the untrained teachers programme. This will try to deal with the gap. When children do not go to school to acquire knowledge, they also do not have the capacity to compete with other Kenyans and even with other citizens of different counties. We have heard of measures put into place to deal with this issue but much has not been done. We have had several massacres and in the first one teachers were killed. This has created fear in teachers who were teaching in that place. That is why the majority decided to leave the north eastern region to come and struggle in a different way. I heard my colleague speak about what the union is doing. I stand to protect the union because it is meant to protect the interest of teachers. It has done its best to say that the national Government should provide security to North Eastern region before they release teachers to that place.

Mr. Temporary Speaker, Sir, Article 43(f) of the Constitution talks about education for the young people. Article 55 also talks about youth education and training. It is important for the national Government to look into it and ensure that the affected people of north eastern get education. We appreciate that during President Kibaki’s regime, free education was introduced. The intention was to ensure that many people get education but the current Government has not taken enough measures because we have the Cabinet Secretary in charge of education and we also have policies that are supposed to be used to ensure that education has been fully implemented but very little is being done to ensure that this happens. The Government is watching as the education system of this country is deteriorating. Majority of us have also been untrained
teachers after university. It will be good to take advantage of this programme as well as the in-service training of the untrained teachers, so that they come in handy to help with the situation as we wait for the national Government to deal with the issue.

As many have spoken, we would later on propose that education systems be fully devolved. I sit in the Committee on Education and we have been visiting different counties. The county governments have done a better job in running Early Childhood Development Education Programmes (ECDE). They are providing infrastructure which the national Government has not been able to provide. There are a lot of loopholes that need to be dealt with. The teachers are not well remunerated; they do not have the morale to teach because they do not get good salaries, yet they do a good job to the citizens of this country.

Another challenge is the lack of clear legal guidelines on the implementation of inclusive education and non-formal education programme. The Cabinet Secretary in charge of Education should up his game to ensure that this is done. At the same time, other areas have also been affected. There is a big population of people in class vis-à-vis the number of teachers. Recently, when the budget was being read, the Teacher Service Commission (TSC) was given very little money which is not enough to employ enough teachers.

As a country, we need to think on how to deal with the issue of insecurity. If this becomes the order of the day, things will not be better for us. There is a joke that has been on social media that the people who get a mean grade D, D minus and below are the ones recruited to join the Kenya Police Service (KPS), while Al Shabaab is recruiting university graduates. This is because we are not providing employment for the young people and they have resorted to do this kind of job. The Government is aware and they are doing very little to ensure that this has been dealt with.

Lastly, I want to appreciate Sen. Abdirahman for bringing this Motion. I believe the Senate will help to ensure that this Motion is passed so that we reintroduce the untrained teacher’s programme that will also enable the disadvantaged children of north eastern region to access education.

Date 7th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: REPORTS ON THE FINANCIAL OPERATIONS OF VARIOUS COUNTY EXECUTIVES/ASSEMBLIES

Sen. Elachi: Mr. Speaker, Sir, I also want to thank the Chairman and say that the reason why we have petitions coming to this House is because of lack of such documents. I hope those reports will help us unlock the unresolved cases that have been raised in the various petitions and the Statements that many of the Members have requested for. It is also very unfortunate that we have started a new financial year and looking at these audited accounts while we know that we should now be dealing with the next quarter audited accounts. For purposes of us managing and ensuring that counties are well managed, we should get these documents in time.

Date 7th July, 2015

Member of Parliament: Sen. Elachi
Contribution She Made On: Establishment of Joint Parliamentary Committee on Catering and Health Club Services

Sen. Elachi: Mr. Speaker, Sir, I beg to give notice of the following Motion:-

THAT, WHEREAS the National Assembly by a Resolution established the Catering Committee and the Catering Fund on 14th March in 1967 to manage facilities of the bar and the dining rooms as well as assets and liabilities acquired on behalf of the then Members of the National Assembly;

WHEREAS, by a resolution of the National Assembly, the Committee was reconstituted to incorporate Health Services and designated as Catering and Health Service Committee on 29th November, 2011;

WHEREAS, the promulgation of the Constitution of Kenya, 2010 reintroduced bicameralism in the country, thereby establishing the Parliament of Kenya comprising the National Assembly and the Senate hence necessitating the establishment of a body to cater for the needs of Members of both Houses of Parliament;

WHEREAS, the Parliamentary Service Commission, during its 211th meeting on June 15, 2015 resolved to reconstitute the National Assembly Catering and Health Club Committee into a joint Parliamentary Committee on Catering and Health Club Services, incorporating Members of the Senate;

WHEREAS, the Catering and Health Club Fund, currently under the management of the National Assembly Catering and Health Club Committee is in the process of being wound up and the sums therein transferred to the Parliamentary Fund, which is established by law; and

WHEREAS, it is necessary that the National Assembly Catering and Health Club Committee be re-established and reconstituted as the Joint Parliamentary Committee on Catering and Health Club Services;

NOW THEREFORE, pursuant to Article 124 (2) of the Constitution, Standing Order No. 216(3)(c) of the Senate and Rule 9 (1)(c) of the Houses of Parliament (Joint Sittings) Rules, the Senate resolves to establish the Joint Parliamentary Committee on Catering and Health Club Services and to appoint the following twenty nine (29) Senators to the Committee:-

1. Sen. Boy Juma Boy
2. Sen. Chelule Liza
3. Sen. Chiaba Abu
4. Sen. Elachi Beatrice
5. Sen. Gertrude Mbura
7. Sen. Hargura Godana
8. Sen. Hassan Omar
10. Sen. Kanainza Nyongesa
12. Sen. Khaniri George
13. Sen. Kisasa Mshenga
16. Sen. (Dr.) Kuti Mohammed
17. Sen. (Prof.) Lonyangapuo John
18. Sen. Madzayo Stewart
And further; that the mandate of the Committee shall be to consider, report on, advise on and make recommendations to the Houses of Parliament on all matters relating to catering and health services provided to Members of Parliament.

Date 7th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Kittony: Mr. Speaker, Sir, I wish to convey the Ministry of Health’s regret about the Statement on malaria outbreak in western region. It could not be available today because they are engaged in performance contracting exercise. Therefore, they were not in a position to prepare this Statement but they have assured our Committee that it will be done this Thursday. So, I beg for your indulgence.

The Ministry begged for indulgence and it should not be blamed on the Jubilee Government; anybody can be engaged. I think the Senator for Vihiga should be understanding.
I am equally disturbed because he is supposed to be in Amani Coalition with me, so I do not know why he is blaming the Jubilee Government.

MOTION
Date 7th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: Establishment of Joint Parliamentary Committee on Catering and Health Club Services

Sen. Ong’era: Mr. Temporary Speaker, Sir, thank you for giving me this opportunity to second the Motion.

First of all, I want to commend the Mover of this Motion, the distinguished Senator for Meru and the king of Meru. As you are aware, a healthy body, mind and stomach equals to a balanced human being. Therefore, I support that we create a catering and health club committee so that it can ensure that all Members of Parliament are balanced human beings.

I want to support the outsourcing of these services so that we can get quality and nutritious food that is commensurate to our status. We do not want to be served with ugali and carrots when we know that we can have rice with chicken, ugali with meat and another nutritious foods that can make us become balanced human beings.
I want to support that we must consider dividing the services so that we establish several restaurants. We do not want to have a restaurant where we are sitting 500 people, squeezing on the chairs where some of us are forced to sit on the grass outside. The numbers are too many. We are close to over 500 people eating in a very small unit. I want to support what the Mover has said; that we consider dividing the restaurants into several units. We can have some for the Members of the National Assembly and others for the Senators.

I would like to support the composition of Members proposed here because it is very balanced. The issues of gender have been taken into consideration, regional balancing has also been considered and the wealth of experience. If we place the welfare of our situation, they shall take very good care of it. I am sure that they are able to come up with a policy that will ensure that we have a proper catering policy in the House.

Finally, I would like to request this Committee to do a thorough audit of the health club services where we have been contributing Kshs2,000 every month. We want to know what this money has been used for and what is the fate of the many Members of Parliament who do not attend to that health club? What is the fate of them and why should they be forced to pay the money?

With those few remarks, I beg to second.

MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO.33
Date 7th July, 2015

Member of Parliament: Sen. Mugo

Contribution She Made On: KILLING OF 14 PEOPLE BY TERRORISTS IN MANDERA COUNTY

Sen. Mugo: On a point of order, Mr. Temporary Speaker, Sir. Is the hon. Senator for Mandera in order to mislead the House and the nation that Cabinet Secretary, hon. Anne Waiguru ameiba? Could he substantiate because that is the law? We know that he has been mentioned in many cases where he is supposed to have---

On a point of order, Mr. Temporary Speaker, Sir. That is not substantiation. What is written on the toilet walls cannot be pass as substantiation. I want him to bring proof here that hon. Anne Waiguru has stolen.

Date 7th July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: KILLING OF 14 PEOPLE BY TERRORISTS IN MANDERA COUNTY

Sen. Wangari: Thank you, Mr. Temporary Speaker, Sir. First, I thank the Senator for Mandera for bringing this Motion to this House regarding a matter of national importance. I also join my colleagues in sending my condolences to the families which lost their kin this morning. It is a song we have sung in this House over and over.

Mr. Temporary Speaker, Sir, out of the 14 people who were killed yesterday, half of them were from Nyeri County. It is not just chang'aa or second generation alcohol that is finishing our people. We have lost so many lives and we must come to a point where we do not tell Kenyans that we saved 136 people. We need to tell them that we lost 14 lives, because it cannot be equated to saying that we did our job by saving 136 people.

Every life is important. We are talking of young widows in Nyeri that have been left to cater for their children. Some of these people had left Kieni Constituency, which is semiarid, to look for bread and butter for their children.
We have said that terrorism is not a Kenyan issue. Just the other day – and it is not to justify what has happened – we saw what happened around the world. In Tunisia, for example, someone just opened fire on people who were relaxing on a beach. Terrorism is a global problem, but there is a way we must deal, as a country, with our own problems. We must not take this issue as a joke, as we are doing. Just as we have treated the issue of illicit brews, we must tell the President that insecurity is getting out of hand.

There are so many children who are out of school, not only in northern Kenya, but also in Baringo and Samburu counties. These children deserve education and to be in school because they are not lesser than other children. In fact, recently I heard a woman asking on television for women to be given guns since the men are almost finished. When I see those scenes, I am heartbroken because it should not have come to this level.

Today I have seen the Cabinet Secretary address the nation and say that we did not have intelligence reports regarding this incident. It is not good to tell the nation that we did not have intelligence reports. Why did we not have them? We are taking lives as a joke. We should own up as a Government that we have failed with regard to this problem.

We have called meetings and even changed the Cabinet Secretary. However, I think it has dawned on us that even if you change the Cabinet Secretary, the system remains the same. The people who were sleeping in adjacent houses yester night had realized the danger that they were facing because they are not natives. Even the Government knows that if someone is from upcountry and works in Mandera that person is not safe. That is in the public domain. Those people even made it easier for the Government to provide them with security by pooling together and sleeping in adjacent houses. However, they were attacked and we are not told how the KDF responded. We have not been told why we did not have intelligence reports.

It is not easy to guard people in the face of new terrorism that is evolving every day. Whereas we commend what the Government is doing, we must not only talk about the people who were saved. In Garissa, for example, we saved about 800 people but lost 148 others. These are people’s children.

Mr. Temporary Speaker, Sir, right now, the exchange rate of the Kenya Shilling to the Dollar is over Kshs100. This is a crisis. The impact of insecurity in the country is spiraling to every other sector in this country, including the economy, education and tourism. We are just rolling backwards. We cannot talk of achieving Vision 2030---

Date 7th July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: KILLING OF 14 PEOPLE BY TERRORISTS IN MANDERA COUNTY

Sen. Mugo: Thank you, Mr. Temporary Speaker, Sir, for giving me the opportunity to also support this Motion and thank the Mover, Sen. Billow.

I also give my profound condolences to the families and friends who have lost their loved ones and the country at a large. This attack has touched the country, its head and everybody else. Therefore, it is not right to think that people do not care.

It is the responsibility of the Government to safeguard the lives of people of its country. However, we cannot say that blindly. If we look at what is happening in the whole world today, terrorism is not a preserve of Kenya. Unfortunately, we are bordering Somalia where the terrorists are. We know that Boko Haram, Al Shabaab and Al Qaeda are part of this network.
We cannot, therefore, equate our country’s security with other countries neither can we say the Jubilee Government has failed. We need to fight terrorism together. The Opposition should be striving to help us confront terrorism in this country. However, it is as if some people have got a reason to bash the Government for the sake of politics. We cannot politicize insecurity. Lives are being lost. It is as if some people delight when these lives are lost so that they can start blaming the Government.

Mr. Temporary Speaker, Sir, just the other day, 200 people were killed in Nigeria. They just had elections. We thought that now the problem had been solved. Far from it, terrorists are terrorists. They are still attacking. Similarly, Israel and Tunisia have the same problem. So, wasting our time just bashing the Government instead of saying “Let us do it this way, we also have been thinking that this is how it should be done.” We are all Kenyans and we are all hurting. Whenever a strategy is done, some people say, “No, this is not the way to do it.”

Alcoholism, like terrorism, has killed so many people. Unfortunately, this is the case mainly in central Kenya and parts of the former Eastern Province. Maybe, to some people, that is not killings. We should fight all forms of killings, be it as a result of alcoholism or terrorism caused by Al Shabaab. It is our responsibility to do it. Please, let us not politicize insecurity.

At the same time, I would like to ask our brothers and sisters in the north eastern region, particularly in Mandera and surrounding areas to also be part of protecting those nonlocals or people who come from other areas. How comes that they are the only ones who are being killed? They go there to support the economy, for instance, teachers and the quarry workers. They should assimilate them in the community. It looks as if there is isolation.

The leadership in that area can do a lot to educate their people. They can tell them these are our brothers and sisters who have come to assist us. They are helping us grow our economy. Let us protect them so that our children can access education. It cannot be an accident that only those people who do not come from those regions are being killed. I want to give my condolences to residents of Kieni where even last time, the majority of those who were killed came from that constituency, and some from the same village. It is very painful. They go there to look for employment. They also—

Date 8th July, 2015

Member of Parliament: Sen. Sijeny

**Contribution She Made On:** DEPRORABLE CONDITION OF THE MAI MAHIU-NAROK ROAD

**Sen. Sijeny:** Mr. Speaker, Sir, I wish to read the following Statement as the Vice Chairperson of the Committee on Roads and Transport on behalf of the Chairman.

The Senator for Migori County, Sen. (Dr.) Machage, rose on the Floor of the House and requested for a Statement from the Chairman of the Senate Standing Committee on Roads and Transportation regarding the status of the Mai Mahiu-Narok Road (B3) as follow:-

1. State whether the Government is aware that the Mai Mahiu-Narok Road is in a deplorable condition with many potholes.
2. State the name of the contractor who constructed the Road, the completion date of the construction and the money that was spent.
3. Explain whether the Ministry of Transport and Infrastructure is planning to have the Road repaired, and if so, when the repairs will be carried out.
4. Enumerate the number of accidents that have occurred on the Road and the number of fatalities recorded in the last two years.
Mr. Speaker, Sir, I beg to reply as follows:

The road had originally developed isolated pockets of potholes, especially the section towards Narok Town (between km 59+000 (Ntulele) and km 89+000 (Narok Town). The other section from Mai Mahiu to Ntulele had no notable pothole. The onset of long rains in May, 2015, caused considerable potholes between (Ntulele and Narok) and damage to the approaches of the bridge at Narok Town (Ewaso-Nyiro) River. These were urgently addressed by the South Rift Region to ease the flow of traffic. However, with the ongoing rains, some potholes have continued to emerge along the road and shall be addressed by a maintenance contract which commenced on 22nd June, 2015 as explained in the query three below.

The road was constructed or rehabilitated by M/s. Maltauro – Monte Adriano JV at a cost of Kshs4,855,389,698 and completed in February, 2011. The completion certificate is attached. The Ministry of Transport and Infrastructure, through the Kenya National Highways Authority (KeNHA), recently awarded a contract of Kshs289,904,720 to Petwa Construction Company Limited to maintain the road where by any pothole will be patched and, thereafter, the road resealed. Additionally, the drainage of the road will also be addressed together with road safety aspects. The said contractor was issued with the order to commence works on 8th June, 2015, and is currently mobilising in readiness to commence the works that will take a period of 15 months to complete.

The number of accidents and incidences as provided by the Regional Traffic Officer are as listed in the table below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TYPE OF ACCIDENT</th>
<th>NUMBER OF VICTIMS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fatal</td>
<td>Serious</td>
</tr>
<tr>
<td>2013</td>
<td>60</td>
<td>55</td>
</tr>
<tr>
<td>2014</td>
<td>65</td>
<td>48</td>
</tr>
<tr>
<td>2015</td>
<td>23</td>
<td>14</td>
</tr>
<tr>
<td>TOTAL</td>
<td>148</td>
<td>117</td>
</tr>
</tbody>
</table>

Mr. Speaker, Sir, the Authority will endeavor to formulate road safety measures, in collaboration with the National Transport Safety Authority (NTSA), to address the notable safety challenges on the road in order to mitigate and reduce the number of accidents.

Thank you, Mr. Speaker, Sir.

Date 8th July, 2015

Member of Parliament: Sen. Sijeny

**Contribution She Made On:** DEPLORABLE CONDITION OF THE MAIMAHIU-NAROK ROAD

**Sen. Sijeny:** Mr. Speaker, Sir, I would request for more time to give a further comprehensive response. This is because some of the issues that have been raised concerning the same road had not been asked earlier. Regarding how many years the road was meant to last, I have no information here with me. I need one more week to answer to all the questions that have been raised concerning this road.

Date 8th July, 2015

Member of Parliament: Sen. Wangari

**Contribution She Made On:** DEPLORABLE CONDITION OF THE MAIMAHIU-NAROK ROAD
Sen. Wangari: Mr. Speaker, Sir, I sought the Floor earlier under a point of intervention. I want to comment about the students that are in the gallery and not specifically on this Statement. I welcome them, especially because they are boys. As you know, we are dealing with a crisis of illicit brews and other vices in our counties, which are mostly consumed by young men. I hope that they will learn from the great men and women in this House to be of great and positive impact to the ones that they have left behind and their respective communities.

Date 8th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: THE COUNTY RETIREMENT SCHEME BILL (SENATE BILL NO.25 OF 2014)

Sen. Ong’era: Thank you, Mr. Temporary Speaker, Sir, for giving me this chance to also support this important Bill. From the outset, I would like to congratulate the Mover and seconder of this Bill for having brought, perhaps, the most important Bill that this House has ever discussed. It is only unfortunate that many distinguished Senators are not present in this House to make their contributions.

That notwithstanding, this Bill meets the relevant and requisite provisions with regard to the Retirement Benefits Scheme. I note that the Bill provides for the establishment of a board of trustees which is going to manage this scheme. The list of board of trustees includes something that is very important, which we have been omitting in the past. Some of the members of the board of trustees will be men and women of integrity, who have qualifications including actuarial science and have been administrators of schemes. This is a very good proviso. I hope to bring an amendment to the effect that amongst the board of trustees, we should also include a representative of the Cabinet Secretary for Devolution and Planning, because that is the relevant Ministry that is in charge of devolution and the counties from the national Government.

Mr. Temporary Speaker, Sir, as I go through this Bill, I am also glad to note that there is a transition clause that links us to the former Local Authorities Provident Fund Scheme that had been established and, therefore, there will be continuity. The reason I mention this is that it greatly worries and saddens me the manner in which the former Local Authorities Provident Fund Scheme was managed. We are all aware that a lot of money was contributed to that scheme and most of which was embezzled. Some money is lying in bank accounts that are not even known.

You are aware that formerly some of the chairmen of that provident fund had actually even been arrested and charged in courts of law. Therefore, I am glad to see that there is a transition saving clause. I hope that when this board of trustees comes to manage this scheme, they will do a system audit of the Local Authorities Provident Fund as it was previously. In that audit scheme, I hope they will look at the assets and liabilities and how much money was raised. Could a report then be tabled in this Senate, so that we can be informed and we are able to make decisions?

Mr. Temporary Speaker, Sir, I hope that when this scheme is actually finally enacted, the beneficiaries will be paid in a timely manner. Many a time, we have many beneficiaries, especially widows, not paid or paid after ten years. This actually loses the point. There are cases of many people, especially widows, who keep rushing to the Office of the Attorney General, under administration. So many widows have never been paid over so many years. I wonder who is actually “eating” this money.
I hope that the beneficiaries will be paid in a timely manner. In any event, the reason a retirement scheme is established, is actually to help people who have worked very hard and served this country with dedication. When they retire, we want them to be comfortable. What is the point of them being uncomfortable when this money is just lying idle in many accounts and some of it has been embezzled by corrupt officials?

As I conclude, I want, again, to congratulate the Mover and Seconder for bringing this Bill which is going to enable our people out there to receive their money. I am very glad that the governors have not been greatly involved in this Bill. It says that only a representative of governors will be attending. These very governors are opposing this Bill because they want to continue enjoying money that cannot be accounted for. Mr. Temporary Speaker, Sir, I beg to support.

Date 8th July, 2015

Member of Parliament: Sen. Sijeny

Contribution She Made On: THE COUNTY RETIREMENT SCHEME BILL (SENATE BILL NO.25 OF 2014)

Sen. Sijeny: Thank you, Mr. Temporary Speaker, Sir, for giving me an opportunity to contribute to this Bill. First and foremost, I wish to congratulate the Mover of the Bill because he has tabled a very important Bill that not only ensures that devolution succeeds, but also confirms that we are truly the big brother of the counties.

When you get concerned about the welfare of the citizens and ensure that not only their properties but their monies are also secure, you give them an opportunity to save and the employers also protect their interests. Retirement schemes should protect the workers.

We know that most of the functions or opportunities have gone to the counties and many Kenyans have moved from Nairobi City back to the countryside. This is after they have worked very hard; saved their money in the previous scheme that was called the Local Authority Pension Trust (LAPTRUST) and now the Local Authorities Provident Fund (LAPFUND). We must protect and ensure that these monies are remitted into a joint account where they will be protected.

We do not want to build other monsters like the NSSF where people do not even know that they have money. Even the so-called elite, who are aware, are unable to trace the money when they follow up. We cannot accept that and so, we urge all the stake holders--- I have seen a report that shows that the Mover and the Committee concerned have involved so many stakeholders who have given their contributions and response.

This confirms that it is a very important issue and useful that all people know. Mr. Temporary Speaker, Sir, we have dealt with workers problems and seen the way they suffer once they retire. Many of the workers even the ones who got the golden handshake especially the subordinate staff, who were given Kshs40,000 all inclusive, that money was not even enough to move them from cities to their rural homes.

We saw most of them die within the first one month because of shock and lack of support after they had retired. When you retire, it is just like losing your job since you will no longer be on the payroll of anybody. Once you have some money secured, this institution is able to invest and you are sure of even getting dividends in retirement, then that is the best way to go.

I have seen the Bill and it is thorough. It has considered all the aspects that will ensure these finances are secure and will suit whichever employer or generation. This will ensure that the
money is safe. The Board members are there to protect the institution. With those few remarks, I beg to support.

**Date 9th July, 2015**

**Member of Parliament: Sen. Kittony**

**Contribution She Made On:** OUTBREAK OF MALARIA IN THE WESTERN REGION

**Sen. Kittony:** Mr. Speaker, Sir, I know I promised to give the response today but it has been difficult to get any answer unless I now use the power given to us by Article 125 of the Constitution. We have not been able to get through to the Ministry, so I have no answer. If you allow, I invoke Article 125 of the Constitution on power to call for evidence. I do not have any other option. I do not want to disappoint the Senator for Vihiga again.

**Date 9th July, 2015**

**Member of Parliament: Sen. Kittony**

**Contribution She Made On:** STRINGENT VISA CONDITIONS IMPOSED ON KENYANS BY THE SOUTH AFRICAN HIGH COMMISSION

**Sen. Kittony:** Thank you, Mr. Speaker, Sir. This issue of South African Visa is indeed paining. The other day, a student from my county was taken to Robben Island because her visa had expired. That put the parents into agony. So, the South African government has to respect this country or we will also treat them in the same way that they have treated us. I think that the Ministry of Foreign Affairs and International Trade should do something about this issue. I feel a lot of pain when I see people walking to the counters at the Jomo Kenyatta International Airport (JKIA) and getting visas without any problem; and yet getting visas to other countries is a nightmare. Why then are we so cheap as a country? We really need to review our policies and ensure that we are equally treated as human beings of the same by the same Creator.

Thank you, Mr. Speaker, Sir, and I support what ----

**Date 9th July, 2015**

**Member of Parliament: Sen. (Dr.) Zani**

**Contribution She Made On:** STRINGENT VISA CONDITIONS IMPOSED ON KENYANS BY THE SOUTH AFRICAN HIGH COMMISSION

**Sen. (Dr.) Zani:** Thank you, Mr. Speaker, Sir. I just want to seek a clarification about the seven day window that is given for visa application. A delegation that had Members from the Senate was denied visas and missed a very important meeting in South Africa, where they were even scheduled to make a contribution. The reason that was given was that there has to be a seven day window. Even after the seven days when there was still a chance to travel, we were denied the visas.

It is not so much about not being given the visas but the level of communication and the way the matter was handled in a way that was very demeaning especially for the Members. We were shocked that even after applying for the visas, we were denied.

I wonder whether we are more courteous when it comes to us giving visas to South Africans and how we need to go about it. We need to open up and that clarification needs to be made clear.
We need to open very clear lines of communication between this country and South Africa so that such processes can be done expeditiously and properly as would have been expected.

**Date 9th July, 2015**

**Member of Parliament: Sen. Mugo**

**Contribution She Made On:** STRINGENT VISA CONDITIONS IMPOSED ON KENYANS BY THE SOUTH AFRICAN HIGH COMMISSION

**Sen. Mugo:** Mr. Deputy Speaker, Sir, I support this issue very strongly. We travelled to South Africa with Commissioner Ali who is one of our appointed commissioners from outside Parliament. We were shocked when he was denied entry just because the name on his yellow fever card and the passport did not match completely and the date of birth. We tried to plead with the Ministry and our High Commission was even alerted. The immigration would not even listen to the High Commissioner when she tried to plead with them and even refused to allow her to come in to see Commissioner Ali and try to plead for him.

Definitely, we are being mistreated and South Africans are not reciprocating our kindness. Kenya was very instrumental in helping them to get Independence when they had apartheid. Those of us who got in raised this even with the Parliament of South Africa. Of course, they were non-committal and a bit sorry but it is the immigration.

Mr. Deputy Speaker, Sir, I would also request that the Ministry of Foreign Affairs and International Trade complains on our behalf about the mistreatment of a Commissioner and an hon. Member of the Kenyan Parliament. He is not an elected Member but he is in a Commission and a former MP.

**MOTIONS**

**Date 9th July, 2015**

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** ESTABLISHMENT OF NACC COUNTY OFFICES

**Sen. Ongoro:** Mr. Deputy Speaker, Sir, I start by appreciating the effort of Sen. Leshore for bringing such an important Motion to the Senate. Sadly, it has been lying around with us for about one year. During that time, we must have lost so many people to this pandemic. In the spirit of devolution, decentralization and of our new Constitution, I support the decentralized of the support structures of the management of this pandemic called HIV/AIDS to the county level. It is only through this that we will have critical mass of people availing themselves for testing. It is only through this kind of management structure that we will have a management system that will be people-centred and closer to the people at the county level. It is only through this kind of decentralization and approach that we will facilitate a more serious approach on the issue of civic education on matters pertaining to this disease. As I speak, there are communities which still have a lot of misinformation and fear towards anybody who is suspected to be infected.

Mr. Deputy Speaker, Sir, the HIV/AIDS scourge has robbed this country of the human resource which is so expensive and irreplaceable. It targets mainly the young, energetic and intelligent middle aged people. It is so sad that we have lost so many people to this disease. The cost implications to this nation alone in terms of medical facilities and expenses both at the
individual, family and national level, is so huge. If only we could change the approach to be more centred on prevention than cure, it will help to prevent many deaths.

In this country, particularly in this Senate, I am sure, we have all suffered the consequences of HIV/AIDS, either directly or indirectly by losing a friend, a relative, a workmate or somebody known to us at a personal level. It is very painful.

As I support this Motion, I urge the Mover to consider amending it at the right time to state that counties with huge populations like Nairobi, Mombasa, Kisumu, Nakuru and Kakamega be allocated more resources to allow them the benefits of establishing more centres within their counties. These are counties that deal with huge populations.

In the same structure, we could also consider counties that are very vast though sparsely populated by allocating them more resources. If we allocate them the same resources as smaller counties with smaller populations, then this kind of approach will still not be effective because they are so vast. For example, nomadic communities need to have a tailor-made specific approach that allows the unit to move with the populations from place to place, targeting them for civic education, encouraging them to go for testing and to start early treatment.

Mr. Deputy Speaker, Sir, lastly, in the amendments that I am proposing, I encourage that we also have county specific research tailored towards the specific socioeconomic structures of the counties. This is because every county will end up with policies and structures that are more tailor-made to that specific county. Interestingly, as I listened to Sen. (Prof.) Lonyangapuo, I realized that we should consider the human resource laws and the lives that we lose through this pandemic. Of late, the Government has been thinking and acting outside the box because of the social ill of alcoholism.

However, we lose a 100 times more through HIV/AIDS scourge. So, the Government should give it the same approach of thinking and acting out of the box with the urgency it deserves, commensurate with the budgetary allocation that it deserves.

The Government should allocate more resources in terms of budgetary allocations to specifically target the counties that have suffered the most consequences of this social ill because of mitigation effects that they are dealing with which are 50 or 100 times higher than other counties. If we give it that approach of tackling it through the lenses of the number of people that die through this illness, then, we will save another generation which will take it from where we will leave.

Mr. Deputy Speaker, Sir, without belabouring many points and repeating myself, I urge the Mover to consider those amendments at the right time. Mr. Deputy Speaker, Sir, I support.

Date 9th July, 2015

Member of Parliament: Sen. Chelule

Contribution She Made On: Establishment of NACC County Offices

Sen. Chelule: Thank you, Madam Temporary Speaker, for giving me this opportunity to contribute to this Motion. First, I would like to thank the Senator who brought it to the Floor of this House. If we devolved the NACC to the counties, I am sure our people at the grassroots level will benefit. As it is now, these services are provided by the Constituency AIDS Control Committee (CACC).

Our people are suffering because of lack of drugs and civic education. Others are afraid of taking HIV/AIDS tests. Therefore, they are not aware of their status. We need to conduct civic education on this scourge. Otherwise, people will die and think it is because of witchcraft or
other diseases. However, if the NACC is devolved to the counties, it will be easier for the CACC to provide services to our people.

There are so many people doing research on this scourge. After their researches, we expect them to share their information with us so that we safe live. Through devolution of NACC, our people will benefit from such information because information is power. If members of the community will get the information at the right time, they will mitigate, intervene and accept their status. Many people who die of HIV/AIDS complications do not die because of the virus, but they die out of stress related issues such as stigma. If the relevant personnel conduct exhaustive civic education at the community level, people will begin to accept, live positively about it and take care of themselves through the right nutrition and other appropriate measures.

I thank all those who have contributed positively to this Motion. However, Sen. Muthama, at some point, deviated from the Motion and discussed other things. But at the end, I am happy because he supported this Motion. With those few remarks, I beg to support.

Date 9th July, 2015

Member of Parliament: Sen. Chelule

Contribution She Made On: Establishment of NACC County Offices

Sen. Ong’era: Madam Temporary Speaker, thank you for giving me this opportunity so that I may also make my contribution to this important Motion. From the outset, I would also like to join my colleagues in congratulating the distinguished Senator for Samburu, Sen. Leshore, my father and senior whom I have a lot of respect for right from the days when we were working together in the Government.

Madam Temporary Speaker, this is a very timely and important Motion as many Senators have said. I feel very sad that it has taken over a year before it could come to this House for debate. In fact, by now we should be bringing legislation with regard to this Motion. As you are aware, the NACC was set up in 1999. Its mission statement is:-

“To provide policy and a strategic framework for mobilizing and coordinating resources for the prevention of HIV/AIDS transmission, prevention, provision of care and support to the infected and affected people in Kenya.”

In this plan, we must congratulate the NACC in what it has achieved because it has mobilized resources and managed to reduce the rate of infection to at least 50 per cent. It has also dealt with issues of HIV/AIDS related mortality which has been reduced to 25 per cent and HIV/AIDS related morbidity which has also been reduced.

However, notwithstanding, I think the body’s work and mandate has a reached a point where it needs to be devolved to the counties because we have already devolved health facilities. If I was the Mover of this Motion, I would actually go further and request that instead of creating county offices for NACC, we should actually create county HIV/AIDS control councils in the 47 counties in this country. Why do I say this? We are aware that NACC’s role is to be a mobilizer of resources, but it does not implement any policies.

We know that most of the resources are issued through NGOs, Community Based Organisations (CBOs), Faith Based Organisations (FBOs), the private sector and public sector organizations. Therefore, which better organization, other than the county government, can be given the donor funds to deal with the issue of HIV/AIDS, once and for all. The people who are suffering, the sick and those affected by HIV/AIDS related diseases are actually in the counties and not at the national headquarters.
Therefore, I feel that the money that is being mobilized should be taken to the counties so that the county governments are in a position to deal with the communities directly. In so doing, the cost of medicine which is very expensive because of the middle men will be affordable for the people.

Madam Temporary Speaker, there are many allegations of corruption in the NACC. When the money is brought by the donors, no proper accounting is done. If this money is devolved directly to the counties, by devolving the functions of NACC, it will be used properly. This is because counties will have a mechanism in which proper audits will be done after the money has been spent.

As you are aware, 1.1 million children in this country are orphaned because of the HIV/AIDS epidemic. There can never be a better place for them to get proper help in terms of community mobilization and setting up of family care structures, other than under county governments. This is because the county governments are well seized of all the people in the counties. They know where they can spend enough resources to help the orphans. I would rather the money be with the county governments and not with the NGOs who will spend huge amounts of money on civic education.

As I conclude, I would like to congratulate the Mover of this Motion and request him to consider bringing legislation to this House in form of a Bill, to devolve these services directly to the counties, including my suggestion that we create a County AIDS Control Council as opposed to the NACC. With those few remarks, I beg to support the Motion.

Date 14th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: HAZARDS POSED BY NAIROBI DAM

Sen. Ong’era: Mr. Speaker, Sir, I sought a statement in May on the effluence in Nairobi Dam. Up to now, I have not received a response. When it came to this House, you directed that it should be issued in 14 days’ time. Now, it is over three weeks since you issued that direction. On a point of order, Mr. Speaker, Sir. Is it in order for the distinguished Senator for Meru to request that this matter remains between him and the Chairman of the Committee when we know that this is a matter that has been laid before the Senate? This is a matter that belongs to this House. The Senator for Meru wants to personalize it between himself and the Chairperson.

Date 14th July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Wangari: Thank you, Mr. Temporary Speaker, Sir. I rise to support this Bill and congratulate the Mover, Sen. Sang, whom we had the pleasure of hosting as a Committee to take us through this Bill. I must say that it is well thought out.

Article 11 of the Constitution recognizes culture as the foundation of the nation and as the cumulative civilization of the people of Kenya and nation. We have had an administration where these commendations, recognition of talent or honours were bestowed to the state. It has not been easy for 40 million people to be rated by one committee. There have been issues and we have always wondered who the people given commendations are, yet we have real heroes whom we think should get but are left out.
Mr. Temporary Speaker, Sir, if there is a group of people who should get commendation, it is the national volleyball team of this country; our girls, who are called the Malkia Stars. We would have wanted to see them get medals and commendations from the state because of doing this country proud. However, there are always issues on how that is done. Thank God there is devolution and we can share this mandate with the counties so that they can recognize such talent as the Malkia Stars and leave the others to the counties. That way, we will not even have to complain because we will feel represented.

The tool of role modeling in this country has been kind of forgotten and that is why you find children looking up to fictitious fellows as their role models, because they are not interacting with their role models at a close range. However, with devolution, we can make sure that we preserve the people who are bringing changes to this country, shaping behaviour and who are heroes and heroines. This can be done at a close range. I remember when we were growing up, it was such a big deal to come to Nairobi and visit the Nairobi Museum. Every school wanted to take their children to the museum.

It is now our chance to make sure that we take it closer to the children at the counties, so that they do not have to travel all the way from places like Tana River and Kwale. Those who are unable to travel will have their local edition of a museum of artifacts that have been preserved for the county and history that has been preserved over the years.

Mr. Temporary Speaker, Sir, I have visited some countries that are very serious in how they preserve their culture. Specifically, Iran has kept history of centuries and you can trace it and tell a story; that every child born today can trace the history from hundreds of years back. Article 174 of the Constitution talks about the objects and principles of devolved government. Specifically, Article 174 (b) and (d) reads: “The objects of the devolution of government are—

(b) to foster national unity by recognising diversity; and,

(d) to recognise the right of communities to manage their own affairs and to further their development.”

Looking at the several provisions of the Constitution, it then goes without saying that this Bill is timely and will make a difference in our children having somewhere to learn about things that happened before them. Even when we are out of these positions, we can still follow and make stories.

Just the other day, as the crackdown that was ordered by the President on illicit brew was going on in my county, Nakuru County, there was one police officer who was drunk and had threatened to shoot randomly in some estate. One woman, a Chief Inspector, Peninah Kamicha, after every other person had run away from the drunken officer, is the one who carried the day. She was able to overpower the drunk officer and wrestled the gun from his hands, and thus preempted a disaster that was about to happen.

Such a story may not hit the headlines, get her a promotion at the national level or a commendation title. However, to the people of Nakuru, she is a heroine and I think that these are chances that we will offer to Kenyans in public service and the public that they can have faith in how the selection is done. In the Bill, you can see that it is not the Governor who picks the people to be awarded. In fact, the Bill has taken into account the requirement that public participation is not an option in everything that we do. This is a new era. As a member of the public, if you want to recommend someone, you simply do that to the committee. It will sit twice a year and they are evaluated.

The selection committee is not only as stipulated by the Bill. It not only has Government officials, but also people with disabilities, young people and women represented in that body.
The few amendments that will come will relate to how this committee can be disbanded. If one resigns, he or she ceases to be a member of the committee. That makes sure that the role of selection is not left to one person. An exit clause will, definitely, be important.

Mr. Temporary Speaker, Sir, we had public hearings on this Bill and one thing came out to show how the public has little faith in political offices. The one issue that was recurrent by the members who presented is the issue of making sure that the select committee is given the mandate to actually choose where the hall of fame would be located. Of course, you realize that the public does not have some land or infrastructure that is idle. That is why it was recommended that even if we want to keep the Government away, the governor’s office would be the right one to designate. This is because most of the infrastructure is either with the national or county Government. That way, we will make sure that we give the role models quite befitting honours that we are seeing today.

As my fellow Senators said, today, everyone is mourning Mzee Ojwang Hatari. However, how many commended him when he was alive? We must move away from waiting until someone is dead to honour them. We saw it with the late Wangari Maathai, when a whole park was dedicated to her in Peru, quite a far distance from here. I think we have another one in another country too. I think that it is time we learn to honour our heroes and heroines when they are still alive. This will make sure that counties treasure their own and pass this information to their children and grandchildren. I support the Bill and hope that we will be able to bring the amendments at the Committee stage.

Date 14th July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Ongoro: Thank you, Mr. Temporary Speaker, Sir. I also rise to support this Bill which comes at a very interesting time. It is true that different counties have different priorities in terms of economic and socio-cultural priorities. What speaks to, touches or is important to the people of one county may not necessarily speak to, touch or be important to the people of another county. It is only right and intelligent that the County Hall of Fame Bill (Senate Bill No. 33 of 2014) be left at the county level. This is because it is the people of that county who know who has done what in that community.

There are unique counties like Nairobi, Mombasa, Kisumu and Nakuru where there is a convergence of cultures and the entire strata of the middle to high class. What will be communicated and appreciated, for example, by the people of Nairobi could probably be somebody who will come up with a lasting solution to the perennial traffic jam or the garbage issue. These kinds of issues will not be appreciated in a county like Turkana or West Pokot where they do not as yet experience these problems. It is only proper that those who make the contribution in Nairobi County be left to its people to choose.

Mr. Temporary Speaker, Sir, those who have done things that have impacted positively on the lives of many people in Kitui Central where somebody will come up with an initiative to give them water will be more appreciated than somebody who does the same in Nairobi since the people of Nairobi take the issue of water for granted. If you go to a county like West Pokot, I think it is the person who will bring a lasting peace solution that will stop the inter-clan wars and cattle rustling that will be appreciated most. Without belabouring, it is because of the different standards, socio-cultural backgrounds and economic status that the people who must be
appreciated should only be nominated by the people of a particular county. In the past, we only saw people being appreciated posthumously especially those who have gone through their entire phase in life. However, we have very young children who undertake certain initiatives or do things that are worth of recognition. Recently, I saw a young boy who had saved four of his siblings from an inferno when their house was on fire.

Mr. Temporary Speaker, Sir, I support that this Bill be handled at the county level where, may be you will introduce an aspect of the different socio-cultural intricacies within specific counties so that in certain communities, you live it to clan elders of a specific clan or sub-region to nominate certain people who can then be considered at another level even at the county. This is because if it is just left at the county, there are certain minorities within counties whose input in their own communities might be looked at as backward, uncivilized or not impacting on a maximum number of people and yet if you talk to the people in that county, their hero could be a traditional birth attendant or somebody who makes circumstances more bearable at the family level. If it is just left at the county level without having a clause that trickles it down to specific regions like Eastlands, Westlands and the informal settlements, then what is important as a contribution for the people in Kibera may not make much sense to those in Lavington. What may touch those living in Karen may be quite irrelevant to the people in Korogocho.

I beseech Sen. Sang to consider introducing those clauses at the Committee Stage so that as we decentralize it to the county level, we still factor in the different socioeconomic and cultural issues that are found in every county. I support.

Date 14th July, 2015

Member of Parliament: Sen. (Dr.) Zani

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. (Dr.) Zani: On a point of order, Mr. Temporary Speaker, Sir. Is Sen. (Dr.) Khalwale in order to suggest that for him to establish your gender that you might need to be one of those people who will be in that rally so that he can confirm anything?

On a point of order, Madam Temporary Speaker. Is Sen. (Dr.) Khalwale in order to insinuate that---. Could he substantiate that Sen. Mohamud has made a contribution in this august House for amusement of someone watching the television somewhere at home? Is that in order?

Date 14th July, 2015

Member of Parliament: Sen. Mugo

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Mugo: Madam Temporary Speaker, could the Senator for Kakamega County substantiate where I cooked githeri and it smelled of smoke? He should withdraw and apologise for that. For his information, I am a very good cook and legislator.

Date 14th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Nabwala: Madam Temporary Speaker, we should not allow a Senator to impute improper motive on another Senator by saying she does not know how to cook. This is being broadcast
live. I know that Sen. Mugo is one person who carries herself very well. She has kept her marriage and she is very good in looking after her family. Therefore, Sen. (Dr.) Khalwale is out of order. Could he apologise and withdraw?

Date 14th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Ong’era: Thank you, Madam Temporary Speaker for giving me this opportunity so that I also contribute to this Bill. Like other Senators who have spoken before me, I would like to congratulate the Mover for bringing a very timely Bill into this House which is about honouring our heroes who struggled for freedom and justice to our land.

Madam Temporary Speaker, in the preamble to the Constitution, the second and third paragraphs of the preamble, if I may quote, says that:-

“HONOURING those who heroically struggled to bring freedom and justice to our land:
PROUD of our ethnic, cultural and religious diversity, and determined to live in peace and unity in one indivisible sovereign nation:”

Madam Temporary Speaker, the reason why I looked at this preamble was to link it to the fact that for the very first time in this country, we will devolve our culture and heritage and reward our unsung heroes and heroines in our counties; a thing that has never happened in this country. Madam Temporary Speaker, should this Bill be assented to, it will mean that for the very first time, we shall award and induct many of our heroes and heroines at the grassroots. If that happens, we will make them our unsung heroes and heroines who many times we have ignored.

Madam Temporary Speaker, I want to go to the depths of this Bill. I want to look at Clause 6 of the Bill. I support the suggestion by the distinguished Senator for Kakamega County. We may need to consider changing the composition. I persuade the Mover to think about what the Senator proposed. We should not leave such an important task to the deputy governor and the county executive committee. We should consider the fact that the governor could be the chairperson. The Senator and Members of Parliament (MPs); both nominated and elected, should also be part of the composition.

Madam Temporary Speaker, Clause 7 of this Bill outlines the functions of the selection committee. I am very happy that issues of exemplary qualifications have been stated. For a person to qualify, he or she should be somebody who has had outstanding achievements. That makes me think about many unsung heroes especially in the Kisii Community. These include people like Nyantika Mayiora, Otenyo Nyaigoti and Moraa Nyangiti who fought very hard during the colonial times. Some of them excelled in sports but were never considered for any national award in this country.

Madam Temporary Speaker, there are many people who have made many contributions in the Kisii culture and development of our heritage. They include; Mzee Zephaniah Mogunde Anyeni,
Lawrence Sagini, James Nyamweya, Zachariah Onyonka, our own Mzee Simeon Nyachae, our own celebrated Senator, Sen. Obure, the Chairman of our culture, Mzee Matundura and many others who have never been talked about.

There are many people who have never been honoured, for example, students who were executed and died in cold blood because of incidences of terrorism in Garissa University College who may never be remembered. These should be the heroes to be celebrated and inducted in the County Hall of Fame Bill.

Therefore, this Bill gives us a very good opportunity, so that we can recognize those we want to recognize in exceptional circumstances in our communities. However, we do not want this Bill to be used as a political reward and punishment measure by politicians. I, therefore, hope that there will be enough provisos in this Bill that will protect that, so that politicians do not use this as an instrument or weapon to reward their cronies or relatives and punish those who did not support them. I also hope that there will be no nepotism or corruption. One should not only reward their friends or supporters and leave out others who clearly deserve to be rewarded.

Madam Temporary Speaker, I also request the Mover to look at Clause 14 of this Bill. I am glad that there is a requirement for a register to be provided because it will actually be like a memorabilia which will enable those who have already been honoured to be noticed. However, I would like the Mover perhaps to consider making an amendment to this clause, so that this register not only consists of names, but also the assets including artifacts to the hall of fame which can be brought posthumously. Those artifacts can become the assets of that particular county. This is because many of those artifacts right now are lying in so many other counties. For example, you may find artifacts from Kisii County in the National Museum of Kenya. We would like these artifacts to be registered as the property of each of the counties.

Madam Temporary Speaker, with those few remarks, I would like to once again commend the Mover. I support this Bill because it really sets the trend of devolution in the manner that we want it to go. Thank you, Madam Temporary Speaker.

Date 14th July, 2015

Member of Parliament: Sen. Mugo

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Mugo: Thank you, Madam Temporary Speaker, for remembering my other name.

I rise to support this Bill and thank the Mover, Sen. Sang, for thinking about it. I believe this Bill will play a major role in creating or writing the history of our country.

A people without a history cannot be a nation. As we look back, we have very little history. This is because, it is people who make history and because we do not have a lot of written history in our country about heroes, events and things that took place in our country before we got to where we are today, I would say that there is a vacuum. I hope that the hall of fame will fill that vacuum, because it would be impossible to put all people on the current system of honours. No country has all people in their honours.

There are always a few from each sector and a lot of criteria used to award the honours. Recently, Parliament was included and we now have a committee that recommends names of the Members of Parliament who have served since Independence.

I believe that is one of the ways of creating national history. However, in the same way, we also need constituency or county history which cannot all fit in the national honours which are given.
I support this Bill very strongly. As I support this Bill very strongly, I hope that it will not be a divisive thing – something that will divide people of a county. We should have cohesion amongst those who have delivered in that area. I thank the Senator who said that women should have a column in this. More often than not, women are not looked at as leaders, heroines or people who have contributed to the betterment of our society. No wonder my colleague, Sen. (Dr.) Khalwale, who came to Parliament after me – I think I have contributed equally if not more – thought that I cannot cook and be a leader. It is not just him but many men think that way.

In this hall of fame, we want to prove that women have contributed in our fight for Independence and developing our country. Therefore, each county has its heroes. Those are the heroes and heroines that we hope to see in this hall of fame and create history. The children from that area will even begin to learn and know their roots and where they have come from.

Madam Temporary Speaker, they are many in any area you can think of. In our area in central, we have Wangu wa Makeri who has not featured anywhere. She was a famous chief who ruled almost the whole of central Kenya. Whereas her name is legendary, it is not famed anywhere. Women like Rebecca Njeri and Sarah Sarai fought very hard for our Independence. We even had women who fought in the Mau Mau war but you never hear of them. Others like General Marshall Muthoni and others cooked food for the war veterans.

Each region has women. This is also one way of engendering women into fame. Therefore, when they are elected in their areas ---

Date 14th July, 2015

Member of Parliament: Sen. Mugo

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. Mugo: Madam Temporary Speaker, is that why men are afraid to honour her? Yes, she had to assert herself and I am glad she is in the history books. However, we also want to see her and others on the hall of fame. Thank you for the information.

Let me reiterate that we should not complain about everything because we have not stopped developing institutions. I do not think those who have been named after institutions or roads named themselves. It is the people who were there at that time who decided that we will name this after this person because of the contributions that they have made. We should appreciate that. We have many roads like Argwings Kodhek, Tom Mboya – a major road – and Ronald Ngala.

Madam Temporary Speaker, when you mention the founding father of this country, sometimes I feel sad because it is like belittling the contribution that he made. It is part of our history and it does not mean others did not make the history either. I hope that we will not look at these things and personalize them but we will view them as tangible contributions which create the history of our country. I hope that it will all be written one day and even many other heroes who have not been featured will be featured with time.

I also hope that we shall name something after the immediate former President, Mr. Kibaki, who contributed a lot. Nothing was named after him when he was President but it does not mean he cannot be named after one of the many institutions which are coming up. It is not a crime but part of our history. We cannot erase but build on history.
Madam Temporary Speaker, as I congratulate the author of this Bill, I appeal to counties that they will research and make documentation of who should be honoured and why. They should not be discriminative but inclusive of all those who have contributed. We also have young men and women who have excelled in sports. We hope to see them too on the hall of fame.

I support the Bill strongly and it does not take away anything from National Honours. It just adds.

Date 14th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: The County Hall of Fame Bill (Senate Bill No. 33 of 2014)

Sen. Nabwala: Thank you, Madam Temporary Speaker. I would like to support the County Hall of Fame Bill (Senate Bill No. 33 of 2014), which has been brought to the Floor of this House by Sen. Sang. This is a very important Bill as it seeks to provide a framework for the recognition of persons who have made significant contribution to the county or our country.

We know that in the past, people have been recognised at the national level and counties have been forgotten. I say so because of devolution. We have devolved governance to counties and, therefore, we have to give them autonomy to choose persons of integrity who have contributed greatly to this country in different forms. For instance, in my county, Trans Nzoia, we have a man called Elijah Wanameme. He was a great man and people idolized him. He passed on but what he said came true. We also have many who died like Matungulu who was a great musician. After you are buried, people forget you.

Madam Temporary Speaker, I would also propose that we should rewrite the history of great people in the counties and, may be, name them after schools and universities just the way we have Masinde Muliro University of Science and Technology. We would also like to have one in Trans Nzoia County. I think a Bill was passed that the Kitale Technical Training Institute be converted to a public university. We would like that done since it is a good thing for the county. It is also good for remembrance. We will actually remember the late Masinde Muliro because he contributed immensely towards the democracy of this country.

This Bill also seeks to provide a framework for the preservation of history, heritage and culture of our country.

Clause 2 (a) says that the State shall promote all forms of national, cultural expressions through literature, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritages. This forms part of our history. For instance, I once read in the media that the University of Nairobi had been rated as one of the hundred top performing universities in the world. I felt so proud. I think even locally, we should be able to recognize those academicians who have made outstanding contribution to our universities.

Madam Temporary Speaker, when you look at Garissa University where over 148 students lost lives, I think such a university should be preserved so that in future, it can serve as a historical education. When you read the Bill, it says: “And a basis for the education of members of the public”. I think in future, we would like our students to go to Garissa University where their colleagues perished where they can reflect a lot. This law is, therefore, very important as it will give guidelines for the recognition of persons who have made significant contributions to the county. The guidelines will also ensure fairness and transparency in the vetting process. There is
a select committee that will be in place which will have the responsibility to receive names of nominees from persons. I think it will be a fair committee because it is comprised of many people; it is not a one man decision.

Therefore, this Bill is good because we are moving from a one man decision to collective decision making. Equally, when you want to include or remove a person from the list of the county hall of fame, the same names should appear before the committee and reasons why the person is being removed or why he or she is being honoured should be very clear. The Bill states that the governor for the purpose of this county hall of fame will put up a structure where we can be able to preserve the history of famous people in our counties.

Former President Kibaki contributed a lot to this country but I have not seen a university or hospital after him. We did well in the past because the late President Jomo Kenyatta has been named after our biggest airport and universities. Former President Moi has hospitals and universities named after him. Equally, we can extend this fame to people presently playing important roles. I do not think we should only mourn people in death and not when they are alive.

For instance, Prof. Mazrui who passed away last year was highly recognized internationally but when he passed on and his remains were brought home, that is when we started eulogizing him and saying how good he was. I think we should honour people when they are alive so that they are also able to share those great moments with their families.

I support the Bill and want to encourage the young Senator Sang that he is doing well this being his second Bill in this House. The Bill is important because it is going to help our counties to recognize those people who have contributed immensely to the development of this country.

Date 14th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: THE COUNTY HALL OF FAME BILL (SENATE BILL NO. 33 OF 2014)

Sen. (Dr.) Zani: Thank you, Madam Temporary Speaker. I thank Sen. Sang for this important Bill that tackles culture and heritage which is very critical in our country.

This is an area which has been ignored especially when we compare with the western countries where independence days are marked as national holidays. Towns are full of statues and history about histories right from the pre-civilization time. It is really quite an honour for their families.

This Bill intends to do that for us in a devolved system which is critical for us because the basis of values and morals can go to the county level and not necessarily remain at the national level. Not that it is a bad thing, but it also gives more people a chance to be honoured. It is good that this Bill gives criteria for that process by forming a hall of fame selection committee that should be able to come up with rules on how to do the selection. This is clearly stipulated in the Bill so that at the end of the day, it is clear who should be chosen into this list. I know there is going to be a lot of competition and many people will feel that there are certain persons whose names have been omitted from the list. Criteria should, therefore, be well stipulated.

Madam Temporary Speaker, there is also criteria for registration, documentation, information, items and preservations that are going to be put there so that we do not have somebody sneaking in a name without a specific formula being followed. Public participation has also been taken into consideration at Clause 13(2); there are going to be written submissions across all stages. People are going to participate to ensure that the right names are given. For us, the Mijikenda, we would not want Mekatilili wa Menza to be forgotten. She was a Mijikenda woman from the
Giriama Community who became a hero of her time when very few women were able to come out and fight for Independence. We honour Mekatilili and she is one of the persons who I know for Kilifi County will definitely be considered. People like Ronald Ngala who fought for Independence of this country is also another person from the coast region who should not be forgotten to be honoured. People like Timothy Ramtu from Kwale County are also important people because they headed some of the first commissions that were very critical for this country. There is also Chingoro Stephen Zani who was one of the first people within the Digo community to start the Anglican Church among many other people from the coast region.

Madam Temporary Speaker, I think setting up the criteria for nomination is very important. There is also the aspect of being able to come up with a petition for those who feel that they have been unjustly left out or have people they think should have been included but have been left out. Another important aspect of the Bill is at Article 19 (c) that puts a penalty for liability of those who pretend to be members of the hall of fame and yet they are not there has been put into consideration.

Clause 21 is important because it creates a progress aspect of improving on this Bill and ensuring that the county executive committee member with the approval of the county assembly can overtime continue to undertake provisions to ensure that this Bill is put into place. This also ensures that there is a methodology of dealing with conflict resolution and ensuring that the procedure for consideration for petitions is taken seriously. The number of persons who may be included in the county hall of fame is controlled. This is where I would like to join other Senators in encouraging the recognition of women who have done things that entitle them to be in that hall of fame.

Clause 21 (2) (e) is not clear. I think it needs to be looked into. It states the manner in which an induction into a county hall of fame may be suspended or revoked.

As we go into Committee of the Whole, we might want to make an amendment to that particular clause so that it is clear.

It would also be important to look at the definition of the “county hall of fame” and probably expand it more because as I read the Bill, it is not clear to me whether it is a hall somewhere, for example, in Oslo Norway where the Nobel Peace Prize laureates have been recognized. There are candles lit and history is given about them or whether it is going to be about naming roads after some people.

That definition does not bring the dynamism of what the county hall of fame might be and we need to be a little clearer as we move to amendments so that it is very specific. The idea that we can educate our Members and preserve historical documents is very key especially in our country because the history of this country is what will hold and bind us together as we move forward.

The representation of the Committee is also inclusive. However, as other Senators have said, let us not just put a lot of emphasis on a governor only. In fact, there seems to be a contradiction when you look at Clause 7 which is about the functions of the selection committee. That particular committee will make recommendations to the governor. The governor is not part of it. There is a lot to and from that might create a little bit of confusion. The fame selection committee should include other levels of leadership including the governor. If he cannot attend meetings, then, he could have representation that could articulate a particular view point will need to be put into consideration. Madam Temporary Speaker, with those few comments, I beg to support.

Date 15th July, 2015
Member of Parliament: Sen. Omondi

Contribution She Made On: The Universities (Amendment) Bill (Senate Bill No.31 of 2014)

Sen. Omondi: Thank you, Madam Temporary Speaker, for giving me this opportunity to make my contribution to this important Motion. I support this Bill because I know it will reduce the burden of parents and make counties develop faster. As I contribute, I do so with very low spirits simply because my county, Kakamega, does not have a public university. I support the sponsor of the Bill because it will make my county of origin benefit from equal distribution of these institutions.

I also support because the distance that students have to travel to join universities is giving parents a big burden in terms of paying for accommodation. You will find that tuition fee is lower compared to the money paid for accommodation in another county. If we have equal distribution of these universities within the counties, it will allow most students to be day scholars in universities in their counties. It will also help students to learn more of their culture. Parents will also be able to monitor the behaviour of their children as they will be meeting often. Madam Temporary Speaker, having a university within a county will also discourage students from loitering around towns when they are not in class. Instead, students will be encouraged to be at home and engage in constructive activities that can change their behaviour, build their morale and even reduce the workload of parents at home. If these universities are distributed within, so that each county has a private and a public university, it will enable students to fit where their capacity allows them to be.

Parents or the caregivers of students with disabilities and who are facing challenges will be enabled to monitor them. These students require a lot support from parents. Madam Temporary Speaker, I was a boarder in secondary school and in college. It was very difficult for me to do the day to day chores like washing clothing. If these universities are within the counties, parents will be able to check on the students within those universities and give them support once in a week at least to make their lives smooth and friendly. This will afford them a learning environment that is conducive.

This Bill is also going to address the issue of moving services close to the people. It will allow lecturers to give services where it is conducive to them. If, for example, Kakamega County did not have a public university, it becomes a challenge to lecturers who are willing to support students from that county to access these facilities. At the moment, the universities that are there are very few and most of them are private.

With those few contributions, I want to end by saying: “Education, education, education”. Education can be useful and meaningful if given the support that it requires.

If we can devolve other services and ignore education at the grassroots, the development of these counties and the country as a whole will be questionable. This is because other counties will grow while others will not grow. In terms of finances, counties without universities will be taking their financial resources to the counties that have universities at the expense of making their counties collapse. Those who have businesses like residential hostels that may be used to boost the county will benefit. For those which do not have these facilities, there will be no such activities to accelerate the circulation of money; this will not happen if resources are not distributed equally. When we talk about equal distribution of resources from the national Government, then those without universities will not benefit from the resources that may be given to counties to give a facelift to the existing universities. With those remarks, I support.
Date 15\textsuperscript{th} July, 2015

Member of Parliament: Sen. Omondi

\textbf{Contribution She Made On:} \textbf{THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO.31 OF 2014)}

\textbf{Sen. Omondi:} On a point of order, Mr. Temporary Speaker, Sir. Is the Senator for Kiambu County, Sen. Wamatangi, in order to refer to you as Madam Temporary Speaker? Is he in order to doubt your gender?

\textbf{STATEMENTS}

\textbf{Date 15\textsuperscript{th} July, 2015}

Member of Parliament: Sen. Elachi

\textbf{Contribution She Made On:} \textbf{BUSINESS FOR THE WEEK COMMENCING TUESDAY, 21\textsuperscript{st} JULY, 2015}

\textbf{Sen. Elachi:} Hon. Senators, pursuant to the provisions of Standing Order No.45, I will present the business of the Senate for the coming week. The Rules and Business Committee (RBC) will meet on Tuesday, 21\textsuperscript{st} July, 2015 at 12 noon to schedule business of the Senate for the week. Subject to further directions by the RBC, the Senate will continue with business that will not be concluded in today’s Order Paper focusing on debate on Bills at the second reading stage. On Wednesday, 22\textsuperscript{nd} July, 2015, the Senate will continue with business not concluded during Tuesday’s sitting, including Bills that will have been concluded at second reading and further consider the following Bills and regulations at the Committee of the Whole. The County Early Childhood Education Bill (Senate Bill No.32 of 2014); The Public Appointments County Assembly Approval Bill (Senate Bill No.20 of 2014); The Food Security Bill (Senate Bill No.23 of 2014); The Tobacco Control Regulation, 2014 and the Reproductive Healthcare Bill (Senate Bill No.17 of 2014)

The Senate will consider any other business scheduled by the RBC. As Senators have noted in today’s Order Paper, there is a Motion to resolve to sit on Wednesday morning for the next two weeks to dispose of outstanding Statements. Therefore, this to notify the Chairs of Committees and all Senators that they need to facilitate the process so that we live up to our oversight role. On 23\textsuperscript{nd} Thursday, 2015, the Senate will consider Bills at Second Reading, deliberate on Motions and any other business scheduled by the RBC.

Hon. Senators, I take this opportunity to appeal to Senators to make themselves available so that we dispose of pending business, especially Bills at the Committee of the Whole. I hereby lay the Statement to the Table.

Mr. Speaker, Sir, I agree with that and I know that we normally alert them. I believe also that the Secretariat normally alerts the Member. To add on that, could we have a way to alert the Senator to dispose of the statement if it comes to the House twice?
Date 15th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: BUSINESS FOR THE WEEK COMMENCING TUESDAY, 21ST JULY, 2015

Sen. Kittony: Mr. Speaker, Sir, I was intending to give a reply on the issue of Malaria outbreak last week, but the Mover requested that I wait until this week. I am surprised that Sen. (Dr.) Machage sits in our Committee and he is one of our very active Members, therefore, that should have been an in-house issue. I was requested by Sen. Khaniri to hold it until this week. That is what I am doing unless I am advised otherwise.

Mr. Speaker, Sir, he mentioned Malaria outbreak so naturally I had to respond. If he does not want to have Malaria included, let him bring a new statement as we wait for Sen. Khaniri.

Date 15th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: OUTBREAK OF MALARIA IN WESTERN KENYA

Sen. Kittony: Mr. Speaker, Sir, I would like to respond to the Statement on Malaria outbreak in Western Kenya. The statement was requested by Sen. Khaniri from Vihiga County on 1st July, 2015.

Mr. Speaker, Sir, the Senator sought to know the following:-
(1) If the Cabinet Secretary for Health is aware of the outbreak.
(2) What the Government has done so far to contain the outbreak of Malaria.
(3) What support the national Government has offered to complement the County Government of Vihiga in its efforts to fight Malaria in the county.

The response is as follows:-

Yes, the Ministry of Health is aware of the reported malaria outbreak in Kakamega and Vihiga counties. You can see details of the investigations carried out in the appendix of this statement. The Ministry of Health has so far carried out the following measures to contain the outbreak.

(1) Emergency anti-malarial drugs have been provided to the two counties through a smart push system. Through this intervention, Vihiga County received a total of 17,200 doses of Artemether-Lumefantrine and 500 injectables ampoules of Artesunate in the period of January to June 2015.

(2) A surveillance system has been put in place to monitor the new cases and thus enable faster response.

(3) Continuous advocacy at the community level on the importance of early hospital care is ongoing through the community health units. Late referral and use of herbal medication is rampant among the communities and the Ministry in liaison with partners is continuing to address these challenges including use of the community health strategy to educate the people.

The national Government has offered the following support to complement the county government of Vihiga in its effort to fight Malaria in the county:

(1) In 2014, the Ministry, through the National Malaria Control Programme, distributed a total of 330,000 long lasting insecticide treated nets to malaria endemic regions, including Vihiga and Kakamega counties.
The National Government has procured emergency drugs like Artesunate for treatment of complicated (severe) Malaria.

The national Government is on standby to provide both technical support and supplies of commodities in the event of shortage.

Date 15th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Kittony: Mr. Speaker, Sir, Sen. (Dr.) Khalwale is a doctor and I am not. I am just a Vice Chairperson of that Committee. I am reading what the Ministry gave me. He cannot make me a “Dr. Kittony” overnight.

Advocacy on the importance of using health facilities on noticing early symptoms of malaria is ongoing through local as well as national media platform.

A series of trainings on Malaria case management were carried out in 2014, which included public as well as private health facilities. The Ministry will continue to work with the county governments to ensure that any challenges in the prevention, control and treatment of Malaria are quickly addressed. Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, the statement is very clear that the Ministry of Health is aware of the reported Malaria outbreak in the county of Vihiga. I do not know what the Senator for Vihiga County is asking, yet it is very clear that the Ministry is aware and they made an effort of taking medication to the ground. Vihiga County, through its Level 5 hospital, should also help its people and not only depend entirely on the Ministry of Health.

Date 15th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Elachi: Mr. Speaker, Sir, this is an issue which will completely change the lives of these young children. I would want the Committee to tell the House whether they are able to do so immediately and be in Busia because health has been devolved so that we can know exactly what is happening.

Secondly, what happened when they went out to look at the issue of malaria drugs? Have they presented a report to this Senate? Could the Vice Chairperson tell us whether the drugs we have in the country are still fit for human consumption? It has been alleged in the media that most of the drugs in the counties have expired and yet the doctors continue prescribing them?

Date 15th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Kittony: Mr. Speaker, Sir, I read the statement as given, but I also want to say that our Committee has been very active with regard to issues pertaining to health in the country. We have done a number of visits to different counties.
When Ebola broke out, we were quickly at the border to ascertain what was going on. I have said that the Ministry was aware of the outbreak and they have taken measures and delivered mosquito nets and given drugs to those counties. You realize that health facilities have been devolved. County hospitals should assist where possible. Unless the Senator who sought this statement needs more information, he could request in the formal manner.

Date 15th July, 2015

Member of Parliament: Sen. Sijeny

Contribution She Made On: OUTBREAK OF MALARIA IN WESTERN KENYA

Sen. Sijeny: Mr. Speaker, Sir, I thank you very much for welcoming them on our behalf. However, I would like to confirm that we have engaged with them in a very fruitful manner that has been very beneficial to us, especially the women, who are trying to fight for women space in the affirmative action. We have benefited a lot. We thank them for that. I take this opportunity to welcome them to the Senate.

Date 15th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: OUTBREAK OF MALARIA IN WESTERN KENYA

Sen. Elachi: Mr. Speaker, Sir, I also thank the delegation headed by Betty Amongi who is also the Chairperson of the Uganda Women’s Parliamentary Association (UWOPA) in Uganda. On behalf of the women of Kenya, we have always appreciated all the capacity building programmes we have received across countries in terms of understanding how we could achieve affirmative action. However, more importantly, as we approach the deadline on 27th August, 2015, we, as a country, hope that we shall have more consultations. We also hope that we will incorporate our male colleagues in the discussions and come up with a homegrown position that all Kenyans will appreciate and be beneficial to the country. The process is ongoing. Thank you, Mr. Speaker, Sir.

Date 15th July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: OUTBREAK OF MALARIA IN WESTERN KENYA

Sen. Wangari: Mr. Speaker, Sir, I join you and my colleagues in thanking the delegation, especially from the leadership of the Kenya Women Parliamentary Association (KEWOPA) and the Kenya Young Parliamentarians Association (KYPWA). I wish to thank them for the outreach they have done, especially to the leadership of Parliament as we deal with 27th August, 2015 deadline, concerning achieving the onethird gender rule. I hope that from the discussion we have had, we will have a way forward regarding dealing with this problem. Thank you, Mr. Speaker, Sir.

Date 15th July, 2015

Member of Parliament: Sen. Nabwala
Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Nabwala: Mr. Speaker, Sir, I would like to join you and the rest of the Senators who have welcomed our guests from the IPU. The IPU is a very important forum because it is where parliamentarians meet twice a year to discuss issues affecting the world. I would like to welcome them because their visit to Kenya came at the right time when we, female politicians, were discussing about the one-third gender rule as we struggle to find space. I am sure that we have benefited a lot from the ideas. Owing to that, we can now sit together and deliberate on issues that were raised. I would also like to say that we are a Member at the IPU in the UN Committee. Therefore, we are together. Thank you very much.

Date 15th July, 2015

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Ong’era: On a point of order, Mr. Speaker, Sir. Did you hear Sen. Mutula Kilonzo Jnr. refer to distinguished honourable Senators who are nominated as “persons who are nominated?”

Motions

Date 15th July, 2015

Contribution She Made On: Resolution to Hold Extra Sittings

Sen. Elachi: Mr. Speaker, Sir, I beg to move the following Motion:- THAT, pursuant to Standing Order 30(3)(b), the Senate resolves to meet on Wednesday, 22nd July, and Wednesday 29th July, 2015 from 9.00 a.m to 12.30 p.m. Mr. Speaker, Sir, this is a straightforward Motion. I think all of us understand why we are re-introducing the morning Sittings. Looking at the business that we have before we go for our long recess, we would appreciate, as an institution, if we could finish and forward it to the National Assembly. We are also facing another challenge regarding most of the Bills that we have forwarded to the National Assembly. We have never received any communication or Bill that has been finalized in the National Assembly back to the Senate. Indeed, as much as we would want to conduct business, I think it is time for the leadership of the Senate also to start asking ourselves how we will move forward and what the law says in terms of the long period that the National Assembly has stayed with the Bills.

Having said that, that cannot stop us, as an institution, from finalizing our work. I urge the Members that as we proceed to have the morning Sittings, let us be punctual so that we can clear, especially, all the Bills that are in the Committee of the Whole stage. If we are able to finalize that, I think we shall go for our long recess, knowing very well that we have done our best. Mr. Speaker, Sir, I beg to move and ask the Senate Minority Whip, Sen. Muthama to second this Motion.

Date 15th July, 2015

Member of Parliament: Sen. Elachi
**Contribution She Made On: Resolution to Hold Extra Sittings**

**Sen. Elachi:** Thank you, Mr. Speaker, Sir. I thank all Senators, especially chairpersons of Committees. While we appreciate that we have committees going on, we also have reports that are supposed to be tabled in this House coming from those committees. Therefore, I urge chairpersons to ensure that their reports are ready for tabling before this House.

We were just trying to come in to ensure that all constitutional timelines and Bills are complied with before we go on recess. Since this is a House of consensus and can agree to even extend sittings in the evening when we feel it is necessary, I think that is what we will move and I appreciate the views of Members. I beg to move.

**Date 15th July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On: Resolution to Hold Extra Sittings**

**Sen. Wangari:** Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion by Sen. Karue. In fact, when I saw this Motion on the Order Paper, I remembered that when we joined this Senate, the first thing that Sen. Karue was agitating for was the headquarters of Nyandarua County. This is because they were starting from nowhere. I have also visited where they are operating from and know that they started from a point of disadvantage compared to other counties. They did not inherit any infrastructure. I think the same case applies to Tharaka-Nithi County. It is unfortunate that we have not been able to come up with a way forward in terms of this capital expenditure, considering that it is not a small expenditure. It is going to be a major investment into making sure that these counties have places they can call headquarters.

Mr. Temporary Speaker, Sir, looking at the way the Motion is framed, I want to support the membership of the Committee that has been proposed. I have full confidence that they will be able to deliver within 90 days. The good thing about this Motion is that it does not limit itself to the counties that were disadvantaged from the beginning. It is not just about Tharaka-Nithi, Nyandarua and Lamu counties. It has brought on board all the other counties for a good reason. If you go round the counties, you will realize we do not even have a uniform look of the headquarters, especially the debating chambers. As you know, they were used before by the councils. I am not saying that they were not sufficient, but we are dealing with a different kind of government right now and we have very serious legislatures in the counties that need befitting infrastructure to support the work that they are doing. As has been said by Sen. (Prof.) Anyang’-Nyong’o, going round the counties will enable us to get a homogenous way of putting up infrastructure.

For example, when you visit parliaments across the world, there is the unwritten rule that there should be a table to hold the mace and communication gadgets.

Considering that we are also growing, the Information, Communications and Technology (ICT) sector is dynamic. We are at a point in time where debating is not just about having seats. There are some standards that we have to adhere to. So, I hope that this Committee will give us a standard model of how this should be done, especially for the assemblies. We need to have a standard of how the assemblies should be designed.

We are the first government to implement a Constitution which entails devolution. We will continue to do this for years to come. We must do it for prosperity and the children who will come after us. We should look back 20 or 50 years down the line and see that we did a good job.
The other thing that this Committee should do, and I have seen it in many counties as we do our work of going round the counties in our evaluation; the Constitution provides for representation of people with disabilities in the counties to sit in the assemblies and also to be appointed to positions in the executive. Therefore, we must make sure that this Committee will look at the counties where there is a deficiency. We have seen counties where people on wheel chairs have a problem accessing the premises. This is not just in the counties, you will be surprised that even here in this Parliament, one time we had a meeting at room five. It is a pity that we had to get men to carry Sen. Omondi up the stairs for that meeting because there is no ramp.

Mr. Temporary Speaker, Sir, this Committee should ensure that they evaluate this and adhere to the international expectations and standards for people with disabilities. They must be able to access every part of that premise. So, as they report back to the House, we should know that not only do we have an infrastructure in a county, for example, Murang’a and Nakuru, but such infrastructure should be compliant with the international requirements for people with disabilities.

This issue has been canvassed even before by the Transition Authority (TA). There is always the opinion that this was a transitional time. In the County Public Accounts and Investments Committee where Sen. Muriuki sits, as we evaluate the audit report, we have had experience where we have losses of assets in the transition period. There was supposed to be an evaluation by the TA of finding out what exactly belonged to the defunct county councils. That is still not yet done. In that confusion, some people have taken advantage and enriched themselves with land, buildings and other assets. This must be fast-tracked. We must do that audit to ensure that we have a clear and clean register of all the assets that belonged to the defunct councils. That way, we can ascertain what is needed for a particular county depending on what was transferred from the defunct council.

This Committee would have helped this House in making sure that they make their recommendations to ascertain what is required and what is missing in every county. For example, recently, the TA has been asking where the mayoral chains are. Some counties have said that they are not surrendering them, that they are meant for them. Yesterday, we debated the County Hall of Fame. If there is any one thing that should be a permanent mark in any county, it should be those mayoral chains. We must know where assets of counties are and who is keeping them. They should be produced whenever they are required.

Mr. Temporary Speaker, Sir, our role as a Senate cannot be overemphasized. It is clearly stipulated in Article 96. We must give and build capacity. That was the role of the national Government. We cannot leave it to the counties. The framers of the Constitution in the transitional law saw a gap and put the responsibility of building capacity to the national Government. Capacity building has to start from here. Counties must have premises, infrastructure and points where they can start from. Counties such as Nyandarua and Tharaka-Nithi have this problem. It is a disadvantage. We should bring them to a level that they can compete in a friendly manner with other counties.

Otherwise, we cannot expect to give them money yet they do not have anywhere to conduct their business. Whether it is the county executive or the county assembly, it must be given resources to set up.

With that, I support Sen. Muriuki and hope that within 90 days, this Committee can give this House a way forward on how to deal with this issue and do correctional measures with the existing infrastructure to make sure that they are up to standard. Devolution is not going anywhere; we are doing it for the years and centuries to come. I beg to support.
Date 15th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS

Sen. (Dr.) Zani: Mr. Temporary Speaker, Sir, I rise to second the amendment. The gist of that amendment has been made very clear by the previous speaker, Sen. (Prof.) Lonyangapuo, who has put in the value of the names of the two Senators that he has proposed to be added to this Committee that is being put in place to make the necessary investigations. The two names he had put forward are Sen. (Prof.) Lonyangapuo and Sen. Obure. He has indicated clearly that they already have a lot of experience and done preliminary work in looking at the needs of the various counties in terms of physical facilities needed, buildings and input needed. Indeed, he has also spoken about data which is critical for this exercise that they already know about, drawings and names of various officers.

Mr. Temporary Speaker, Sir, we always say that there is no need of reinventing the wheel. If this team is enhanced by having new Members who know more and who have done the work, then the work of this Select Committee is going to be enhanced.

Mr. Temporary Speaker, Sir, Sen. (Prof.) Lonyangapuo has also indicated money should be allocated for travel because it is also good to benchmark and see how other countries are going about it. It is really unfortunate because with devolution, it was expected that each of the county governments would have those structures in place.

Human resources are always very critical but they do not operate in utopia, they operate within a specific space. We need a situation where we know the job for someone to do. The job is not going to be done from the trees or from open spaces; it will be done within a building. They need to have facilities so that they can do that. They need to be aware of what their job description is so that they can do the work properly.

Mr. Temporary Speaker, Sir, as I visit some of the counties, I find a lot of personnel who do not seem to have clear job specifications. You cannot locate them and where they sit. If you were to ask for them for performance because at the end of the day, we need to have a way to evaluate the input that somebody has put to their work, you cannot do that because we do not know where to trace them and the responsibility they have been given, where they are working from. If we do an audit in many of these counties, you might find that many of them do not have space to sit and do the work. In fact, it was my suggestion that it is critical at the Senate level that each Senator is allocated a place to sit and where people can meet them in close proximity of the work that is happening within the counties.

It is unfortunate that the county boards that we advocated for in this Senate did not work. One of the most important things about those boards was that they were to get all the leaders within the counties together to map their development agenda for that particular county. They had to do it within a particular space. Then, they would have to identify their task, goal and objective in the counties and break it to sub-objectives and find a way of actualizing the facts within those particular counties. This did not happen. The fact that even the space for people to be together in a county to decide on the development is not there, creates a big question and worry.

Mr. Temporary Speaker, Sir, therefore, this Motion is very important and handy. We need to allocate offices and premises to the people who work in the county governments so that they can promote the work they do. They can look at the work plans, the master plans and organograms necessary for that particular county so that they understand the relationships within those specific
counties and how their own work inputs into the work of the county government in general. This is very critical, important and necessary. We would have expected by the time devolution was operational, all these would have been put into place but we have heard and seen that this has not been the case. Many counties are still asking questions about facilities.

Mr. Temporary Speaker, Sir, recently, we had a Petition from Kilifi County making a request and an inquiry about whether to proceed with some premises within the county. I am sure that this is going to be a concern for other counties. I am happy with the suggestions that Sen. (Prof.) Lonyangapuo has put across. That it is important for us to have a template, so that we have some regularity and ideal type that people within our county governments can set certain standards of how the offices should look like and how they should be presented.

That is very important because it will control the budget; if we leave it untapped or unsealed, counties will spend millions of shillings that could be used for development of buildings and equipment within the particular offices. We need the focus to be in the right places. If we set a template so that we know how the offices should look like, and the equipment that should be there, the extra that is needed in terms of work facilities in each county, it will become very important.

We must underline the importance that at the end of the day, the performance that is being alluded to and that which we are trying to get from the counties will only come if the human resources are well tackled. In organizational development and in terms of human resource and thinking of how they will work is always very critical to put these matters to consideration. They need to have physical facilities and an environment to work in.

Mr. Temporary Speaker, Sir, I heard Sen. Wangari talking about a matter where Sen. Omondi was not able to get county government offices because they are not facilitated for people with disabilities. All these things need to be taken into consideration. I feel that by enhancing these things and putting Sen. (Prof.) Lonyangapuo and Sen. Obure into this team - and they already have the experience - some of these issues will be quickly eased out so that a template and similarities that can be replicated across the various counties and can be put in place so that it becomes a question of implementation for the members of the county governments. We should not forget that we want the standards of county assemblies to match those of the National Assembly and of the Senate in terms of the presentations. The offices should also match. This will improve the quality of work.

Mr. Temporary Speaker, Sir, it is unfortunate that when you go to the various counties and interact with brother or sister committees and you listen to the sort of discourse that is coming about issues and they are saying that we expect the Senate to do the following and we want to capacity build them but it is not the Senate that will do that, it is the Members of the County Assemblies (MCAs) who are meant to have the powers to oversight the governor, look at the budget and find out where the money has gone to and how it has been used and report about it. There is a lot that is still missing. That capacity will not come from the sky, it will come through if we follow what the Motion is proposing by making sure that county governments are allocated offices and premises that will enable those Members to do their work.

Mr. Temporary Speaker, Sir, most of us spend a lot of time in our work places up to 80 per cent. We cannot be productive in an environment that is not suitable. We keep on asking questions about what county governments should have achieved and why they have not done it. The reason is under our nose, that this very important component should have been sorted out.

Mr. Temporary Speaker, Sir, two-and-half years later, if it has not been sorted out as we have noted, it is very important that it is acted upon. I think that it is urgent that the select committee is
established. The Members of the proposed Committee are up to the task. Those that have been listed and specifically adding the two Senators to this list is very critical. Let us bring the wealth of their understanding in situation; let us benefit from their experiences of their study tours in Australia, India, South Africa and Canada.

These two Members, if this amendment is approved, can come to the fore to create the sort of environment that is needed.

Mr. Temporary Speaker, Sir, Kshs150 million was already allocated for this particular process. That means something somewhere went drastically wrong. We need this select committee to go back and re-evaluate what happened. That becomes very critical for us so that they can move within the particular space.

Our due responsibility and role as Senate is to protect the interest of the counties. I think this is one of the ways in which we can do so. A sort of evaluation and mapping across each of the 47 counties in terms of establishing what their needs are is going to be critical. I suggest that for this team to be effective, we need very well equipped personnel, in terms of human resources. I would propose some grouping so that different people go to the 47 counties and do assessment. The groupings should cover the entire region for the select committee to quickly go into the counties and do the mapping or seek the cooperation of the county governments’ leaderships so that this process is seamless. They should also inform them in advance what they will do so that they can expedite their work. We need to find out these particular areas and processes that are needed. We should table the processes and make proposals about how to fill these resources. I think it will be nice for the Select Committee to come up with a timeframe, so that we can map out to what extent we expect the deliverables to be done. I do not think that it is going to be any mean task. It is going to be a difficult task, but one that will help us to fulfill one of our responsibilities; taking care of the interests of the counties, so that at the end of the day, they have the right infrastructure and place to go and do their work properly.

Mr. Temporary Speaker, Sir, it will also give the dignity that is so deserved within the county governments and is very critical. We will then have members of staff who are proud of where they work and what they do. This is similar to what we were discussing the other day on the County Hall of Fame Bill. It creates a same sort of notion; creating capacity within the counties, so that in future the employees can be proud of the work that they do. In future, they can say that they served at a certain capacity within specific counties and showcase what it is exactly. This inquiry will take some time, but I think that is critical.

We need to have a form of monitoring and evaluation, even as this work is going on. We can have mid-term and end-term evaluation just to see how the exercise is going and what sort of problems are coming up. To emphasize, a lot to of observations will be needed. Many officers will probably tabulate what is missing within their counties, but I think that a lot of observation will be necessary just to see. We should also not forget that we have now gone digital. We also hope that even as we are looking at the facilities that are there within the county governments, we should think about the impact of technology and improving performance. Therefore, part of a very important component for this particular Select Committee would also be to inject a level of not just thinking about the infrastructure and buildings, but the hardware and software. That will also come with the need for capacity building moving forward, which this Select Committee would need to look into.

Mr. Temporary Speaker, Sir, I am confident that with Sen. (Prof.) Lonyangapuo and Sen. Obure, coming on board to join the other seven Senators who have been listed, everything will be very good. I also note that there is gender inclusion, but there is no balance. This is a pattern in the
Senate. We need to be cognizant of the one-third gender rule and try as much as possible to include it. This is because the contribution and recommendations of women are needed in the select committees. It would be good, as we move into the future, that we continue to balance these committees as appropriately as possible.

I beg to second this amendment.

**Date 15th July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** RESOLUTION TO HOLD EXTRA SITTINGS

**Sen. Elachi:** Mr. Temporary Speaker, Sir, I also rise to support this Motion. If you remember well before we went for the first recess, Sen. (Eng.) Muriuki requested this House to pass a Motion on the same issue. I know at that time Members did not want to agree. I hope that as we move on with this Motion, we shall see Members support this noble initiative and ensure that counties that do not have designated areas for their offices get what they are requesting for.

It is sad that this is our second year. We knew very well that when we had local authorities, we had offices and most counties benefitted from that. Today, we have challenges even in Kiambu. Kiambu County is fighting to ensure that, indeed, their county government goes back to the area that was designated as the headquarters which is Kiambu Town. I hope that even as we think of ensuring that Tharaka-Nithi, Nyandarua and--- Today we saw a message from Kilifi requesting the Senate to intervene so that they can have their offices constructed.

We know for a fact that the governors of those counties are also thinking the same and willing to construct not only their offices but the county assembly offices to ensure that before we go to the next elections, most counties will have foundations of their offices and places where they can call county assemblies where debates can be carried out in a proper way. They should also be able to have offices from which they can be able to serve their people.

Mr. Temporary Speaker, Sir, when you look at the counties that are suffering today, a county like Tharaka-Nithi, where they have proposed to have their offices is way out from developed infrastructure. I hope that even as they start building, they will look at the issue of infrastructure and consider how their people will access those places for services. As much as we even look at the other counties, one of the things we must ensure is that those offices are accessible to the people. They should be close to where the people can get services.

When I look at Nyandarua County, they are spending a lot of money to pay for the rented premises. Those people who are landlords today will not be very happy to see any county government moving out from their premises. We should go by what Sen. (Prof.) Lonyangapuo had proposed; that we had clear designs that were done by the Ministry of Public Works and I hope that the same drawings can be given to Kilifi County so that they can also use them without spending a lot of money to come up with new ones.

Mr. Temporary Speaker, Sir, I know we also have an issue with CRA. I am aware that they have done a circular to the effect that it will not be important for county governments to use money for infrastructure at the moment. It is very important for every county to have their offices done before the next county governments come into place.

This was the beginning of county governments and, therefore, it was very important to do the basic foundation of everything that was needed so that the next county governments that will come in will not spend any money on infrastructure but will start to implement projects that will make their people change their socio-economic lives.
As we move on, it is important that we also refer to TA to tell us what happened when they were doing their mapping. It is important for them to be responsible for some of the ills they committed, especially for Nyandarua County knowing very well that at that time Nyandarua was using Nyahururu and by the time they were allocating the Kshs60 million that they gave the governors to start their offices, they would have thought better to ensure that those counties that do not have any infrastructure of the defunct county councils, would have been given priority to start building those offices. In fact, the clerks who were proposed to go there at that time would have done that for the county assemblies and the county governments that came in. More interestingly is how the governors have been able to buy their houses. The governor first purchases his house without worrying where his county assembly is going to sit and pass laws for him to be able to deliver to his people. It is important to look at our priorities.

Sen. Obure was the Minister at that time and Sen. (Prof.) Lonyangapuo was the Permanent Secretary and, therefore, it would be important for them to enlighten Kenyans to understand what type of county assemblies and county governments we were expecting to see. Therefore, I support the amendment to include them. We should also agree on the designs; whether we agreed to build vertically or horizontally. We should build for posterity. I am very worried for Parliament where we have a habit of carrying out very many constructions. Sometimes when you point fingers at others, when you go back to your house, you will realize that you have even a much bigger problem. I have no idea how much we are spending in terms of public funds in doing that infrastructure. We should ask ourselves whether this is the right place Parliament should be or think of shifting.

Right now, we are expecting the President of the United States and you can now see how the town centre is becoming impassable. In future, we should think of relocating Parliament. As the county assemblies and county governments grapple with this problem, particularly those that do not have any working ground, the Parliamentary Service Commission (PSC) should also be thinking about the future of Parliament; whether we could relocate some of our offices.

Mr. Temporary Speaker, Sir, Sen. (Eng.) Muriuki has fought so hard for his county with regard to offices and I hope that this august House will pass this Motion and ensure that we can sit down with the national Government and see whether the National Treasury can assist to ensure that they get premises to operate from before 2017. It will be a good gift to give to the counties. The next county governments that will come in will appreciate us for having ensured basic foundation for them to operate from. With those few remarks, I beg to support.

Date 15th July, 2015

Member of Parliament: Sen. Omondi

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS

Sen. Omondi: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to contribute to this Motion as amended. I want to congratulate the Mover of this Motion and members of the Select Committee that is going to look into this matter. Indeed, the time to handle this issue is long overdue. Every county is now coming up with buildings which cannot serve the citizens of this country well. As the Committee goes round, it should look into the matter of the facilities that are being used by the county governments. They also need to look into matters of accessibility to those county facilities. For example, the buildings where the Kisumu County Government operates from locked out a number of citizens,
including the older persons, expectant women and persons with disabilities. They cannot climb the stairs to access the services that they require.

I urge my colleagues who will be undertaking this task that as they go round, they should encourage the county governments to come up with offices that can serve every Kenyan. The offices which serve most citizens, like the cash office, must be on the first floor. There should also be provision for ramps and elevators.

Mr. Temporary Speaker, Sir, it is a shame to see some of the county governments operating from shopping centres. They cannot make adjustments to their offices because the owners of such buildings have to give consent. Even if they are allowed to make adjustments, it is a waste of money because at the end of the day, those buildings do not belong to the county governments. The TA must be given the facilitation they require. They need to account for the facilities and funds that were under the former municipalities and local authorities. If the TA is not funded, it cannot undertake this task properly. As a result, we might end up losing some of the facilities that were under the local authorities. It is a good idea to have this Committee in place. It will help us to understand what is happening in our counties and know which county needs support, which one does not and which county is moving on the right track and which county can be used as an example of the best practice as far as devolution is concerned. It will regulate and ensure that we have harmony and understanding within the county governments, for example, where to locate the headquarters of the county government by building consensus with the residents of that county.

Mr. Temporary Speaker, Sir, it will also be good if they get the views of the people within the counties so that if they are agree to the plans the county government has in terms of changing the headquarters or retaining where it is, or if they feel the location of the headquarters is not appropriate to them or is far away, and does not ensure that service delivery is close to the people, as is it required by devolution.

For devolution to address the needs of the people, there must be an understanding between the service provider and the person receiving the services. As this team goes round, they will know if the people receiving services from county governments are benefitting and are comfortable or not. If they are not comfortable, what can be done to ensure that devolution is benefitting them? Most of them are regretting and they do not see the reason why devolution should be there. There are some wrangles and misunderstandings that are not being addressed.

If we, as a Senate, will listen to some of these issues and address them, everybody will appreciate the role of devolution and the Senate. We will move together as a team, a country and where everybody understands one another and supports the initiative and approach that is in place. Mr. Temporary Speaker, Sir, we complement and need one another. For us to succeed, we must accept to work together as a team. County governments need the national Government and vice versa. As per the Constitution of Kenya, everybody has a role to play and complement one another. It is a must that we appreciate, listen and sit with one another. As we sit together and listen to one another, we will develop this country and ensure that devolution works for the betterment of the people of this country.

With those few remarks, I support the Motion. I also support the team that has been selected to sit in this Committee to address these issues. As the report will be tabled we will find the way forward and ensure that devolution grows to the best knowledge of our understanding.

I beg to support.
Date 15th July, 2015

Member of Parliament: Sen. Mugo

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS

Sen. Mugo: Mr. Temporary Speaker, Sir, I support this Motion with the amendments because they are important additions. There is value in knowledge and memory. We know that the two honourable Senators will add value because they have served at the highest offices in the country.

I support the Motion and congratulate Sen. (Eng.) Muriuki for his ingenuity and for always bringing valuable Motions which live to give credit to the development of the country. We know that without proper infrastructure and proper offices, devolution cannot take root. Records, offices and professionalism go together to make a good foundation for devolution which Kenyans so much desire. It is important for the Senate to have this Select Committee so as to cater for the actual needs of each county. We commend the governors and the county officials for working hard in difficult situations and managing to establish county governments. They need the extra push-up and support for them to be fully successful. As much as the Committee is looking at the infrastructure, I would also call on it to look at how the services are being delivered. We know that there is a lot of hue and cry and whenever there is anything new, until people understand it properly, there are many shortcomings.

Mr. Temporary Speaker, Sir, the Committee should evaluate and see how the services are being delivered so that they support Kenyans to fully reap the benefits of this devolution. It should also evaluate the tax collections because from the beginning, the idea was that, in the long run, counties should stand on their own because they should add what they get from the national Government to what they have already collected. What is turning out now is that counties are depending 100 per cent on the national Government.

Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS

Sen. Elachi: Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion. THAT, pursuant to Standing Order 33(b)(b), the Senate resolves to meet on Wednesday, 22nd July and Wednesday, 29th July, 2015 from 9.00 am to 12.30 p.m.

STATEMENTS
Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: BUSINESS FOR THE WEEK COMMENCING TUESDAY, 21ST JULY, 2015

Sen. Elachi: Hon. Senators, pursuant to the provisions of Standing Order No.45, I will present the business of the Senate for the coming week. The Rules and Business Committee (RBC) will meet on Tuesday, 21st July, 2015 at 12 noon to schedule business of the Senate for the week. Subject to further directions by the RBC, the
Senate will continue with business that will not be concluded in today’s Order Paper focusing on debate on Bills at the second reading stage.

On Wednesday, 22nd July, 2015, the Senate will continue with business not concluded during Tuesday’s sitting, including Bills that will have been concluded at second reading and further consider the following Bills and regulations at the Committee of the Whole.

The County Early Childhood Education Bill (Senate Bill No.32 of 2014); The Public Appointments County Assembly Approval Bill (Senate Bill No.20 of 2014); The Food Security Bill (Senate Bill No.23 of 2014); The Tobacco Control Regulation, 2014 and the Reproductive Healthcare Bill (Senate Bill No.17 of 2014)

The Senate will consider any other business scheduled by the RBC. As Senators have noted in today’s Order Paper, there is a Motion to resolve to sit on Wednesday morning for the next two weeks to dispose of outstanding Statements. Therefore, this to notify the Chairs of Committees and all Senators that they need to facilitate the process so that we live up to our oversight role.

On 23rd Thursday, 2015, the Senate will consider Bills at Second Reading, deliberate on Motions and any other business scheduled by the RBC.

Hon. Senators, I take this opportunity to appeal to Senators to make themselves available so that we dispose of pending business, especially Bills at the Committee of the Whole. I hereby lay the Statement to the Table.

**Date 16th July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** BUSINESS FOR THE WEEK COMMENCING TUESDAY, 21ST JULY, 2015

*Sen. Elachi: *Mr. Speaker, Sir, I agree with that and I know that we normally alert them. I believe also that the Secretariat normally alerts the Member. To add on that, could we have a way to alert the Senator to dispose of the statement if it comes to the House twice?

**Date 16th July, 2015**

**Member of Parliament: Sen. Kittony**

**Contribution She Made On:** BUSINESS FOR THE WEEK COMMENCING TUESDAY, 21ST JULY, 2015

*Sen. Kittony: *Mr. Speaker, Sir, I was intending to give a reply on the issue of Malaria outbreak last week, but the Mover requested that I wait until this week. I am surprised that Sen. (Dr.) Machage sits in our Committee and he is one of our very active Members, therefore, that should have been an in-house issue. I was requested by Sen. Khaniri to hold it until this week. That is what I am doing unless I am advised otherwise.

Mr. Speaker, Sir, he mentioned Malaria outbreak so naturally I had to respond. If he does not want to have Malaria included, let him bring a new statement as we wait for Sen. Khaniri.

Mr. Speaker, Sir, I am ready for the statement sought by Sen. Khaniri. What Sen. (Dr.) Machage is asking is a new statement.

**Date 16th July, 2015**

**Member of Parliament: Sen. Kittony**

**Contribution She Made On:** OUTBREAK OF MALARIA IN WESTERN KENYA
Sen. Kittony: Mr. Speaker, Sir, I would like to respond to the Statement on Malaria outbreak in Western Kenya. The statement was requested by Sen. Khaniri from Vihiga County on 1st July, 2015.

Mr. Speaker, Sir, the Senator sought to know the following:-

1. If the Cabinet Secretary for Health is aware of the outbreak.
2. What the Government has done so far to contain the outbreak of Malaria.
3. What support the national Government has offered to complement the County Government of Vihiga in its efforts to fight Malaria in the county.

The response is as follows:-

Yes, the Ministry of Health is aware of the reported malaria outbreak in Kakamega and Vihiga counties. You can see details of the investigations carried out in the appendix of this statement.

The Ministry of Health has so far carried out the following measures to contain the outbreak.

1. Emergency anti-malarial drugs have been provided to the two counties through a smart push system. Through this intervention, Vihiga County received a total of 17,200 doses of Artemether-Lumefantrine and 500 injectables ampoules of Artesunate in the period of January to June 2015.
2. A surveillance system has been put in place to monitor the new cases and thus enable faster response.
3. Continuous advocacy at the community level on the importance of early hospital care is ongoing through the community health units. Late referral and use of herbal medication is rampant among the communities and the Ministry in liaison with partners is continuing to address these challenges including use of the community health strategy to educate the people.

The national Government has offered the following support to complement the county government of Vihiga in its effort to fight Malaria in the county:

1. In 2014, the Ministry, through the National Malaria Control Programme, distributed a total of 330,000 long lasting insecticide treated nets to malaria endemic regions, including Vihiga and Kakamega counties.
2. The National Government has procured emergency drugs like Artesunate for treatment of complicated (severe) Malaria.
3. The national Government is on standby to provide both technical support and supplies of commodities in the event of shortage.

Date 16th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: OUTBREAK OF MALARIA IN WESTERN KENYA

Sen. Kittony: Mr. Speaker, Sir, Sen. (Dr.) Khalwale is a doctor and I am not. I am just a Vice Chairperson of that Committee. I am reading what the Ministry gave me. He cannot make me a “Dr. Kittony” overnight.

4. Advocacy on the importance of using health facilities on noticing early symptoms of malaria is ongoing through local as well as national media platform.
5. A series of trainings on Malaria case management were carried out in 2014, which included public as well as private health facilities.

The Ministry will continue to work with the county governments to ensure that any challenges in the prevention, control and treatment of Malaria are quickly addressed.
Thank you, Mr. Speaker, Sir.

Date 16th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Kittony: Mr. Speaker, Sir, the statement is very clear that the Ministry of Health is aware of the reported Malaria outbreak in the county of Vihiga. I do not know what the Senator for Vihiga County is asking, yet it is very clear that the Ministry is aware and they made an effort of taking medication to the ground. Vihiga County, through its Level 5 hospital, should also help its people and not only depend entirely on the Ministry of Health.

Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Elachi: Mr. Speaker, Sir, this is an issue which will completely change the lives of these young children. I would want the Committee to tell the House whether they are able to do so immediately and be in Busia because health has been devolved so that we can know exactly what is happening.

Secondly, what happened when they went out to look at the issue of malaria drugs? Have they presented a report to this Senate? Could the Vice Chairperson tell us whether the drugs we have in the country are still fit for human consumption? It has been alleged in the media that most of the drugs in the counties have expired and yet the doctors continue prescribing them?

Date 16th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: Outbreak of Malaria in Western Kenya

Sen. Kittony: Mr. Speaker, Sir, I read the statement as given, but I also want to say that our Committee has been very active with regard to issues pertaining to health in the country. We have done a number of visits to different counties.

When Ebola broke out, we were quickly at the border to ascertain what was going on. I have said that the Ministry was aware of the outbreak and they have taken measures and delivered mosquito nets and given drugs to those counties. You realize that health facilities have been devolved. County hospitals should assist where possible.

Unless the Senator who sought this statement needs more information, he could request in the formal manner.

COMMUNICATION FROM THE CHAIR

Date 16th July, 2015

Member of Parliament: Sen. Sijeny
Contribution She Made On: VISITING DELEGATION OF IPU EXPERT MISSION ON WOMEN PARTICIPATION AND REPRESENTATION IN PARLIAMENT

Sen. Sijeny: Mr. Speaker, Sir, I thank you very much for welcoming them on our behalf. However, I would like to confirm that we have engaged with them in a very fruitful manner that has been very beneficial to us, especially the women, who are trying to fight for women space in the affirmative action. We have benefited a lot. We thank them for that. I take this opportunity to welcome them to the Senate.

Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: VISITING DELEGATION OF IPU EXPERT MISSION ON WOMEN PARTICIPATION AND REPRESENTATION IN PARLIAMENT

Sen. Elachi: Mr. Speaker, Sir, I also thank the delegation headed by Betty Amongi who is also the Chairperson of the Uganda Women’s Parliamentary Association (UWOPA) in Uganda. On behalf of the women of Kenya, we have always appreciated all the capacity building programmes we have received across countries in terms of understanding how we could achieve affirmative action. However, more importantly, as we approach the deadline on 27th August, 2015, we, as a country, hope that we shall have more consultations. We also hope that we will incorporate our male colleagues in the discussions and come up with a homegrown position that all Kenyans will appreciate and be beneficial to the country. The process is ongoing.

Thank you, Mr. Speaker, Sir.

Date 16th July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: VISITING DELEGATION OF IPU EXPERT MISSION ON WOMEN PARTICIPATION AND REPRESENTATION IN PARLIAMENT

Sen. Wangari: Mr. Speaker, Sir, I join you and my colleagues in thanking the delegation, especially from the leadership of the Kenya Women Parliamentary Association (KEWOPA) and the Kenya Young Parliamentarians Association (KYPA). I wish to thank them for the outreach they have done, especially to the leadership of Parliament as we deal with 27th August, 2015 deadline, concerning achieving the onethird gender rule. I hope that from the discussion we have had, we will have a way forward regarding dealing with this problem.

Thank you, Mr. Speaker, Sir.

Date 16th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: VISITING DELEGATION OF IPU EXPERT MISSION ON WOMEN PARTICIPATION AND REPRESENTATION IN PARLIAMENT

Sen. Nabwala: Mr. Speaker, Sir, I would like to join you and the rest of the Senators who have welcomed our guests from the IPU. The IPU is a very important forum because it is where parliamentarians meet twice a year to discuss issues affecting the world. I would like to welcome them because their visit to Kenya came at the right time when we, female politicians, were discussing about the one-third gender rule as we struggle to find space. I
am sure that we have benefited a lot from the ideas. Owing to that, we can now sit together and deliberate on issues that were raised. I would also like to say that we are a Member at the IPU in the UN Committee. Therefore, we are together. Thank you very much.

Date 16th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: Visiting Delegation of IPU Expert Mission on Women Participation and Representation in Parliament

Sen. Ong’era: On a point of order, Mr. Speaker, Sir. Did you hear Sen. Mutula Kilonzo Jnr. refer to distinguished honourable Senators who are nominated as “persons who are nominated?”

Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: Resolution to Hold Extra Sittings

Sen. Elachi: Mr. Speaker, Sir, I beg to move the following Motion:-
THAT, pursuant to Standing Order 30(3)(b), the Senate resolves to meet on Wednesday, 22nd July, and Wednesday 29th July, 2015 from 9.00 a.m to 12.30 p.m.

Mr. Speaker, Sir, this is a straightforward Motion. I think all of us understand why we are re-introducing the morning Sittings. Looking at the business that we have before we go for our long recess, we would appreciate, as an institution, if we could finish and forward it to the National Assembly.

We are also facing another challenge regarding most of the Bills that we have forwarded to the National Assembly. We have never received any communication or Bill that has been finalized in the National Assembly back to the Senate. Indeed, as much as we would want to conduct business, I think it is time for the leadership of the Senate also to start asking ourselves how we will move forward and what the law says in terms of the long period that the National Assembly has stayed with the Bills. Having said that, that cannot stop us, as an institution, from finalizing our work. I urge the Members that as we proceed to have the morning Sittings, let us be punctual so that we can clear, especially, all the Bills that are in the Committee of the Whole stage. If we are able to finalize that, I think we shall go for our long recess, knowing very well that we have done our best.

Mr. Speaker, Sir, I beg to move and ask the Senate Minority Whip, Sen. Muthama to second this Motion.

Date 16th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: Resolution to Hold Extra Sittings

Sen. Ong’era: On a point of order, Mr. Speaker, Sir. Is it in order for the distinguished Senator for West Pokot, who is a Member of the Rules and Business Committee, where this decision was made, to rise now and oppose the Motion. Is he in order?
Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS
Sen. Elachi: Thank you, Mr. Speaker, Sir. I thank all Senators, especially chairpersons of Committees. While we appreciate that we have committees going on, we also have reports that are supposed to be tabled in this House coming from those committees. Therefore, I urge chairpersons to ensure that their reports are ready for tabling before this House. We were just trying to come in to ensure that all constitutional timelines and Bills are complied with before we go on recess. Since this is a House of consensus and can agree to even extend sittings in the evening when we feel it is necessary, I think that is what we will move and I appreciate the views of Members. I beg to move.

Date 16th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS
Sen. Wangari: Thank you, Mr. Temporary Speaker, Sir. I rise to support this Motion by Sen. Karue. In fact, when I saw this Motion on the Order Paper, I remembered that when we joined this Senate, the first thing that Sen. Karue was agitating for was the headquarters of Nyandarua County. This is because they were starting from nowhere. I have also visited where they are operating from and know that they started from a point of disadvantage compared to other counties. They did not inherit any infrastructure. I think the same case applies to Tharaka-Nithi County. It is unfortunate that we have not been able to come up with a way forward in terms of this capital expenditure, considering that it is not a small expenditure. It is going to be a major investment into making sure that these counties have places they can call headquarters. Mr. Temporary Speaker, Sir, looking at the way the Motion is framed, I want to support the membership of the Committee that has been proposed. I have full confidence that they will be able to deliver within 90 days. The good thing about this Motion is that it does not limit itself to the counties that were disadvantaged from the beginning. It is not just about Tharaka-Nithi, Nyandarua and Lamu counties. It has brought on board all the other counties for a good reason. If you go round the counties, you will realize we do not even have a uniform look of the headquarters, especially the debating chambers. As you know, they were used before by the councils. I am not saying that they were not sufficient, but we are dealing with a different kind of government right now and we have very serious legislatures in the counties that need befitting infrastructure to support the work that they are doing. As has been said by Sen. (Prof.) Anyang’-Nyong’o, going round the counties will enable us to get a homogenous way of putting up infrastructure.

For example, when you visit parliaments across the world, there is the unwritten rule that there should be a table to hold the mace and communication gadgets. Considering that we are also growing, the Information, Communications and Technology (ICT) sector is dynamic. We are at a point in time where debating is not just about having seats. There are some standards that we have to adhere to. So, I hope that this Committee will give us a standard model of how this should be done, especially for the assemblies. We need to have a standard of how the assemblies should be designed.
We are the first government to implement a Constitution which entails devolution. We will continue to do this for years to come. We must do it for prosperity and the children who will come after us. We should look back 20 or 50 years down the line and see that we did a good job. The other thing that this Committee should do, and I have seen it in many counties as we do our work of going round the counties in our evaluation; the Constitution provides for representation of people with disabilities in the counties to sit in the assemblies and also to be appointed to positions in the executive. Therefore, we must make sure that this Committee will look at the counties where there is a deficiency. We have seen counties where people on wheel chairs have a problem accessing the premises.

This is not just in the counties, you will be surprised that even here in this Parliament, one time we had a meeting at room five. It is a pity that we had to get men to carry Sen. Omondi up the stairs for that meeting because there is no ramp.

Mr. Temporary Speaker, Sir, this Committee should ensure that they evaluate this and adhere to the international expectations and standards for people with disabilities. They must be able to access every part of that premise. So, as they report back to the House, we should know that not only do we have an infrastructure in a county, for example, Murang’a and Nakuru, but such infrastructure should be compliant with the international requirements for people with disabilities.

This issue has been canvassed even before by the Transition Authority (TA). There is always the opinion that this was a transitional time. In the County Public Accounts and Investments Committee where Sen. Muriuki sits, as we evaluate the audit report, we have had experience where we have losses of assets in the transition period. There was supposed to be an evaluation by the TA of finding out what exactly belonged to the defunct county councils. That is still not yet done. In that confusion, some people have taken advantage and enriched themselves with land, buildings and other assets. This must be fast-tracked. We must do that audit to ensure that we have a clear and clean register of all the assets that belonged to the defunct councils. That way, we can ascertain what is needed for a particular county depending on what was transferred from the defunct council.

This Committee would have helped this House in making sure that they make their recommendations to ascertain what is required and what is missing in every county. For example, recently, the TA has been asking where the mayoral chains are. Some counties have said that they are not surrendering them, that they are meant for them. Yesterday, we debated the County Hall of Fame. If there is any one thing that should be a permanent mark in any county, it should be those mayoral chains. We must know where assets of counties are and who is keeping them. They should be produced whenever the are required.

Mr. Temporary Speaker, Sir, our role as a Senate cannot be overemphasized. It is clearly stipulated in Article 96. We must give and build capacity. That was the role of the national Government. We cannot leave it to the counties. The framers of the Constitution in the transitional law saw a gap and put the responsibility of building capacity to the national Government. Capacity building has to start from here. Counties must have premises, infrastructure and points where they can start from. Counties such as Nyandarua and Tharaka-Nithi have this problem. It is a disadvantage. We should bring them to a level that they can compete in a friendly manner with other counties. Otherwise, we cannot expect to give them money yet they do not have anywhere to conduct their business. Whether it is the county executive or the county assembly, it must be given resources to set up.
With that, I support Sen. Muriuki and hope that within 90 days, this Committee can give this House a way forward on how to deal with this issue and do correctional measures with the existing infrastructure to make sure that they are up to standard. Devolution is not going anywhere; we are doing it for the years and centuries to come. I beg to support.

Date 16\textsuperscript{th} July, 2015

Member of Parliament: Sen. Elachi

\textbf{Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS}

\textbf{Sen. (Dr.) Zani:} Mr. Temporary Speaker, Sir, I rise to second the amendment. The gist of that amendment has been made very clear by the previous speaker, Sen. (Prof.) Lonyangapuo, who has put in the value of the names of the two Senators that he has proposed to be added to this Committee that is being put in place to make the necessary investigations. The two names he had put forward are Sen. (Prof.) Lonyangapuo and Sen. Obure. He has indicated clearly that they already have a lot of experience and done preliminary work in looking at the needs of the various counties in terms of physical facilities needed, buildings and input needed. Indeed, he has also spoken about data which is critical for this exercise that they already know about, drawings and names of various officers. Mr. Temporary Speaker, Sir, we always say that there is no need of reinventing the wheel. If this team is enhanced by having new Members who know more and who have done the work, then the work of this Select Committee is going to be enhanced.

Mr. Temporary Speaker, Sir, Sen. (Prof.) Lonyangapuo has also indicated money should be allocated for travel because it is also good to benchmark and see how other countries are going about it. It is really unfortunate because with devolution, it was expected that each of the county governments would have those structures in place. Human resources are always very critical but they do not operate in utopia, they operate within a specific space. We need a situation where we know the job for someone to do. The job is not going to be done from the trees or from open spaces; it will be done within a building. They need to have facilities so that they can do that. They need to be aware of what their job description is so that they can do the work properly.

Mr. Temporary Speaker, Sir, as I visit some of the counties, I find a lot of personnel who do not seem to have clear job specifications. You cannot locate them and where they sit. If you were to ask for them for performance because at the end of the day, we need to have a way to evaluate the input that somebody has put to their work, you cannot do that because we do not know where to trace them and the responsibility they have been given, where they are working from. If we do an audit in many of these counties, you might find that many of them do not have space to sit and do the work. In fact, it was my suggestion that it is critical at the Senate level that each Senator is allocated a place to sit and where people can meet them in close proximity of the work that is happening within the counties.

It is unfortunate that the county boards that we advocated for in this Senate did not work. One of the most important things about those boards was that they were to get all the leaders within the counties together to map their development agenda for that particular county. They had to do it within a particular space. Then, they would have to identify their task, goal and objective in the counties and break it to sub-objectives and find a way of actualizing the facts within those particular counties. This did not happen. The fact that even the space for people to be together in a county to decide on the development is not there, creates a big question and worry.
Mr. Temporary Speaker, Sir, therefore, this Motion is very important and handy. We need to allocate offices and premises to the people who work in the county governments so that they can promote the work they do. They can look at the work plans, the master plans and organograms necessary for that particular county so that they understand the relationships within those specific counties and how their own work inputs into the work of the county government in general. This is very critical, important and necessary. We would have expected by the time devolution was operational, all these would have been put into place but we have heard and seen that this has not been the case. Many counties are still asking questions about facilities.

Mr. Temporary Speaker, Sir, recently, we had a Petition from Kilifi County making a request and an inquiry about whether to proceed with some premises within the county. I am sure that this is going to be a concern for other counties. I am happy with the suggestions that Sen. (Prof.) Lonyangapuo has put across. That it is important for us to have a template, so that we have some regularity and ideal type that people within our county governments can set certain standards of how the offices should look like and how they should be presented.

That is very important because it will control the budget; if we leave it untapped or unsealed, counties will spend millions of shillings that could be used for development of buildings and equipment within the particular offices. We need the focus to be in the right places. If we set a template so that we know how the offices should look like, and the equipment that should be there, the extra that is needed in terms of work facilities in each county, it will become very important.

We must underline the importance that at the end of the day, the performance that is being alluded to and that which we are trying to get from the counties will only come if the human resources are well tackled. In organizational development and in terms of human resource and thinking of how they will work is always very critical to put these matters to consideration. They need to have physical facilities and an environment to work in.

Mr. Temporary Speaker, Sir, I heard Sen. Wangari talking about a matter where Sen. Omondi was not able to get county government offices because they are not facilitated for people with disabilities. All these things need to be taken into consideration. I feel that by enhancing these things and putting Sen.(Prof.) Lonyangapuo and Sen. Obure into this team - and they already have the experience - some of these issues will be quickly eased out so that a template and similarities that can be replicated across the various counties and can be put in place so that it becomes a question of implementation for the members of the county governments. We should not forget that we want the standards of county assemblies to match those of the National Assembly and of the Senate in terms of the presentations. The offices should also match. This will improve the quality of work.

Mr. Temporary Speaker, Sir, it is unfortunate that when you go to the various counties and interact with brother or sister committees and you listen to the sort of discourse that is coming about issues and they are saying that we expect the Senate to do the following and we want to capacity build them but it is not the Senate that will do that, it is the Members of the County Assemblies (MCAs) who are meant to have the powers to oversight the governor, look at the budget and find out where the money has gone to and how it has been used and report about it. There is a lot that is still missing. That capacity will not come from the sky, it will come through if we follow what the Motion is proposing by making sure that county governments are allocated offices and premises that will enable those Members to do their work.

Mr. Temporary Speaker, Sir, most of us spend a lot of time in our work places up to 80 per cent. We cannot be productive in an environment that is not suitable. We keep on asking questions
about what county governments should have achieved and why they have not done it. The reason
is under our nose, that this very important component should have been sorted out.
Mr. Temporary Speaker, Sir, two-and-half years later, if it has not been sorted out as we have
noted, it is very important that it is acted upon. I think that it is urgent that the select committee is
established. The Members of the proposed Committee are up to the task. Those that have been
listed and specifically adding the two Senators to this list is very critical. Let us bring the wealth
of their understanding in situation; let us benefit from their experiences of their study tours in
Australia, India, South Africa and Canada.
These two Members, if this amendment is approved, can come to the fore to create the sort of
environment that is needed.
Mr. Temporary Speaker, Sir, Kshs150 million was already allocated for this particular process.
That means something somewhere went drastically wrong. We need this select committee to go
back and re-evaluate what happened. That becomes very critical for us so that they can move
within the particular space.
Our due responsibility and role as Senate is to protect the interest of the counties. I think this is
one of the ways in which we can do so. A sort of evaluation and mapping across each of the 47
counties in terms of establishing what their needs are is going to be critical. I suggest that for this
team to be effective, we need very well equipped personnel, in terms of human resources. I
would propose some grouping so that different people go to the 47 counties and do assessment.
The groupings should cover the entire region for the select committee to quickly go into the
counties and do the mapping or seek the cooperation of the county governments’ leaderships so
that this process is seamless. They should also inform them in advance what they will do so that
they can expedite their work. We need to find out these particular areas and processes that are
needed. We should table the processes and make proposals about how to fill these resources.
I think it will be nice for the Select Committee to come up with a timeframe, so that we can map
out to what extent we expect the deliverables to be done. I do not think that it is going to be any
mean task. It is going to be a difficult task, but one that will help us to fulfill one of our
responsibilities; taking care of the interests of the counties, so that at the end of the day, they
have the right infrastructure and place to go and do their work properly.
Mr. Temporary Speaker, Sir, it will also give the dignity that is so deserved within the county
governments and is very critical. We will then have members of staff who are proud of where
they work and what they do. This is similar to what we were discussing the other day on the
County Hall of Fame Bill. It creates a same sort of notion; creating capacity within the counties,
so that in future the employees can be proud of the work that they do. In future, they can say that
they served at a certain capacity within specific counties and showcase what it is exactly. This
inquiry will take some time, but I think that is critical.
We need to have a form of monitoring and evaluation, even as this work is going on. We can
have mid-term and end-term evaluation just to see how the exercise is going and what sort of
problems are coming up. To emphasize, a lot to of observations will be needed. Many officers
will probably tabulate what is missing within their counties, but I think that a lot of observation
will be necessary just to see. We should also not forget that we have now gone digital.
We also hope that even as we are looking at the facilities that are there within the county
governments, we should think about the impact of technology and improving performance.
Therefore, part of a very important component for this particular Select Committee would also
be to inject a level of not just thinking about the infrastructure and buildings, but the hardware
and software. That will also come with the need for capacity building moving forward, which this Select Committee would need to look into.

Mr. Temporary Speaker, Sir, I am confident that with Sen. (Prof.) Lonyangapuo and Sen. Obure, coming on board to join the other seven Senators who have been listed, everything will be very good. I also note that there is gender inclusion, but there is no balance. This is a pattern in the Senate. We need to be cognizant of the one-third gender rule and try as much as possible to include it. This is because the contribution and recommendations of women are needed in the select committees. It would be good, as we move into the future, that we continue to balance these committees as appropriately as possible.

I beg to second this amendment.

**Date 16th July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** RESOLUTION TO HOLD EXTRA SITTINGS

**Sen. Elachi:** Mr. Temporary Speaker, Sir, I also rise to support this Motion. If you remember well before we went for the first recess, Sen. (Eng.) Muriuki requested this House to pass a Motion on the same issue. I know at that time Members did not want to agree. I hope that as we move on with this Motion, we shall see Members support this noble initiative and ensure that counties that do not have designated areas for their offices get what they are requesting for.

It is sad that this is our second year. We knew very well that when we had local authorities, we had offices and most counties benefitted from that. Today, we have challenges even in Kiambu. Kiambu County is fighting to ensure that, indeed, their county government goes back to the area that was designated as the headquarters which is Kiambu Town. I hope that even as we think of ensuring that Tharaka-Nithi, Nyandarua and--- Today we saw a message from Kilifi requesting the Senate to intervene so that they can have their offices constructed.

We know for a fact that the governors of those counties are also thinking the same and willing to construct not only their offices but the county assembly offices to ensure that before we go to the next elections, most counties will have foundations of their offices and places where they can call county assemblies where debates can be carried out in a proper way. They should also be able to have offices from which they can be able to serve their people.

Mr. Temporary Speaker, Sir, when you look at the counties that are suffering today, a county like Tharaka-Nithi, where they have proposed to have their offices is way out from developed infrastructure. I hope that even as they start building, they will look at the issue of infrastructure and consider how their people will access those places for services. As much as we even look at the other counties, one of the things we must ensure is that those offices are accessible to the people. They should be close to where the people can get services.

When I look at Nyandarua County, they are spending a lot of money to pay for the rented premises. Those people who are landlords today will not be very happy to see any county government moving out from their premises. We should go by what Sen. (Prof.) Lonyangapuo had proposed; that we had clear designs that were done by the Ministry of Public Works and I hope that the same drawings can be given to Kilifi County so that they can also use them without spending a lot of money to come up with new ones.

Mr. Temporary Speaker, Sir, I know we also have an issue with CRA. I am aware that they have done a circular to the effect that it will not be important for county governments to use money for
infrastructure at the moment. It is very important for every county to have their offices done before the next county governments come into place.

This was the beginning of county governments and, therefore, it was very important to do the basic foundation of everything that was needed so that the next county governments that will come in will not spend any money on infrastructure but will start to implement projects that will make their people change their socio-economic lives.

As we move on, it is important that we also refer to TA to tell us what happened when they were doing their mapping. It is important for them to be responsible for some of the ills they committed, especially for Nyandarua County knowing very well that at that time Nyandarua was using Nyahururu and by the time they were allocating the Kshs60 million that they gave the governors to start their offices, they would have thought better to ensure that those counties that do not have any infrastructure of the defunct county councils, would have been given priority to start building those offices. In fact, the clerks who were proposed to go there at that time would have done that for the county assemblies and the county governments that came in.

More interestingly is how the governors have been able to buy their houses. The governor first purchases his house without worrying where his county assembly is going to sit and pass laws for him to be able to deliver to his people. It is important to look at our priorities.

Sen. Obure was the Minister at that time and Sen. (Prof.) Lonyangapuo was the Permanent Secretary and, therefore, it would be important for them to enlighten Kenyans to understand what type of county assemblies and county governments we were expecting to see.

Therefore, I support the amendment to include them. We should also agree on the designs; whether we agreed to build vertically or horizontally. We should build for posterity.

I am very worried for Parliament where we have a habit of carrying out very many constructions. Sometimes when you point fingers at others, when you go back to your house, you will realize that you have even a much bigger problem. I have no idea how much we are spending in terms of public funds in doing that infrastructure. We should ask ourselves whether this is the right place Parliament should be or think of shifting.

Right now, we are expecting the President of the United States and you can now see how the town centre is becoming impassable. In future, we should think of relocating Parliament. As the county assemblies and county governments grapple with this problem, particularly those that do not have any working ground, the Parliamentary Service Commission (PSC) should also be thinking about the future of Parliament; whether we could relocate some of our offices.

Mr. Temporary Speaker, Sir, Sen. (Eng.) Muriuki has fought so hard for his county with regard to offices and I hope that this august House will pass this Motion and ensure that we can sit down with the National Government and see whether the National Treasury can assist to ensure that they get premises to operate from before 2017. It will be a good gift to give to the counties. The next county governments that will come in will appreciate us for having ensured basic foundation for them to operate from. With those few remarks, I beg to support.

Date 16th July, 2015

Member of Parliament: Sen. Omondi

Contribution She Made On: RESOLUTION TO HOLD EXTRA SITTINGS

Sen. Omondi: Thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to contribute to this Motion as amended. I want to congratulate the Mover of this Motion and members of the Select Committee that is going to look into this matter.
Indeed, the time to handle this issue is long overdue. Every county is now coming up with buildings which cannot serve the citizens of this country well. As the Committee goes round, it should look into the matter of the facilities that are being used by the county governments. They also need to look into matters of accessibility to those county facilities. For example, the buildings where the Kisumu County Government operates from locked out a number of citizens, including the older persons, expectant women and persons with disabilities. They cannot climb the stairs to access the services that they require.

I urge my colleagues who will be undertaking this task that as they go round, they should encourage the county governments to come up with offices that can serve every Kenyan. The offices which serve most citizens, like the cash office, must be on the first floor. There should also be provision for ramps and elevators.

Mr. Temporary Speaker, Sir, it is a shame to see some of the county governments operating from shopping centres. They cannot make adjustments to their offices because the owners of such buildings have to give consent. Even if they are allowed to make adjustments, it is a waste of money because at the end of the day, those buildings do not belong to the county governments. The TA must be given the facilitation they require. They need to account for the facilities and funds that were under the former municipalities and local authorities. If the TA is not funded, it cannot undertake this task properly. As a result, we might end up losing some of the facilities that were under the local authorities. It is a good idea to have this Committee in place. It will help us to understand what is happening in our counties and know which county needs support, which one does not and which county is moving on the right track and which county can be used as an example of the best practice as far as devolution is concerned. It will regulate and ensure that we have harmony and understanding within the county governments, for example, where to locate the headquarters of the county government by building consensus with the residents of that county.

Mr. Temporary Speaker, Sir, it will also be good if they get the views of the people within the counties so that if they are agree to the plans the county government has in terms of changing the headquarters or retaining where it is, or if they feel the location of the headquarters is not appropriate to them or is far away, and does not ensure that service delivery is close to the people, as is it required by devolution. For devolution to address the needs of the people, there must be an understanding between the service provider and the person receiving the services. As this team goes round, they will know if the people receiving services from county governments are benefitting and are comfortable or not. If they are not comfortable, what can be done to ensure that devolution is benefitting them? Most of them are regretting and they do not see the reason why devolution should be there. There are some wrangles and misunderstandings that are not being addressed.

If we, as a Senate, will listen to some of these issues and address them, everybody will appreciate the role of devolution and the Senate. We will move together as a team, a country and where everybody understands one another and supports the initiative and approach that is in place.

Mr. Temporary Speaker, Sir, we complement and need one another. For us to succeed, we must accept to work together as a team. County governments need the national Government and vice versa. As per the Constitution of Kenya, everybody has a role to play and complement one another. It is a must that we appreciate, listen and sit with one another. As we sit together and listen to one another, we will develop this country and ensure that devolution works for the betterment of the people of this country. With those few remarks, I support the Motion. I also support the team that has been selected to sit in this Committee to address these issues. As the
report will be tabled, we will find the way forward and ensure that devolution grows to the best knowledge of our understanding. I beg to support.

Date 16\textsuperscript{th} July, 2015

**Member of Parliament: Sen. Mugo**

**Contribution She Made On:** Resolution to Hold Extra Sittings

**Sen. Mugo:** Mr. Temporary Speaker, Sir, I support this Motion with the amendments because they are important additions. There is value in knowledge and memory. We know that the two honourable Senators will add value because they have served at the highest offices in the country.

I support the Motion and congratulate Sen. (Eng.) Muriuki for his ingenuity and for always bringing valuable Motions which live to give credit to the development of the country.

We know that without proper infrastructure and proper offices, devolution cannot take root. Records, offices and professionalism go together to make a good foundation for devolution which Kenyans so much desire. It is important for the Senate to have this Select Committee so as to cater for the actual needs of each county. We commend the governors and the county officials for working hard in difficult situations and managing to establish county governments. They need the extra push-up and support for them to be fully successful. As much as the Committee is looking at the infrastructure, I would also call on it to look at how the services are being delivered. We know that there is a lot of hue and cry and whenever there is anything new, until people understand it properly, there are many shortcomings.

Mr. Temporary Speaker, Sir, the Committee should evaluate and see how the services are being delivered so that they support Kenyans to fully reap the benefits of this devolution. It should also evaluate the tax collections because from the beginning, the idea was that, in the long run, counties should stand on their own because they should add what they get from the national Government to what they have already collected. What is turning out now is that counties are depending 100 per cent on the national Government.

Date 21\textsuperscript{st} July, 2015

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** Killings in Kitui County

**Sen. Ongoro:** Thank you, Mr. Speaker, Sir. I want to undertake on behalf of the Committee that in view of the fact that it is a matter that it is already being handled by the Committee, we will give a comprehensive answer on Thursday this week.

Date 21\textsuperscript{st} July, 2015

**Member of Parliament: Sen. Ong’era**

**Contribution She Made On:** Terms of Operation/Engagement for County Security and Enforcement Officials

**Sen. Ong’era:** Mr. Speaker, Sir, further to that question raised by the distinguished Senator for Vihiga, I seek further clarification. Could the Chairman in that Statement ask the governors to
give a tabulation of the so-called security who I believe are militia? Which clans or wards do they come from?

Date 21st July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: TERMS OF OPERATION/ENGAGEMENT FOR COUNTY SECURITY AND ENFORCEMENT OFFICIALS
Sen. Ong’era: On a point of order, Mr. Speaker, Sir. Did you hear the distinguished Senator for Kakamega mumbling some words that are not English or Swahili? Is he in order to mumble words whose meaning we do not understand?

COMMUNICATION FROM THE CHAIR
Date 21st July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: APPOINTMENT OF THE CHAIRPERSON, GOVERNOR AND DEPUTY GOVERNOR OF THE CENTRAL BANK OF KENYA
Sen. Ong’era: Mr. Speaker, Sir, I thank you for that “Solomonic” ruling. It is a shame that the Jubilee Government continues to perpetuate acts of impunity without regard to this distinguished House. It is no wonder that we have a myriad of problems in this country. This is because of entrenchment of impunity that has now become the art of state for the Jubilee Government. We now demand that the Governor and his deputy, who are illegally in office, do the most honourable thing; to step aside because he is illegally in office. He does not even take his salary. Otherwise, Kenyans are watching and they will remove him from office.

If this Senate cannot rise to the occasion and reclaim its status as the “Upper House,” we will have no Senate in 2017 and beyond. It is upon this House to rise to the occasion and take its rightful place. We support the actions that the distinguished Senator for Kakamega is requesting. He should bring a Motion of impeachment of the President so that it can be felt that the Senate is the “Upper House” and do what is supposed to do. Mr. Speaker, Sir, once again, I thank you for that ruling.

Date 21st July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: APPOINTMENT OF THE CHAIRPERSON, GOVERNOR AND DEPUTY GOVERNOR OF THE CENTRAL BANK OF KENYA
Sen. Ongoro: Mr. Speaker, Sir, I would like to add my voice to the pronouncement you have just made. I thank you for bringing to this House an answer that is in accordance with our expectations. This House has no issue with any person appointed to any position. The matter that is being raised by Members of this House is procedural; these are matters and provisions that are already enshrined in our Constitution. If we are to go by your ruling, and as you have given to this House and in reference to the supremacy of the Constitution which states that nobody, state organ or institution is above the law---. This is stipulated in Article 2 of the Constitution. Considering your ruling, in view of the provisions of the Constitution, it is in order.
Parliament has made reference to precedence that has been set before in other rulings. In view of those facts, it is in order that the supremacy of the law and the sovereignty of the people of Kenya, then now take precedence and the right thing which is calling on the President having gone against the supreme law of this nation to do the right thing as citizen number one of this country, step aside before this House moves a Motion of impeachment.

**Date 21st July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** The Universities (Amendment) Bill (Senate Bill No. 31 of 2014)

**Sen. Elachi:** Mr. Deputy Speaker, Sir, I rise to support this amendment Bill. Currently, there are 22 public universities in this country. According to this Bill, the county governments will facilitate universities to acquire land to put up infrastructure. When building a university, there are many amenities that are required to ensure that students learn in a conducive environment. Apart from infrastructure, we must provide them with security. Lack of these facilities will lead to a crisis like the one we are facing now in Garissa County after the terror attack on Garissa University. Many of the students came from other counties while few students came from Garissa County. The institution is well structured with all the facilities, but with no students because of lack of security.

As we debate this amendment, we must condemn violence in our universities. For example, Moi University has been a peaceful public university. However, in recent times, it has become embroiled in ethnic challenges and conflicts. If the county governments could effectively deal with these issues, strikes and other challenges may be sorted out amicably.

While we appreciate that the county governments must be brought on board in management of universities, they should not go overboard and assume responsibility of running universities. That is where we should be very clear as we amend the law to safeguard the institutions of high learning so that we also do not find ourselves in a conflict. When the amendment is brought, it will be very clear that there will be a liaison which will assist in the infrastructure development of those institutions. It does not devolve education.

Again, we should not be in a situation where we find ourselves having challenges of lecturers in those universities. We must be very careful. We have a very good example of Moi University where the Vice Chancellor is being rejected because of ethnic inclinations. As we debate this Bill, we must protect these institutions. I thank Halima and her team for visiting Moi University.

She understands the challenges---

**Date 21st July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** The Universities (Amendment) Bill (Senate Bill No. 31 of 2014)

**Sen. Elachi:** Mr. Deputy Speaker, Sir, it is not. What I am talking about is not what happened the other day. I am referring to the serious crisis the Senator and her colleagues of the Committee on Education faced when they went there to try to reconcile them.
Mr. Deputy Speaker, Sir, the most important thing is that we will have a legal framework in which the universities will liaise with the counties, and more importantly, to understand their roles in the counties. I would like to give an example of Garissa County. Mr. Deputy Speaker, Sir, that should be the last information of misleading Kenyans from the professor. Moi University is in Eldoret. I am not talking about any university in Eldoret; I am talking about Moi University. Again, I want to thank Sen. Halima and her Committee for visiting Moi University. *Kwani Eldoret ni gani na Moi ni gani?*

Mr. Deputy Speaker, it is correct, but we know very well that the mother of all those universities was Moi University. Others are constituent universities of Moi University. I know that each has a Vice Chancellor, but the country knows that the mother of all those constituent universities was Moi University.

Mr. Deputy Speaker, Sir, they are right. I have made that correction. We need to be very careful because while we build up these institutions, we must also look at the different challenges that every county has. There are counties which do not have a university because of lack of students, for example, Garissa County. After what we saw in Garrisa, many parents might fear to send their children very far away. We have to ensure that while we deal with the issue of land, we always protect our institutions of higher learning. Mr. Deputy Speaker, Sir, with those few remarks, I support.

**Date 21st July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014)

**Sen. Wangari:** Thank you, Mr. Deputy Speaker, Sir. I thank the Mover of this Bill, Sen. Halima. I am beneficiary of education myself. Some of us would not have made it to this House were it not for the chance to go to school. Sen. Halima, having conquered all the odds from Wajir County to get a university education, I know that she has the interest of the students at heart. I would like to, first of all, note that the role of the CUE has been clearly stipulated in terms of being a regulatory body in the accreditation of universities in this country. We have come a long way as a country in that we have established so many universities. In places where do not have universities, we have resident campuses in many towns in this country. One can go to Maralal, Garissa or Wajir counties today and find satellite campus of Mt. Kenya University and others. People there used to travel to Nairobi to get university education.

So, we have made great strides in this sector, but we must also not lose focus in terms of admission to universities. It has come to my attention that just the other day, there was a debate going on in social media about a letter that was written by the Chairman of Students Organisation of Nairobi University (SONU). People are really complaining about even the poor grammar that has been used to address the President.

Mr. Deputy Speaker, Sir, we must not lose focus on the quality and what we are supposed to do in the universities. We should have minimum requirements and adhere to them. This is because we have seen what universities can do. An area like Njoro in Nakuru County has really benefitted by having a university there. This is because we have serious research going on there. Universities are able to do research on the soil and tell how acidic it is and whether fertilizer is needed and the right breed of animals to be reared in a certain area. Therefore, the advantages of having a university in any of the counties should go a long way.
In terms of regulation, it is good to incorporate the counties without losing focus on the role of the national Government as stipulated in the Fourth Schedule in terms of standardization or keeping very homogenous standards in terms of admission to universities. We must not decentralize and lose focus in terms of admission to universities. That said, the minimum entry requirements should not be compromised. In 2013, in the run up to the General Elections, many people were turned down because they were told that the degrees they hold are not from accredited universities.

I have checked the CUE and found that it has tried to keep up with ICT in terms of posting on their website on the universities which are accredited in the country. However, I would want to urge that as we debate this Bill, the CUE should be more proactive to ensure that this information is available any time and not just for local universities, but even foreign ones. That way, just at the click of a button, somebody will know that the university he or she is joining in India, United Kingdom (UK) or USA is accredited or acceptable to CUE. We will then avoid a scenario of unlawful degrees as it happened with the Presbyterian University just the other day. Some students went through a four year engineering course, but then they were told that it was not recognised. That means that you have wasted your money and time. It should be clear from CUE so that we do not have these rogue universities or campuses.

Mr. Deputy Speaker, Sir, two weeks ago, there was a communication from the Ministry of Education threatening to close down some campuses in town. You may find that they are not even suitable enough to be called campuses. We must have a standardization of these campuses and if we want to spread these universities to counties, there must be a minimum that they should adhere to. The CUE should put this criteria and requirements in the public and even post it on their website and communicate to everyone who seeks to know.

That way, we will not have children coming out of high school and because of desperation for information and knowledge, they enroll in a college and two years down the line, they are told the course is not even allowed and the institution should be closed.

We are sending this sector into confusion. When we hear such comments from the Ministry of Education, we wonder what is happening because the role of regulation which is the sole responsibility of CUE is not being handled very well.

We must also not lose focus on technical training. Mr. Albert Einstein once said that if you want to judge fish by how high they can climb a tree, then you will think it is very stupid and yet they are not supposed to climb a tree. I say this because the establishment of universities everywhere is not a bad idea. However, we must also realize that not all of us are meant to be engineers or lawyers. There are those people who are good in technical work that was being taught in technical schools like the Kenya Polytechnic and we must not lose focus of that.

Mr. Deputy Speaker, Sir, I like the idea of this Bill that every county can boast of at least one university. We have had concentration of universities in some counties that deny other counties the advantage of hosting one. Having explained the advantage that I have seen with universities being in different counties, I think every county should have the test of hosting one. However, that university should not just be put up to fulfill this mandate, but according to the regulations and minimum requirements that should be set by CUE.

I second this Bill and also congratulate Sen. Mohamud. I hope that it will streamline university education and that this standardization will bring all counties on board. This is because even though standardization is a national Government function, these universities will be situated in counties and it is important that we bring counties on board. That way, we will ensure that there is no confusion and that children are not sent to schools that are not accredited.
Mr. Speaker, Sir, I do not remember saying “second”. For the record, I am not seconding, but supporting this Bill that has been moved by Sen. Halima. I hope that this House will see it fit to be passed into law.

Date 21st July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: The Universities (Amendment) Bill (Senate Bill No. 31 of 2014)

Sen. Ong’era: Thank you, Madam Temporary Speaker, for giving me this opportunity to make contribution to this Bill. From the outset, like my fellow Senators, I would like to thank Sen. Halima for bringing this timely and important Bill that tries to devolve higher learning education to the counties.

We are aware that under the Fourth Schedule, education is one of the areas that were not to the county governments. Therefore, there has been a disconnection in how to improve education facilities in the counties. As we know now, the world has advanced and we are in the new age. Because of the improvement in technology, science, economics and advancement in socioeconomic issues, university education has become a very important tool in our lives. It is no longer a tool that is for the benefit of the rich or the middle class.

University education is very important in the roles of many office bearers, including political offices. I believe that even the Members of the County Assemblies (MCAs) and the Members of Parliament should now have university degrees. They are able to use it in interrogating issues that come up on the floor of the House. Therefore, having universities in all the counties will be a big benefit for this nation.

However, I hope that as we support this Bill, we are not going to introduce an aspect of tribalism in the universities. As Sen. Mutula Kilonzo Jnr. said earlier, as we establish university in every county, we must safeguard against ethnic based universities. We do not want to have a Kisii University, Luo University, Kikuyu University, Maasai University and many others. While these are good tools, I suggest that at a time like this when Kenya is out to slay the monster of tribalism, we should try to have specific defined disciplines being taught in each of these universities. For instance, Makueni University can have an ICT University dealing specifically with that discipline or have Kisii University to deal with a specific business of agribusiness. This way, we will ensure that all our children in all parts of the Republic can enjoy the privileges of these universities, so that we do reduce them into ethnic universities.

As I support this Bill, I would like the Mover to consider looking at Section 26(4) of the Principal Act. I would like her to consider amending this particular Section so that it is in conformity with the normal way of writing Acts. I believe that this CUE, not being an independent commission like the Commission on the Implementation of the Constitution (CIC), cannot report directly to Parliament. There are institutions where it should report to, I guess the Ministry of Education, Science and Technology and, therefore, these reports will come to Parliament as the Auditor-General’s report.

Madam Temporary Speaker, let me talk about the benefits for those who are working in counties. If we had these universities which are nearby, many working class people who have now moved to towns in counties will have an opportunity to attend tertiary education classes. They will not have to travel very far to study. I would like a situation where, perhaps, these universities can have special disciplines and courses which are tailored for the local circumstance. How good it
would be for Wajir or Mandera counties, for example, where the water table is very low, if they had universities coming up with innovative technologies in agriculture where we can put that area under irrigation and have them produce their own food. Therefore, it is very welcome that if there is research and technology being taught in these universities, we will not have a student coming all the way from Kisii County to go to Kenyatta University (KU) to incubate their ideas. It is a timely idea and we should ensure that we have at least a minimum of 47 public universities. Our children can then excel in these areas, particularly those from poor backgrounds who cannot afford university education. In the past, universities have been a preserve of rich communities or children from rich backgrounds. By having these public universities, children from poor backgrounds will have easy access to university education within counties. I believe that this CUE will set up a criterion for which such students can get loans like we did during our time.

Finally, let me talk about the issue of politicizing universities. As we propose that this Bill is enacted into law, we hope that the county and national governments will not politicize these universities or use them as a tool to reward only those who supported them in their various disciplines. I have seen a trend where there are discussions, relations or memorandums of understating that are being developed in some universities which are being established in counties. You will find that students who have enrolled there are only from one ward and not around the whole county. That is why I am maintaining that these universities should have a national outlook and not have students from that county or ward which favours one community. With those few remarks, I, once again, congratulate Sen. Mohamud. I support.

STATEMENTS
Date 22nd July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: CONSULTATIVE MEETING WITH THE CSs, EDUCATION/INTERIOR ON THE CONTINUED CLOSURE OF GARISSA TTC

Sen. Wangari: On a point of order, Mr. Speaker, Sir. My concern goes to the Chairperson of the Committee. Whereas he has given the apologies of the mix up, the message was sent at exactly 7.13 a.m. I also received it. My question is: Did they try to gather Members when they got different information because we had serious interests in this matter? Personally, I wanted to ask some very serious questions about some issues. Did they attempt, through the Clerk’s Office, to reach out to Members because I did not see any follow up message after I received the one for 7.13 a.m in the morning. In future, they should
strive to reach as many Members as possible. In fact, they should make phone calls to know which Members will be available.

Date 22nd July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: Consultative Meeting with the CSs, Education/Interior on the Continued Closure of Garissa TTC

Sen. Ong’era: Thank you, Mr. Speaker, Sir. I was also present at this meeting. I thank Sen. Ndiema who pulled me to attend although I arrived there when it was almost concluding. I feel sad that our distinguished Senator from Kisii County was not at the meeting and yet he was the originator of the questions. The questions are very passionate to the delegation of Kisii County. I feel that our Committee should have called Sen. Obure to be present because the deliberations were very fruitful. As a way forward, in future, I suggest that when something like this is expected to happen, at least, Senators who brought up the issues are informed. We should not have a repetition of this. With a lot of regard to the distinguished Senator Karaba, the Chairman whom I respect, I feel that our Senator from Kisii County should have been informed of the meeting.

Date 22nd July, 2015

Member of Parliament: Sen. (Dr.) Zani

Contribution She Made On: Consultative Meeting with the CSs, Education/Interior on the Continued Closure of Garissa TTC

Sen. (Dr.) Zani: Mr. Speaker, Sir, the dynamism of this meeting was that for the first time we would have the two Cabinet Secretaries at the same time. We wanted to cross check information between the two so that where there is a gap, for instance, in education matters; we see how infiltration and interception can come from security matters and vice versa. Unfortunately, we could not do this. Going by the suggestion by Sen. Kagwe, when the report is tabled, we can find out whether the intercession has been addressed. If it is not, then we may need to get into another engagement at that level. Secondly, since many Senators were around the precincts, it would have been appropriate for another message to be sent out so as to quickly whip most Senators to the Chamber. That happened and it is gone. This situation arose because there were changes in communication as Sen. Karaba explained. Some of these factors may have been beyond our control at that moment because we did not get confirmations early. That put us in that situation. In future, we should make sure that we have a very set programme and time and try to adhere to it. The key issue is for the Cabinet Secretaries to make their appearance before the Senate a priority. That will help us follow through the programme.

Date 22nd July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On: Death of Ms. Maureen Tata and the Deteriorating Health Standards in the Country
Sen. Kanainza: Mr. Speaker, Sir, I rise pursuant to Standing Order No.45(2)(b) to seek a statement from the Chairperson of the standing Committee on Health on the death of Ms. Maureen Tata and the deteriorating health standards in the country. In the statement, the Chairperson should explain the following:-

(1) Whether the Government is aware that one Ms. Tata was hospitalized at St. Francis Community Hospital, Kasarani on 4th July, 2015 for a normal delivery, but ended up undergoing a cesarean section that led to internal hemorrhage. This caused her transfer to Kenyatta National Hospital (KNH) on 8th July, 2015 and she died on 8th July, 2015.

(2) What necessitated the cesarean section operation? Who authorized it and whether the doctor who carried out the operation is qualified and licensed by the Kenya Medical Practitioners and Dentists Board (KMPDB) to perform such operations?

(3) Why the hospital gave Ms. Tata food immediately after the operation and whether that is allowed for patients who have undergone such an operation.

(4) Why did the hospital not inform her family upon realizing that her situation was deteriorating and take quick action upon signs of internal hemorrhage being detected?

(5) What action shall be taken against the doctor who attended to Ms. Tata at St. Francis Community Hospital in Kasarani and against the hospital for failing to uphold professional ethics while attending to the said patient?

(6) What measures has the Government put in place to address deteriorating healthcare standards in the country?

Date 22nd July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: DEATH OF MS. MAUREEN TATA AND THE DETERIORATING HEALTH STANDARDS IN THE COUNTRY

Sen. Ong’era: Mr. Speaker, Sir, I thank Sen. Kanainza for bringing up this very important Question because it relates to the death of a very important young person. This is a woman and one of the strongest youth that we had in this country.

Further, in that statement, I would also like the Chairperson of the Committee to explain how many mushrooming private clinics are in this country, how many are registered in Nairobi, if they have suitable maternal care equipment and whether they have qualified medical practitioners.

Date 22nd July, 2015

Member of Parliament: Sen. Wangari

Contribution She Made On: DEATH OF MS. MAUREEN TATA AND THE DETERIORATING HEALTH STANDARDS IN THE COUNTRY

Sen. Wangari: Mr. Speaker, Sir, I also thank Sen. Kanainza for requesting for that Statement. This young lady was one of the active members of the Orange Democratic Movement (ODM) Youth League who fought for the liberation of youth in this country. Her death is really a sad story. She has left behind a one week old baby girl who will not benefit from breastfeeding.

In the statement, could the Chairperson explain the role of KMPDB in terms of bringing criminal charges against the people who have mishandled patients like this one because they are
becoming rampant? Could we also have a record of which cases have been prosecuted apart from just negligence?

**Date 22nd July, 2015**

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** DEATH OF MS. MAUREEN TATA AND THE DETERIORATING HEALTH STANDARDS IN THE COUNTRY

**Sen. Elachi:** Thank you, Mr. Speaker, Sir. This is a very serious matter. The hon. Members have gone to benchmark and, therefore, I think it is time the CS himself comes and explains some of these things because of the trend that we have faced---

**Date 22nd July, 2015**

**Member of Parliament: Sen. Omondi**

**Contribution She Made On:** VISITING DELEGATION FROM THE NYOTA ACADEMY, NAIROBI COUNTY

**Sen. Omondi:** Mr. Speaker, Sir, I join you to welcome our guests from Burkina Faso and the Nyota Academy who are with us this afternoon.

**Date 22nd July, 2015**

**Member of Parliament: Sen. Ong’era**

**Contribution She Made On:** VISITING DELEGATION FROM THE NYOTA ACADEMY, NAIROBI COUNTY

**Sen. Ong’era:** Thank you, Mr. Speaker, Sir, for giving me this opportunity. First, I would like to thank the Vice Chairman of the Committee on Land and Natural Resources, the distinguished Senator for Vihiga County, Sen. Khaniri for going out of his way to get a response to this statement.

Mr. Speaker, Sir, I sought this statement in May, 2015. As you can see, it has taken over two and a half months to get the responses. The Senator had to issue summons to get the responses. It was actually like trying to milk a camel to get the answers. Therefore, I commend him for the good work he has done.

Thank you, Mr. Speaker, Sir, for informing me about that.

Mr. Speaker, Sir, the answers have been given. However, as the English saying goes, the proof of the pudding is in the eating. Until the foaming, the effluence and the smell that comes out of Nairobi Dam ceases, that is when we will know that something has been done.

Since May, I have been passing there. Every evening, I make sure that I pass through Nairobi Dam to see efforts being done. I wish the dam can become as clean as it used to be in the 1970s when we had boats that sailed across it and we used to enjoy the activities. However, nothing much has been achieved. As long as we have the white foam still floating and many people dying as they cross over, there will be no change. They tell us that they have put footbridges yet there are many deaths still occurring along the Dam.

As long as these issues keep happening, then, the County Government will not have achieved much. However, despite that, I thank the Vice Chairman for getting a response to this statement.
I thank you, Mr. Speaker, Sir.

Date 22nd July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On: CRITERIA USED IN THE ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES

Sen. Kanainza: On a point of order, Mr. Deputy Speaker, Sir. When you look at the statement on the Order Paper, it stipulates that the Chairperson of the Committee on Finance, Commerce and Budget, is supposed to give a statement that is conclusive and affecting other counties. I also had a rider on this statement. I wanted to know how many youths per county have benefitted and what the allocation was per percentage of the Uwezo Fund.

Date 22nd July, 2015

Member of Parliament: Sen. Lesuuda

Contribution She Made On: CRITERIA USED IN THE ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES

Sen. Lesuuda: Mr. Deputy Speaker, Sir, I would like to congratulate Sen. Mohamud for bringing this Bill; the Universities (Amendment) Bill (Senate Bill No. 31 of 2014). This Act will be in line with devolution. We would like to see services, including education, reaching every person at county and local levels.

Mr. Deputy Speaker, Sir, it is important to note that it is not just a matter of ensuring that education at the highest level is devolved in the spirit of devolution. However, it is also important that we see that quality education is emphasised in our universities. Mr. Deputy Speaker, Sir, when we started having constituent colleges in our counties, it raised a lot of questions whether it was about having the universities or whether they were meeting the needs of Kenyans. The issue also brought about a debate of whether everybody should go to a university or there would be some technical training institutes to accommodate some people and train the expertise needed by our counties.

Mr. Deputy Speaker, Sir, our universities can take or incorporate all courses into the learning process so that it is not just so much of theory going on, but we are also able to produce innovative graduates. The market is ready for innovation. What will move this country further are not graduates who will be job seekers. That is why we have very many disillusioned young people or youth who have graduated and have certificates, but do not know where to take them.

We also have to agree that both the public and the private sector might not have the capacity to absorb all the graduates that we have in this country. We churn out thousands of them every year from the many universities that we have right now. Where do we want them to go? We should capacitate them so that they can employ others. They should come up with innovative ways of dealing with the many challenges that we face as a country. They should boost and stir our county economically.

Also, there are different issues that affect different counties which can be dealt with at the county level. I agree with what the Senator for Marsabit has said; that there are resources that are being discovered in the counties. The students who will be researching about these resources can transform the counties by ensuring that they benefit the locals at the county level.
Mr. Deputy Speaker, Sir, we know that there are areas which are not doing very well, especially the northern part of Kenya, where there are issues to do with livestock keeping. That is one area that we need to do a lot in terms of research, education and building capacity. This is an issue that our universities and even the Commission for University Education (CUE), when looking at the curriculum, can address. Livestock keeping should be enticing so that it is not just about veterinary medicine, which is very important, but also the whole management of livestock. We also have other resources which have not been tapped, for example, oil and gas. The people from those counties where these resources are based would really love to have easy access to education, meaning that they would even want to have these universities closer to them at the county level, to offer the relevant courses. So, it is very important that we take these matters seriously. It should not end just in discussing and passing them here.

We should urge the CUE to work closely with the county governments and know what their needs are in the curriculum. This will ensure that our counties achieve their best. The CUE should also work with the counties to ensure that special bursaries are provided to sponsor students from those counties to pursue courses in special areas like medicine and engineering. Once they complete their studies, those students will build their expertise and empower the counties by giving service. Therefore, this Bill will ensure that services are taken closer to the people at the county level. Mr. Deputy Speaker, Sir, with those remarks, I beg to support.

Date 22nd July, 2015

Member of Parliament: Sen. Gwendo

Contribution She Made On: VISITING DELEGATION OF TEACHERS AND STUDENTS OF CHIAKARIGA GIRLS HIGH SCHOOL AND IYUNI HIGH SCHOOL

Sen. Gwendo: Thank you, Mr. Deputy Speaker, Sir, for giving me a chance to add my voice to this Bill. First, I take the opportunity to congratulate Sen. Halima for bringing such an important Bill that affects most of us. This is considering that with education, everything is possible; we can improve the economy, and ourselves, socially and career-wise. I would like to refer to one of the objectives of university education as stated in the Bill which is “Support and contribute to the realization of national, economic and social development.” This is a very important point in the development of the economy of the country and the counties. I am looking at university education as playing a very important role towards this, considering that if we establish universities in the counties and looking at the uniqueness of each county--- A good example is Kisumu and Homa Bay counties. As Sen. Kajwang stated, we have our own uniqueness in fishing. We can then create courses that concentrate on, for example; making fishing nets, improving fishing skills and many other things that are unique to these counties.

Mr. Deputy Speaker, Sir, that can also be applied to other counties and when we specialize in skills that are specific to a county, we will produce professionals and not just university graduates who are not specialized in something and therefore cannot develop themselves. This way, we will be improving the economy of a county and that of the whole county.

Mr. Deputy Speaker, Sir, I look at the benefits of a university as having the following three points; career, social and personal benefits. When you look at the social benefits; with university education, one can be wise, and in this way contribute to poverty eradication. I say this because when one has acquired a university degree, for instance, on economic management, that person can make wise decisions with regards to his money, family and contribute to the economy of his county thus reducing poverty. Without university education, a
lot can be lost. As we look at these amendments, we also need to think clearly on whether we are going to produce professionals or graduates who just flood our job market. That is why I insist on the fact that we need to create courses that are unique to each county, considering the uniqueness of each county. I beg to support.

PETITION
Date 23rd July, 2015

Member of Parliament: Sen. Mbura

Contribution She Made On: OWNERSHIP OF SAFARICOM
Sen. Mbura: Mr. Speaker, Sir, I have a petition from one citizen of Mombasa County. This is a public petition. It is anchored under Articles 1, 2, 3, 142, 10, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 40, 43, 44, 47, 238 and 119 as read with Articles 93, 94 and 96 of the Constitution of Kenya. This is a petition for the protection of the people and the economy of the Republic of Kenya from sabotage by the subversive activities of the foreign owned and controlled telephony mobile operator, Safaricom Limited.  
Date 23rd July, 2015

Member of Parliament: Sen. Omondi

Contribution She Made On: OUTBREAK OF MALARIA IN THE WESTERN REGION
Sen. Omondi: Thank you, Mr. Speaker, Sir, for giving me this opportunity. I am keeping quiet because yesterday, I mentioned that I am a Member of the Committee, but you declined to give me an opportunity. Instead, you gave the Chief Whip from the Government side. That is why I kept quiet because I thought that you do not want me to respond to issues concerning the Committee on Health.  
Date 23rd July, 2015

Member of Parliament: Sen. Omondi

Contribution She Made On: OUTBREAK OF MALARIA IN THE WESTERN REGION
Sen. Omondi: Thank you, Mr. Speaker, Sir, I accept your apology. I did not convey yesterday’s request from the Senator because I knew that Sen. Elachi would give the message. We, as a Committee, were to meet the CS today in the morning, but he sent an apology. Therefore, we shall be meeting him next week. We will discuss the issues with him and report to the House. Thank you, Mr. Speaker, Sir.  
Date 23rd July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: CRITERIA FOR APPOINTMENT/REGIONAL DISTRIBUTION OF APPOINTMENT TO PARASTATALS
Sen. Elachi: Mr. Speaker, Sir, they have handed it over to me, but I know that there are very weighty issues that had been raised. Even though I can read the list, I will not be in a position to answer some of the questions that the Senator had asked in “b”, specifically.
Date 23rd July, 2015

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** CRITERIA USED IN ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES

**Sen. Ongoro:** Mr. Temporary Speaker, Sir, is the hon. Senator in order to insinuate that Sen. Bule has defected from the Jubilee Coalition while we all know that he has never been a member of the Jubilee Coalition? Is he in order to misinform this House and the entire nation?

Date 23rd July, 2015

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** CRITERIA USED IN ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES

**Sen. Elachi:** Mr. Temporary Speaker, Sir, I want to remind him that the Political Parties Act is very clear. Therefore, if today Sen. Bule and his party, have decided that they have dissolved the memorandum they signed with Jubilee Alliance Party (JAP), he has a right to move to any other party. However, he should ensure that it has been done by the Registrar of Political Parties. It is very clear in Section 14 of the Political Parties Act.

Date 23rd July, 2015

**Member of Parliament: Sen. Lessuda**

**Contribution She Made On:** CRITERIA USED IN ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES

**Sen. Lesuuda:** Mr. Temporary Speaker, Sir, I can see that my colleagues in the opposite side are very hungry to have these positions of leadership. Let me remind them that 2017 is not far. Let them wait. On a serious point, you have said that the debate that we are having here is neither here nor there because Sen. Bule should put it in writing so that we talk about. Otherwise, we should move on to more important issues in this House.

**MOTION**

Date 23rd July, 2015

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** CRITERIA USED IN ALLOCATION OF UWEZO FUND IN THE 47 COUNTIES

**Sen. Ongoro:** Mr. Temporary Speaker, Sir, the matter that we are discussing in this Senate cannot be termed as neither here nor there. This is a very crucial and important matter. Even as the name suggests, the leader of majority implies that someone is leading the side that has the majority numbers of Senators. Now that the correction has been made, I want to take this opportunity to wear my other hat as the Member representing my party in the Political Party’s Liaison Committee (PPLC) and as the elected Chair of the PPLC. I confirm to you that the FPK which is an independent political party, is an affiliate of the CORD. By the fact of wearing that hat, if that correction has been made, the leadership of this Senate must move to the CORD. Sen.
Wetangula should be the rightful Senate Majority Leader.

**MOTION**

Date 23rd July, 2015

**Member of Parliament: Sen. Ongoro**

**Contribution She Made On:** APPRECIATION OF THE SENATE FOR THE HISTORIC VISIT OF PRESIDENT BARACK OBAMA TO KENYA

**Sen. Ongoro:** Mr. Temporary Speaker, Sir, I rise to contribute to this important Motion. As a Kenyan, I am excited. For the first time in the history of this nation, a sitting President of the most powerful country on planet earth is visiting our country. However, that is not the only point for the excitement. I am excited because this visit is heavily laden with a lot of beneficial and important agenda for our country. We, as a nation, must feel proud to host this important person. Let it not be lost to us. Sometimes we have to pat ourselves on the back. As a nation, a people, we are proud to have produced the most powerful person on planet earth, as at now, being the President of the United States of America (USA).

I recognise and appreciate the people of Luo Nyanza, Siaya County and especially the people of Kogelo Village and Mr. Barrack Obama Snr for his efforts of producing the President of the USA.

Mr. Temporary Speaker, Sir, the House is allowed to wonder about the efforts that I make reference to. These intelligent men and women will make good my statement and translate it whichever way.

As a nation and even at the individual level, Mr. Obama’s life teaches us that humble beginnings cannot be an excuse to anybody. In addition, it teaches us that we live in a world of possibilities. It teaches me that life’s challenges can be anything if you want to look to them as problems or as platforms to the next level. This is what President Obama has taught us: That with focus, intelligence, strategy, integrity and hard work, there are no limits to anybody.

Mr. Temporary Speaker, sir, we, as leaders, must consider that in positions of leadership, we must leave a legacy. We have seen his efforts with Obamacare. Some good leaders will fight very hard and overcome every challenge just to ensure that the less fortunate in their communities are well taken care of.

I have several expectations from his visit. I believe that his visit at that institutional level between the two countries should give particular interventions. One is that the institutions of governance in our country should be strengthened. We should depart from a legacy of dependence to a legacy of independence by insisting that the only form of dependence on any other sovereign nation should be when they support us in strengthening our institutions of governance that will lead to mature democracies.

A mature democracy is self-sustaining. This is with specific reference to what we have been suffering in the hands of the Independent Electoral and Boundaries Commission (IEBC), for example. We expect that in this visit, we should look at structuring those institutions that have been a platform of many issues, especially in regard to the 2007 and 2013 elections. I expect that the visit will help us appreciate that we can get to another level of zero tolerance to corruption. Since he is coming at a time when Kenya is rife with so many issues and cases of grand corruption, that we will take this opportunity to know and reevaluate ourselves as leaders, Kenyans and institutions. It is my prayer that the Jubilee administration will engage the President
and the Government of the USA at that level to learn a few things about the possibility of still being good leaders and living well, and being intolerant to corruption.

Mr. Temporary Speaker, Sir, through this visit, I expect that new frontiers in business will be opened through which we will, as a country, have more investment opportunities and attractions in Kenya which will eventually create many employment opportunities and wealth for the people of Kenya. We will benefit through this.

However, because of time and the interest this Motion is generating, everybody will like to comment. I am disturbed. Even as we host President Obama, when I last studied the situation in the USA, I am disturbed by two things. One is the persistent killings of blacks by white extremists from time to time under his administration. That is disturbing. Two, the last time I went to the USA and every other visit, in almost all the states there is a disturbing trend. All the jails in the USA are almost 90 per cent filled by blacks.

Since we are looking at him and his administration as a big brother, from whom to copy a few things because we do not want to reinvent the wheel; what is it that this mature democracy has not been able to grapple with over the years, that still ensures that all those who end up in jail have very limited education and everything negative just happens to be blacks? We would like him and his administration at some point, probably not during this visit, to tackle that problem so that even as the world looks at the USA to emulate some best practices, then we do not have black spots within that administration that raises some worrying points.

Mr. Temporary Speaker, Sir, I do not wish to belabour the points that have been presented by my colleagues. In the person of Mr. Obama, the credibility, integrity, intelligence, focus and persistence, he has risen from being a small boy from a household suffering from discrimination to become Senator and, eventually a President serving two full terms. That is a lesson for the world.

**Date 23rd July, 2015**

**Member of Parliament: Sen. Lesuuda**

**Contribution She Made On:** APPRECIATION OF THE SENATE FOR THE HISTORIC VISIT OF PRESIDENT BARACK OBAMA TO KENYA

**Sen. Lesuuda:** Madam Temporary Speaker, I would like to take this time to thank Sen. Orengo for bringing this important Motion and for the way he moved it and articulated issues with regard to the visit by the President of America. I think this is also a very important week for us as a country. We also had the First Ladies of Africa coming for a conference which was discussing issues to do with health: Stop Cervical, Breast and Prostate Cancer in Africa. I think this is just a culmination this week with President Obama visiting Kenya.

I would like to disagree with Sen. Wetangula that the Jubilee Government does not have a foreign policy. It is important to appreciate the work the CS for Foreign Affairs has been doing. We have seen it in various fronts. It is also important because it has also created a good opportunity to spruce up the Nairobi City. We have seen a lot of work going on. We have even seen grass having to grow in three days. Most importantly, this has given Kenyans time to humour ourselves about all the development that we would love to see especially with regard to development of our capital city.

We hope that this development will continue even after President Obama leaves our country. We should make it a habit, culture and norm to keep our cities and towns clean. We should do the
refurbishment and maintenance more often. Those who are charged with that responsibility should do it as an everyday thing so that grass does not have to grow in three days.

Madam Temporary Speaker, I also would like to say that this is a great opportunity for us as a country because the wait was worthwhile. We are going to wait for what the bilateral talks are going to bring out – the goodies he has – but also more importantly, the summit which is going on – The Global Entrepreneurship Summit (GES). This is coming at a time when the Jubilee Government has given opportunity to young people, women and people with disability to open up. There is the 30 per cent of procurement in every Government institution being given to these groups. We have also seen the Uwezo Fund and the Youth Enterprise Fund. I think it is a great time for our young people who are the hub of innovation to interact with the businessmen who will be coming with President Obama.

I hope that as a country, we will take stock of what we can do to continue to advance and to promote entrepreneurship among our people in terms of education and curricular so that we can bring out people who are innovative and can be employers because we know the challenge of unemployment in our country. It would also be important to consider issues of corruption which have been a bottleneck for young people and everyone who would like to do business. There is the red tape for people who would like to do business and to go into entrepreneurship. I think it is time for us to take stock of all these matters so that we can grow our economy and provide opportunities for the young people engaged in entrepreneurship.

Madam Temporary Speaker, it has been stated and I cannot even belabor it, that we are facing great challenges of insecurity as a nation. This is time to take stock as a country on issues of insecurity which we all agree - especially with regard to terrorism - that it is a global issue. We have to look at it in the context of a nation. How do we handle it and ensure that normalcy is restored in parts of this country like the northern region? It is unfortunate that there are schools which are still closed and I know that it continues to feed into the cycle of terrorism if we continue to keep these children out of school.

I hope that through our conversations with those who are responsible and in charge, we have had those meetings even as a Senate to make sure that those schools are reopened so that those children can continue to go to school.

It was very unfortunate as Sen. Murkomen said that one of the leading international media houses reported that President Obama is not just coming to his father’s homeland, but also to the hotbed of terror. It is important to note that we are also a country of resilience. We have seen the Westgate Mall being reopened, and it just brings Kenyans together. On twitter, Kenyans have told CNN everything until they have apologized. I hope that we will continue with that spirit of togetherness when the reputation of our country is at stake. We should continue to forge ahead as a nation and be one people at all times.

I also hope that our colleagues from the opposition who will have the opportunity to meet President Obama will do their work as the opposition but not to be the ones who will open to the world all the bad things that are happening in our country because as much as they are our big brothers, we will have to solve these problems ourselves. We must face them and deal with them as Kenyans.

Madam Temporary Speaker, we should think about the challenges and the things that President Obama has had to undergo for him to be where he is as a black man and a minority in the US. We should also consider issues of gender in leadership which have no place in this time and age where we are saying that there is no space for women in leadership. We are having the debate
about the two thirds gender representation in our country. We are doing well in terms of having democratic space but we still have a problem with gender. We should follow the Constitution and what it says. These are things that we should think about and take them up as our responsibilities because we passed the Constitution. The two thirds gender representation is there and we agreed to put all those laws in place. Certain seats should not just be reserved for men. We should continue to encourage what we have gained in the Constitution even as we continue to implement it.

As I conclude, it is good to note that President Obama will be visiting Kenyatta University where they have put up a centre of leadership that can nurture young people who would like to venture into leadership. This is something that we can do for ourselves. We should institutionalize the whole aspect of leadership and what it takes to be a leader. You should leave a legacy when your time is up. The leaders who are in place should lead by example. Sometimes the hate comments we see being thrown around are bad. What message are we sending to young people who would like to take up leadership in Kenya? It is important for us to be responsible and also learn how to lead but not just politic for the sake of it.

Therefore, Madam Temporary Speaker, I support this Motion. We are looking forward to the outcome of the visit. I hope that expectations of Kenyans will be met.

Date 23rd July, 2015

Member of Parliament: Sen. Omondi

Contribution She Made On: APPRECIATION OF THE SENATE FOR THE HISTORIC VISIT OF PRESIDENT BARACK OBAMA TO KENYA

Sen. Omondi: Thank you, Madam Temporary Speaker, for this opportunity to contribute to this Motion. I also thank the Mover of this Motion, Sen. Orengo. I take this opportunity to welcome President Obama to this country. I am so happy that he is coming at a time when I am a Senator. That reminds me about the history of his life which I compare to mine. It reminds me that it does not matter who you are, where you were born, what you look like and what you have gone through; God has good plans for each and everyone. For those reasons, I am so happy that I will be meeting him on behalf of people with disabilities.

Like my colleagues have said, as we welcome him, we should not make Kenyans suffer. We should live our life the way we have been doing. He should see the way we struggle with traffic jams in Nairobi. We should not hide our suffering. This is our country and what we are going through should not be hidden simply because a visitor is coming. If I had the powers, I could have ordered that all roads should be accessible to all people, so that we do not make people suffer or stay in their houses, simply because the President of the USA is coming to visit Kenya. I would like to finish by saying that Kenyans are suffering because of corruption and the leadership in this country. We cannot pretend that people are not suffering. The common Kenyan is suffering because of poor health services and economic hardship. We must talk about this. I have no apologies as a person or a Senator to say that there is corruption in this country and it is killing the economy.

Date 23rd July, 2015

Member of Parliament: Sen. Omondi
**Contribution She Made On:** APPRECIATION OF THE SENATE FOR THE HISTORIC VISIT OF PRESIDENT BARACK OBAMA TO KENYA


Date 23rd July, 2015

**Member of Parliament: Sen. Elachi**

**Contribution She Made On:** APPRECIATION OF THE SENATE FOR THE HISTORIC VISIT OF PRESIDENT BARACK OBAMA TO KENYA

**Sen. Elachi:** Madam Temporary Speaker, I also rise and thank the Mover of the Motion. I thank President Obama for finding time to come to our country for a State function where he will meet his counterparts and to a global meeting where he will meet entrepreneurs from all over the world.

Today, Kenya is on the world map. First, we need to appreciate that we have come a long way as a country. President Obama once said that if you are walking down the right path and you are willing to keep walking, eventually, you will make progress. I think that is what Kenya has been doing. Therefore, the foreign policy that we are talking about, we have leant through the governance structures and they kept on giving us money for capacity and institutional building; we now have a progressive Constitution.

Madam Temporary Speaker, they are coming in a bit late when the People’s Republic of China has now taken over and the country’s infrastructure is clear. We want them to especially change their foreign policy on security because it is hurting countries because of safeguarding American interests. We hope that he will address the issue of insecurity in this country, especially terrorism. We have suffered a lot as a country. But I also hope that our young people will move on and learn from that dream; that indeed if you are focused and believe and have faith, you will see change and prosperity in your country.

We hope to see the Nairobi City County Government taking care of what they have just done in form of beautification. They should not leave the grass to dry up as soon as President Obama
leaves, yet we have spent millions of shillings on it. We thank them for the change that we are seeing. I know that there is the issue of street families. This is the right time to also try and have a data of the street families, so that even as President Obama leaves, those families can also be taken care of. Since the Government has always had money for street families, I hope that it will be used to assist them. Madam Temporary Speaker, I beg to support.

Date 28th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: MYSTERIOUS DEATH OF CORPORAL BERNARD OKINDO MAGETO

Sen. Ong’era: Mr. Speaker, Sir, thank you for giving me this opportunity to also seek further clarification. While I thank the distinguished Senator, who is the Chair of this Committee, for bringing this answer to the House, it is inadequate. A widow has been left with children to be their father and mother, yet the circumstances under which the late officer Okindo was killed are still extremely unclear. From the report that the distinguished Chair has given us, it is quite clear that, indeed, this could not have been an incident of the officer killing himself. As the distinguished Senator for Kisii has clearly mentioned, the fact that the bullet even flew through the iron sheet clearly indicates a scene where no suicide could have been committed. Indeed, from the report of the pathologist, it is very clear that this young man was actually shot. We demand to know who the killers of this young officer are. We also demand for a concrete report, so that we can be satisfied and rest our case and the widow and children can know exactly who killed their father or husband.

MOTION OF ADJOURNMENT UNDER STANDING ORDER NO.33

Date 28th July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: APPRECIATION FOR THE HISTORIC VISIT BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Sen. Ongoro: On a point of order, Mr. Temporary Speaker, Sir. Is the hon. Senator in order to mislead this House by stating that the Opposition, basically CORD, has persistently been seeking help from outsiders? Could he table those facts and tell us when and where we ever went for this help? As a matter of fact, the ruling coalition is the one that engages with other governments as at this time.

On a point of order, Mr. Temporary Speaker, Sir. To the best of my knowledge, all of us were in attendance and I do not remember President Obama at any one time in his speech stating that the opposition has ever sought help from them. He was addressing African governments with specific reference to the Kenyan situation which is the Jubilee coalition.

Date 28th July, 2015
Member of Parliament: Sen. Wangari

Contribution She Made On: APPRECIATION FOR THE HISTORIC VISIT BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Sen. Wangari: Mr. Temporary Speaker, Sir, I also join Sen. Murkomen and Sen. Ongoro in noting and congratulating President Obama on his visit. We were almost giving up as a country of ever hosting him as a sitting President. It was quite a pleasant visit and historic that we hosted the 44th and first sitting President of America.

Mr. Temporary Speaker, Sir, I hope that the spirit by which he made his speeches in different places that he went to did not go back with him in Air Force One. He tried very hard to bridge the gap between all of us, whether tribal or coalitions. He really inspired us, as a generation that a man who was taunted as a child with a funny name can rise to the point of becoming the most powerful President in this world.

Mr. Temporary Speaker, Sir, let me pick a few issues that he rode on. One is the issue of women in this country. As a father of two girls and, of course, a wife, he definitely was inclined to support women. He was very categorical that we, as a country, must realise that not encompassing women in leadership and other powerful positions in this country is like having half of your team not playing. In fact, he said it very clearly that when half of your team is not playing, you cannot expect a win. Women and girls comprise over 50 per cent of the population of this country. We must not joke with these numbers.

He said this at a very critical time when we are dealing with the two-thirds gender rule in Parliament. As you know, the National Assembly has not even reached 30 per cent in terms of women representation. It is time we cracked our heads to know how to cater for it very well.

President Obama went ahead to demonstrate to the country and the world that it has to come from the upbringing right from where you give an equal chance to every girl who is born in Rift Valley, Samburu or Marsabit. He said that if you educate girls, then they are bound to become better mothers who will bring up children who will go to school. If we do that as an affirmative action, then we will not have a problem in this country.

Mr. Temporary Speaker, Sir, he also spoke to the cultures that unite us and those that we should do away with like Female Genital Mutilation (FGM). I was very happy to hear him pronounce himself very clearly that there were slaves in the yesteryears, but do we now still go back to it just because it is our culture? If we practiced FGM, does it mean that we should still do it now because it was in our culture? He said very well that we must choose what works for us now in this century. In fact, FGM has no place in the 21st century.

As a mother of boys, empowering girls does not mean that we forget boys. Today, I visited a place where I was dealing with adoption issues. I noted that there were so many boys in children’s homes who were not being adopted because the law does not allow single women to adopt boys. That means that girls are being adopted very fast while boys are stuck in children’s homes. We must put resources together and ensure that the two genders are equally taken care of.

Mr. Temporary Speaker, Sir, the other issue that he spoke about is on changing goal posts. We must also realise that when you are in or out of power, we must always be consistent. We should remember that what we say, the internet does not forget; whatever I am saying here will be remembered 20 to 30 years down the line. Therefore, I must be accountable for what I say today because in the next general elections I might find myself
in the opposition. That is how it has been. We had Members who are in the opposition right now in government. We must be consistent in whatever we say because these things will always come back to haunt us.

Mr. Temporary Speaker, Sir, there have been very robust discussions, especially in the social media and the international media where the CNN referred to Kenya as a hotbed of terror. President Obama said very clearly that we are only a hot bed of innovation and opportunities. He said that Kenya and Africa as a whole is on the move.

We have our country to ourselves and our solutions will not come from outsiders. They have to be homemade solutions. We should make sure that we solve issues the best way we know. I support.

Date 28th July, 2015

Member of Parliament: Sen. Kittony

**Contribution She Made On:** APPRECIATION FOR THE HISTORIC VISIT BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

**Sen. Kittony:** Thank you very much, Mr. Speaker, Sir, for giving me the chance to contribute in support of this Motion. History has been made. For the first time, the 44th President of America, a great nation has come to this country and was hosted by the Fourth President of Kenya. I want to comment our President for being a great host.

I also want to remember Mama Sarah who gave us a great son, Baba Barack. If Mama Sarah did not care for Barrack’s father, maybe we would not have seen the 44th President of America. We owe a lot of thanks to the great grandmother who looked after the father of Barrack and took a great seed to America to get us an American President.

It is good to note that this was a great moment. The Speech that he gave to this country should be studied. If you look at today’s *Standard* newspaper, it has carried that speech fully. It is time every Kenyan sat down, read it and understood it. He talked about corruption, unity and tribalism. He talked with a lot of caution and care because he loves this country. He has our blood. We should not take it for granted.

We should take it seriously as a people to ensure that we put them into action. We are a great nation and now on the map of the world because we have produced good seed. I am a farmer and I have grade cows. We purchase very expensive seed. We are owed a lot by Americans having given them a President. We should take seriously the advice he gave us so that we are able to make this country a good place for our great grand children to live and enjoy the peace and prosperity that we so desire.

Mr. Temporary Speaker, Sir, I am saying this because he also said that he will support the fight against terrorism. I want to commend our security forces for the work they put into place to make sure that everything went well. If Kenya did not host the President of the America well, we would now be a pariah nation. We are a very proud nation and we deserve a pat on our back. We enjoyed the weekend because it was a great time for all of us. We thank our President for hosting the President of America.

This visit taught us a lot of things. Some should not happen in future, for example, closing roads and inconveniencing Nairobi. I could not access my home for the weekend. I would like to challenge those who are involved in construction of infrastructure in our city to make sure that our road network is improved so that we do not get inconvenienced when we get visitors. We do travel to other cities and we have never seen roads being closed the way roads in Nairobi City
were closed. This should not happen again. We are a developing nation, which should do so fast enough. We should put proper infrastructure in place.

Mr. Temporary Speaker, Sir, we are now a proud nation and we should read the speech of President Obama seriously. What he talked about women and the youth should not be taken for granted. We have seen what is happening in Rwanda because they trusted their women. The Kenyan woman should not even be talking about the two thirds gender representation which is already in the Constitution but more. I support.

Date 28th July, 2015

Member of Parliament: Sen. Omondi

Contribution She Made On: APPRECIATION FOR THE HISTORIC VISIT BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Sen. Omondi: Mr. Temporary Speaker, Sir, I want to support this Motion of Adjournment. It was great for us to host the President of the United States of America. On behalf of persons with disabilities, I want to congratulate and thank the Government and the US Embassy and its staff for the well organized sitting arrangement where persons with disabilities were allowed to participate. They had all the plans put in place; ushering in and taking good care of persons with disabilities. I was so happy because the seating arrangement was perfect. We were all equal when listening to his speech. This reminds me of the words of the Bible that say: “In the eyes of God, we are all equal.” I was encouraged with his speech when he talked about supporting Kenya to overcome the challenge of terrorism. We should not fight alone, but with friends who can help us fight terrorism.

With regard to corruption, he said it is not unique to Kenya. However, it has been tolerated in Kenya for a long time. He mentioned that any single shilling spent on corruption denies somebody a chance. We only talk about exchanging money as the only corruption, but we forget about other things. Right now, MCAs and governors are employing persons from one family; a wife, sister and brother. They put resources in one house while denying other households. Unequal distribution of resources makes us not to co-exist. That is what brings the difference and people fighting.

Mr. Temporary Speaker, Sir, in this country, corruption has been tolerated to an extent that Kenyans fear talking about it. That is why we find that some families are very rich while others are languishing in abject poverty. If you educate your child and develop your home, but your neighbour does not take his or her child to school, whether you like it or not, he will be a problem in your life and affect your family. Your property will be at risk and your peace will be affected. We need to work together with the aim of developing Kenya as a country.

Mr. Temporary Speaker, Sir, President Obama also talked about ensuring that we sustain entrepreneurship skills in young people whom we trust. Young people are the future generation who could lead this country. That reminded me that we should struggle to empower people so that they are not influenced negatively by being idle.

Entrepreneurship will address lack of employment. It is a pity that young people look for white collar jobs which are not forthcoming. If we nurture the idea of entrepreneurship---

Date 28th July, 2015

Member of Parliament: Sen. Ongoro
Sen. Ongoro: Thank you, Mr. Temporary Speaker, Sir. I rise to add my voice in support of and to comment on the visit by this great African man who has made a big global statement to humanity, about equality and the possibility of possibilities. I was mostly impressed by the ease with which he went about his engagements; from interacting with his family to the top Executive; from the civil society to the business entrepreneurs and top business executives, from every part of the world. He did it with such ease, candidness, boldness and honesty that was so impressive. Mr. Temporary Speaker, Sir, President Obama’s knowledge of local content of what we are going through as a nation was impressive. He brought about the historical perspective, gave us recent data and a way forward. It was so impressive just listening to him. He spoke to us, as a nation, that clearing our streets of urchins and hiding them in one corner was an effort in futility. He knew about them even before he came. Therefore, sometimes, it is very good for us to just be natural, including our good or bad, with or without visitors. Mr. Temporary Speaker, Sir, President Obama used very strong words against ethnicity, corruption, inequality, lopsided development, religious intolerance and the hypocrisy of leaders. This was very impressive. However, more importantly, was his statement about the need for inclusivity. He wants us to include the youth and women in leadership. That brings us to the point where we were in the Tenth Parliament when we had a Ministry in charge of youth affairs. We can also create a Ministry that deals with women affairs. Women in this country comprise more than half of the population. We need to involve them in positions of leadership. President Obama, in his speech, appreciated the need to create space for constructive criticism through the civil society. When he gave the example of his opponents back home in the USA; stating that he has come here for his birth certificate, he laughed about it. How come here in Kenya, you are almost castigated for being in the Opposition, when the supreme law of this land recognizes and appreciates Kenya as a multiparty democracy and the Opposition? It is not a crime to be in the ruling coalition or in the Opposition. Actually, the Opposition is the breeding ground for----

**PETITION**

Date 29\textsuperscript{th} July, 2015

**Member of Parliament: Sen. Mbura**

**Contribution She Made On:** Alleged Loss of Resources through Bonyeza Ushinde na Safaricom Promotional Lottery

Sen. Mbura: Mr. Speaker, Sir, this afternoon, I have a petition, under the Constitution of Kenya Articles No.1, 2, 3, 42, 10, 19, 20, 21, 22, 24 25, 26, 27, 28, 29, 40, 43, 46, 47, 238 and 119 as read with Articles 93, 94 and 96.

This is a petition for the protection of the people and of the economy of the Republic of Kenya from unfair and detrimental activities of the foreign controlled mobile telephony operator, Safaricom Limited.

The undersigned is a citizen of the Republic of Kenya who is a taxpayer struggling to make ends meet and who has lost money to Safaricom Limited; Concerned that some activities of Safaricom Limited are detrimental to the wellbeing of the Kenyan people and of the Kenyan economy, draw the attention of the honourable Senate to the following.
(1) THAT, I am a struggling poor person who was misled through a vicious media campaign by Safaricom Limited to believe that I could solve all my monetary problems and become an instant millionaire by participating in Safaricom’s lottery branded variously as *Bonyeza Ushinde na Safaricom*.

(2) THAT, the lottery is most attractive to the struggling poor who are its main victims in their vain hope of putting all their hardships behind them by becoming instant millionaires.

(3) THAT, most recently, for a period of 64 days, starting 7th August to 5th October, 2014 and, again, for another period of 60 days from 7th November, 2014 to 5th January, 2015, the mobile telephony operator disguised a lottery for private gain as a promotion designed to reward participating subscribers with cash and other prizes. (4) THAT, to enter the promotion, subscribers were required to send their names via SMS to code 29555. They would then accumulate points by answering simple multiple choice questions that require no skill to answer.

(4) THAT, these points were used in a draw to pick the daily, weekly and grand prize winners.

(5) THAT, each SMS sent to the 29555 code was billed at cash Kshs5.

(6) THAT, the points were allegedly awarded as follows; 100 points upon registration, 100 points for every correct response, 50 points for an invalid response which was neither “a” nor “b”, 1,000 points for every 10,000 threshold points reached, for instance, at reaching 10,000, 20,000 and so on.

(7) THAT, the prizes were alleged to be as follows:
   (a) grand prize, Kshs5 million and an Isuzu TFR, single cabin pick up;
   (b) daily winners of cash would get Kshs1 million,
   (c) that there would be 18,000 winners of Kshs1,000 each.
   (d) That there would be 1,000 winners of cash Kshs100 Safaricom airtime.

(8) I have never been a gambler all my life and would not have gambled my hard earned money had Safaricom Limited not tempted me through media campaigns.

(9) The Lottery misled me into believing that winning chances increase the more time I *bonyeza* resulting in throwing away my hard earned money.

(10) There was no civic education conducted by Safaricom Limited to prepare the public of their own onslaught that does not spare children.

(11) The lottery is turning Kenya into a country of gamblers.

   (a) The Lottery is not restricted to designated places and has turned mobile phones and households into unlicensed and readily accessible gaming premises.
   (b) The Lottery has turned our mobile phones into instruments, machines, contrivances or tools for hooking unsuspecting people, including children into gambling.
   (c) The Lottery does not provide a statement of accounts for the participating public to know how much money has been raised.
   (d) The lottery does not display its license or permit in an area where the grassroots masses that it targets can access hence there is no way of knowing whether it is a legitimate or authorized lottery or not.
   (e) The lottery does not protect or shield children from gaming.
(f) The lottery spams mobile handsets or subscribers to Safaricom’s telephony services with messages enticing them to participate in the scam.

(g) Safaricom Limited is not registered as a body, corporate under any law for purposes of promoting lotteries.

(13) Safaricom Limited sends out 10 questions daily to each player amounting to Kshs50 per registered mobile number.

(14) If any conservative figure of one million gamblers out of the many millions of Safaricom subscribers played the lottery per day, a colossal sum of Kshs50 million would accrue to Safaricom in a day raking-in some gross Kshs3 billion in the 60 days that each phase of the lottery lasts.

(15) THAT, in contrast to the huge earnings by Safaricom, the prizes offered to the brainwashed and exploited poor Kenyans do not amount to much although they are very attractive to the desperate struggling and deprived Kenyans who are the lotteries main target group and catchment class.

(16) THAT, the lottery is not being run for charitable purposes whereas the law requires that a specified proportion of greater than 25 per centum but not more than 45 per centum of the gross proceeds is devoted to the object for which the lottery is promoted.

(17) THAT, there is a direct correlation between the cash crunch being experienced in Kenya today with the vast amount of money which Safaricom Limited has mopped up and repatriated from the Kenyan economy.

(18) THAT, since the money is repatriated in hard currencies there is also a direct correlation of the removal of the money from the Kenyan economy with the fall in value of the Kenyan Shilling against the US Dollar, the Euro and the Sterling Pound.

(19) THAT, in a related development, Safaricom is promoting the emergence of a cashless economy through its Lipa Na Mpesa and similar campaigns.

(20) The cashless payment systems are mopping up money from circulation in the economy and concentrating it in one place under the control of Safaricom.

(21) Within a short time, the foreign controlled Safaricom will be in the all powerful position where it can hold the Kenyan economy hostage.

(22) The time has come for the Government of Kenya to intervene and save both the Kenyan people and the Kenyan economy from imminent calamity.

(23) THAT, my attempt to get relief from the communication authority, the competition authority and the Betting Control Board has been unfruitful.

(24) None of the issues raised in this petition are pending in any court of law, constitutional or any other legal body.

Therefore, your humble petitioner prays that the honourable Senate of the Republic of Kenya urgently inquires into the matter demanding all disclosures with a view of holding Safaricom accountable for its unfair, detrimental practices and activities which are crippling both the people and the economy of the Republic of Kenya. Thank you.

PAPERS LAID
Date 29th July, 2015

Member of Parliament: Sen. Sijeny

Contribution She Made On:
Sen. Sijeny: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, Wednesday, 29th July, 2015.

REPORT OF THE ROADS COMMITTEE ON BENCHMARKING VISIT TO TURKEY
Report of the Standing Committee on Roads and Transportation on a benchmarking visit to Turkey between 29th May and 4th June, 2015; and,

REPORT OF THE ROADS COMMITTEE ON BENCHMARKING VISIT TO LAMU AND NAKURU COUNTIES
A report of the Standing Committee on Roads and Transportation on visits to Lamu and Nakuru counties between 14th to 17th May, 2015 and 8th to 10th June, 2015 respectively.

Date 29th July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On: REPORT ON THE SECURITY SITUATION IN MANDERA, LAIKIPIA AND KAPEDO

Sen. Kanainza: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate today, Wednesday 29th July, 2015:-

REPORT OF IMPLEMENTATION COMMITTEE ON VISIT TO MOMBASA, KILIFI AND KWALE COUNTIES
Report of the Senate Sessional Committee on Implementation on the Visit to Mombasa, Kilifi and Kwale Counties to follow up on the resolution to support the Coconut industry.

REPORT OF THE IMPLEMENTATION COMMITTEE ON VISITS TO SIAYA, KISUMU, KAKAMEGA AND BUNGOMA COUNTIES
Report of the Senate Sessional Committee on Implementation on its county oversight and engagement visits to Siaya, Kisumu, Kakamega and Bungoma Counties from 19th to 22nd March, 2015.

NOTICES OF MOTIONS
Date 29th July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On:

Sen. Sijeny: Mr. Speaker, Sir, I beg to give notices of the following Motions:-

ADOPTION OF REPORT OF THE ROADS COMMITTEE ON BENCHMARKING VISIT TO TURKEY
THAT, this House adopts the report of the Standing Committee on Roads and Transportation on a benchmarking visit to Turkey between 29th May to 4th June, 2015 laid on the Table of the House on Tuesday 28th July, 2015.

ADOPTION OF REPORT OF THE ROADS COMMITTEE ON VISIT TO LAMU AND NAKURU COUNTIES
THAT, this House adopts the Report of the Standing Committee on Roads and Transportation on visits to Lamu and Nakuru Counties laid on the Table of the House on Tuesday, 28th July, 2015.

Date 29th July, 2015

Member of Parliament: Sen. Kanainza

Contribution She Made On:

Sen. Kanainza: Mr. Speaker, Sir, I beg to give notices of the following Motions:-
ADOPTION OF REPORT OF THE IMPLEMENTATION COMMITTEE ON THE VISIT TO MOMBASA, KILIFI AND KWALE

THAT, this House adopts the Report of the Sessional Committee on Implementation on its visit to Mombasa, Kilifi and Kwale counties to follow up on the resolution of the House to support the Coconut Industry, undertaken between 25th to 28th April, 2015, laid on the Table of the House today, Wednesday, 29th July, 2015.

ADOPTION OF REPORT OF THE IMPLEMENTATION COMMITTEE ON VISITS TO SIAYA, KISUMU, KAKAMEGA AND BUNGOMA COUNTIES

THAT, this House adopts the Report of the Sessional Committee on Implementation on its county oversight and engagement visits to Siaya, Kisumu, Kakamega and Bungoma counties between 19th to 22nd March, 2015, laid on the Table of the House today, Wednesday 29th July, 2015.

Date 29th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: Rampant Cases of Child Sexual Abuse by Teachers in Kenyan Schools

Sen. Nabwala: Mr. Speaker, Sir, I am satisfied with the response. I am particularly impressed by the punishment which is given to the teachers who are molesting children.

Date 29th July, 2015

Member of Parliament: Sen. Sijeny

Contribution She Made On: Rampant Cases of Child Sexual Abuse by Teachers in Kenyan Schools

Sen. Sijeny: Mr. Speaker, Sir, I need to comment on the answer. Personally, I am not satisfied even though I am not the one who asked the question. It is on record that the teachers are found guilty of molesting the children sexually. The Sexual Offences Act is clear. I do not see why transfers and deregistering and re-registering should be the punishment. The TSC should take the offence more seriously. They should give more serious punishment to the offenders which should work as a deterrent. Otherwise, they will be playing around with the children and endangering their lives knowing that they will be transferred or be deregistered and be registered later.

Date 29th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: Rampant Cases of Child Sexual Abuse by Teachers in Kenyan Schools

Sen. Elachi: Mr. Speaker, Sir, we know very well that a crime of rape or of molesting a child is a crime whose punishment has been stipulated very clearly in the Sexual Offences Act. We either do not take the teachers to court or we decide within the education sector. When President Obama was here, one of the things he really insisted on was that we must ensure we protect young girls. It is a pity that they are molested by teachers who are supposed to protect them. The
Chairman should tell us the punishment that is being meted against these teachers. Are they being investigated?

**Date 29th July, 2015**

**Member of Parliament: Sen. Sijeny**

**Contribution She Made On:** RAMPANT CASES OF CHILD SEXUAL ABUSE BY TEACHERS IN KENYAN SCHOOLS

**Sen. Sijeny:** Mr. Speaker, Sir, even though the Chairman says that some teachers have been arrested, my bone of contention is, the time the teachers are being transferred or deregistered, it means that they have been found guilty. What will be proper is to transfer or sack and apprehend the teachers and let legal action be taken against them. We know the definitions of the sexual offences. The teachers should go in for more than 20 years so that they stop molesting the children and the girl child.

**Date 29th July, 2015**

**Member of Parliament: Sen. Sijeny**

**Contribution She Made On:** RAMPANT CASES OF CHILD SEXUAL ABUSE BY TEACHERS IN KENYAN SCHOOLS

**Sen. Sijeny:** Mr. Speaker, Sir, the Chairman ought to go back again and tell us the way forward of all the cases that they are referring to. Is it being referred to the State Law so that legal action can be taken? Transferring teachers is not enough. TSC cannot wash their hands away from this crime. It is serious and fatal. Children end up losing their lives because of the bad exposure.

**Date 29th July, 2015**

**Member of Parliament: Sen. Kittony**

**Contribution She Made On:** OUTBREAK OF MALARIA IN THE WESTERN REGION

**Sen. Kittony:** Mr. Speaker, Sir, I rise to give a statement of the Committee on Health regarding the outbreak of malaria in western Kenya. At last, we have the response from the Ministry of Health. I am sure this will make the House happy.

The four counties in western Kenya are classified as malaria endemic zones, meaning that transmission of malaria occurs throughout the year. The malaria situation being experienced in the region is not an outbreak, but an upsurge of cases associated with environmental factors, including the long rains which have just ended. Below is the Ministry’s position on the specific concerns of the Senate regarding the upsurge.

The Ministry together with the county governments from western region has taken the following measures to stop further spread of the disease:-

(a) Anti-malaria drugs have been availed to supplement existing stock for case management in the affected population. It is known that prompt and effective management in the affected population case management is necessary to reduce the burden and transmission of malaria.

(b) Over 330 Long Lasting Insecticide Nets (LLINs) have been distributed. The distribution continues. By the end of October 2015, nearly 2.8 million nets will have been distributed. This is in addition to the routine
provision of bed nets at the maternal and child health outlets for under one year children and pregnant mothers.

(c) Following the upsurge, the Ministry released a team of experts to provide technical assistance to both the county and sub-county teams in the affected counties in order to build and strengthen county capacity to control disease. The Ministry, in collaboration, with other partners has enhanced public health awareness campaign through print and electronic media. The awareness campaigns focus on early diagnosis and treatment of malaria in order to curb transmission, accelerate treatment and prevent death.

Regarding the preventive actions taken by the Ministry to prevent outbreak of the same, in other parts of the country; strategic preventive interventions are the hallmark of malaria control. The Ministry, in collaboration with county governments and partners, has taken the following actions to prevent the spread of malaria in the country:

(2) In 2015, over five million of long lasting insecticide nets have been distributed to malaria endemic and epidemic prone counties. An additional, 8.6 million will be distributed to the targeted regions which include western Kenya before the end of the year. These nets complement other routinely distributed nets to children under one year and pregnant women in maternal health child outlets in endemic counties.

(3) The Ministry has distributed over 11 million doses of Artemether-Lumefantrine(AL) medicines countrywide and other medicines for the management of common malaria infections as well as 600,000 doses of Artesunate injection for the management of severe malaria. This intervention is informed by the knowledge that prompt and effective treatment of malaria reduces severe malaria, prevents death and reduces transmission significantly.

(4) The Ministry has trained over 10,000 health care providers in the management of malaria countrywide, while 23 county malaria coordinators have so far undergone a malariology course to further enhance their capacity and ability to coordinate malaria control activities. Funds are available to train malaria coordinators in the remaining 24 counties by December, 2015;

(5) The Ministry, in collaboration with the development partners, has continued to provide appropriate information to the public through print and electronic media. In addition, interpersonal communication between health workers and the population routinely takes place under the community health strategy focusing on disease prevention and control.

(6) The Ministry, in collaboration with the counties, has continued to build and strengthen surveillance skills and knowledge among health care workers through appropriate trainings. This is premised on the knowledge that the ability and the capacity to detect and respond to the disease outbreak is of public health importance – including malaria - and is critical to disease prevention and control. So far, health workers from 16 counties have undergone intensive surveillance training and health personnel in the remaining counties will be trained by December, 2015;

(7) The Ministry has continued to receive weekly surveillance reports from all the counties across the country.
Mr. Speaker, Sir, regarding the level of coordination between county governments and the Ministry of Health in diseases prevention, although the Constitution of Kenya, 2010, has assigned the health function to both the national and county governments, it has also provided mechanisms for the coordination of health issues through the intergovernmental forum for health.

In addition, counties have established disease based coordination structures that work closely with national health programmes in disease prevention and control. Through these structures, counties are able to quickly detect, report and respond to diseases of public health importance.

HEALTH STATUS OF CHILDREN MISHANDLED BY MEDICAL STAFF IN BUSIA COUNTY

Mr. Speaker, Sir, in respect to the medical status of children in Busia who suffered after they were administered with malaria drug, following media reports that 24 children developed partial paralysis after injection in Busia, the Ministry sent an multidisciplinary team of experts to investigate the occurrence on 16th July, 2015. In collaboration with county health personnel, the team was able to find and clinically assess 21 of the affected children.

Date 29th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: OUTBREAK OF MALARIA IN THE WESTERN REGION

Sen. Kittony: Mr. Speaker, Sir, the team established that each of the affected children had previously received intramuscular injection in one of the four different health facilities in the county; Akichelesi Dispensary, Ang’urai Health Centre, Moding Health Centre and St. Mary’s Chelelekin Mission Hospital, since December 2014.

An assessment and management centre has been established at Akichelesi Dispensary for further assessment and regular follow up of the affected children for historical observations. It is known that a significant proportion of the people who receive post injection traumatic nerve neuritis recover from the condition. All the children have been put on appropriate rehabilitation through psycho physiotherapy in an established centre. The eight children with foot drop have benefitted from ankle foot orthosis to correct their deformities.

Mr. Speaker, Sir, this Statement is signed by Mr. James. W. Macharia, Cabinet Secretary, on 28th July, 2015. Thank you, Mr. Speaker, Sir.

COMMUNICATION FROM THE CHAIR

Date 29th July, 2015

Member of Parliament: Sen. Kittony

Contribution She Made On: VISIT BY HON. SAMUEL ARAP NGENY TO THE SENATE

Sen. Kittony: Mr. Speaker, Sir, allow me to also join you in recognizing and saluting my old friend and age mate. He is a good example for the young people to see him still very energetic. I, therefore, ask the young generation like Sen. Sang, who was ably elected by hon. Ngeny to emulate and walk in his footsteps. Wafuate nyayo za wazee kama hawa. Asante

Date 29th July, 2015
Member of Parliament: Sen. Kittony

Contribution She Made On: VISIT BY HON. SAMUEL ARAP NGENY TO THE SENATE

Sen. Kittony: Mr. Deputy Speaker, Sir, investigations have been established for the 21 children who were affected. Investigations show that they had been given an injection elsewhere and remedies have been taken according to the report that we have received. The Committee on Health has also planned to visit this centre and see whether it is there or not. The report indicates that the problem is environmental and not an outbreak. I am taking the report the way I have received it and it is good to do a follow up on the ground to establish what is exactly happening in this county in western Kenya. Mr. Deputy Speaker, Sir, the Committee will travel on 20th August to western Kenya to gather more information.

Mr. Deputy Speaker, Sir, Sen. (Dr.) Machage is a Member of the Committee on Health. He is a qualified doctor. He has always assisted the Committee where necessary. I would like to appreciate the fact that being a doctor, he understands what we are looking for. We have invited the Cabinet Secretary (CS) to the Committee. We managed to get his response in writing after a long time. That is the much we could have done.

Date 29th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)

Sen. Elachi: Mr. Temporary Chairman, Sir, I beg to move:-

THAT, Clause 5 of the Bill be amended in sub-clause (2) by deleting paragraph (j).

Mr. Temporary Chairman, Sir, this is a Bill that will take care of many Ministries. We already have Bills at the Ministry of Agriculture, Livestock and Fisheries that have been legislated on. We have to ensure that we do not have duplication of the same. That is why we are deleting paragraph (j).

Mr. Temporary Chairman, Sir, I beg to move:-

THAT Clause 6 of the Bill be amended in-

(a) in sub-clause (2) by – (i) deleting paragraphs (c), (d) and (e) and substituting therefor the following new paragraph –

Thank you, Mr. Temporary Chairman, Sir.

Clause 6

Mr. Temporary Chairman, Sir, I beg to move:-

THAT Clause 6 of the Bill be amended in –

(a) in sub-clause (2) by –

(i) deleting paragraphs (c), (d) and (e) and substituting therefor the following new paragraph –

(d) advise and collaborate with the relevant agencies and public entities on matters relating to,

(i) domestic production of diverse foods including the cultivation of traditional crops and the accessibility of food to persons in areas affected by food insecurity;

(ii) production of diverse foods including the cultivation of traditional crops and that such food is accessible to persons in areas affected by food security; and
(b) (iii) establishment of programmes that ensure that farmers have adequate farm inputs and implements to carry out food production;

(ii) inserting the following new paragraphs immediately after paragraph (j)-

(ja) implement, in collaboration with the relevant agencies and public entities, programmes for the support and protection of small scale farmers including the provision of subsidies;

(jb) adopt sustainable food security measures so as to graduate food poor persons to persons who are able to participate in food production and distribution;

This is because you will realise that the word “production” was bringing a conflict with the Ministry of Agriculture, Livestock and Fisheries. Therefore, it was important to ensure that we do not have conflict of interest in terms of production in agriculture.

Clause 8
Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 8 of the Bill be amended-

(a) in sub-clause (1) by deleting the word “their” appearing immediately after the words “governments shall to” and substituting therefor the word “the”.

(b) in sub-clause (2) by inserting the words “including school feeding programmes,” immediately after the words “implement programmes”.

Mr. Temporary Chairman, Sir, this Clause brought issues of implementation. Therefore, as a Committee, we felt that it was important to ensure that the words “implement programmes” are put in so that when the school feeding programme is carried out, it will be very clear who is supposed to implement, be it county governments or the national Government.

Clause 12
Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 12 of the Bill be amended in sub-clause (1) by –

(a) deleting paragraph (b);

(b) inserting the following new paragraph immediately after paragraph (g)-

(ga) identify food insecure counties and develop affirmative action measures for ensuring that food security is realized in the identified counties; and

(c) inserting the words “county food security committees” immediately after the words “feedback to all” in paragraph (h).

The reasons for moving this amendment is that the Clause deals with the functions of the Authority. Therefore, this is the critical part of the Bill. We felt that it was important to align it based on the functions of the Authority.

Clause 14
Mr. Temporary Chairman, Sir, I beg to move:

THAT, the Bill be amended by deleting Clause 14 and substituting therefor the following new clause Board of the Authority 14.(1) The management of the Authority shall vest in a Board which shall consist of -

(a) a chairperson appointed by the President with the approval of Parliament;

(b) the Principal Secretary responsible for matters relating to agriculture or the designated representative;

(c) the Principal Secretary responsible for matters relating to livestock or the designated representative;

(d) the Principal Secretary responsible for matters relating to finance or the designated representative;
(e) the Principal Secretary responsible for matters relating to the co-ordination of national government or the designated representative;

(a) No.24 of

(f) the chairperson of the National Assistance Authority 2013 appointed under section 5(1) of the Social Assistance Act or the designated representatives; L.N No.

(g) one person nominated by the National Drought Management Authority established under paragraph 3 2011 of the National Drought Management Authority Order,

(h) two persons nominated by the Non-Governmental Organizations Coordination Board established under section 3 of the Non-Governmental Organizations Coordination Act from amongst non-governmental organizations which support efforts towards the achievement of food security;

(i) two persons nominated by the Council of County Governors; and

(j) the Director General who shall be an ex-officio member, the secretary to the Board and the chief executive officer of the Authority.

(2) The persons nominated under subsection (1)(g), (h) and (i) shall be appointed by the Cabinet Secretary by notice in the Gazette.

(3) A person shall be qualified for nomination and appointment under subsection (1) (g), (h) and (i) if such person has knowledge and experience in matters relating to food security and nutrition.

(4) The designated representatives of the members referred to under subsection (1)b), (c), (d) and (e) shall have authority to exercise the powers and functions of the designating authority in relation to matters before the Board.

The reason is that we felt that we were contravening the law by bringing in the management of the Authority. Therefore, the amendment will ensure that it is aligned to what the Management of the Authority will do.

Clause 17

Mr. Temporary Chairperson, Sir, I beg to move:-

THAT, the Bill be amended by deleting Clause 17 and substituting therefor the following new clause:

Remuneration 17. There shall be paid to the members of the Board of such remuneration, fees or allowances as the Cabinet Secretary shall, in consultation with the Salaries and Remuneration Commission, determine.

This is meant to ensure that we realign the remuneration of the Board but not just that of the chairperson alone as it was the case in the original Bill.

Clause 23

Mr. Temporary Chairman, Sir, I beg to move:-

THAT, Clause 23 of the Bill be amended in sub-clause (2) by –

(a) deleting the word “doctorate” appearing immediately after the words “holds a” in paragraph (a) and substituting therefor the word “masters”; and

(b) deleting the word “security” appearing immediately after the words “the food” paragraph (b).

Mr. Temporary Chairperson, Sir, this is to ensure that the Director-General is also an ex-officio member of the management team. Therefore, this will ensure that the Director-General has no right to vote in that Board.

Clause 32
Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 32 of the Bill be amended-

(a) in sub-clause (1) by deleting paragraphs (b) and (c) and substituting therefor the following new paragraphs –

(b) the county executive committee member responsible for matters relating to agriculture who shall be the secretary to the committee;

(c) the county executive committee member responsible for matters relating to livestock;

(ca) the county executive committee member responsible for matters relating to social services;

(cb) the county commissioner or a designated representative of the commissioner;

(b) in sub-clause (2) by deleting paragraph (a) and substituting therefor the following new paragraph –

(a) holds a certificate of secondary education;

Mr. Temporary Chairperson, Sir, this is to bring in the County Food Security Committee. We also felt that issues of livestock are not supposed to be handled by the same.

Clause 33

Mr. Temporary Chairman, Sir, I beg to move:

THAT, Clause 33 of the Bill be amended–

(a) in sub-clause (1) by deleting paragraph (i) and substituting therefor the following new paragraph –

(i) spearhead the formation and operationalization of food and nutrition committees at the sub-county and ward levels and in schools and health centres within the county;

(b) by inserting the following new sub-clause immediately after sub-clause (1) –

(1A) The county food security committee shall, in the performance of its functions under subsection (1), decentralize its services to the lowest administrative unit within the county as it shall consider appropriate for the purpose of ensuring food security within the county.

Mr. Temporary Chairman, Sir, this is to ensure that the functions and roles of the County Food Security Committee are in line with what it is supposed to do.

Clause 35

Mr. Temporary Chairman, Sir, I beg to move:

THAT Clause 35 of the Bill be amended –

(a) in sub-clause (1) by inserting the words “agriculture, livestock, meteorology” immediately after the words “disaster management”;

(b) in sub-clause (3) by deleting the words “matters related to special programmes” appearing immediately after the words “responsible for” and substituting therefor the words “the implementation of programmes relating to persons with special needs”.

Mr. Temporary Chairman, Sir, this will ensure that the information mapping system is brought in. However, we wished to add in other services that were not included before.

Clause 37

Mr. Temporary Chairperson, Sir, I beg to move:

THAT, the Bill be amended by deleting clause 37.

Mr. Temporary Chairman, Sir, the reasons are that this is where the powers of the President in a situation of food emergency are. This is not a function of the counties, but it is to be dealt with at the national level. The Ministry of Agriculture, Livestock and Fisheries is responsible for that.

Clause 45

Mr. Temporary Chairman, Sir, I beg to move:
THAT, Clause 45 of the Bill be amended by deleting the words “five million” appearing immediately after the words “not exceeding” and substituting therefor the words “ten million”.

Mr. Temporary Chairperson, Sir, this is to add fines that we had put earlier.

Clause 46
Mr. Temporary Chairman, Sir, I beg to move:-
THAT, Clause 46 of the Bill be amended by deleting the words “two million shillings or to imprisonment for a term of three years” appearing immediately after the words “not exceeding” and substituting therefor the words “ten million shillings or to imprisonment for a term not exceeding eight years”.

Mr. Temporary Chairman, Sir, this is because of the same reason; to ensure that we have a better penalty for anybody found guilty.

Clause 50
Mr. Temporary Chairman, Sir, I beg to move:-
THAT, Clause 50 of the Bill be amended by inserting the following new paragraph immediately after paragraph (g) - (h) promote public awareness on the advancement of food security.

Mr. Temporary Chairman, Sir, this is to ensure that we have public participation.

Clause 2
Mr. Temporary Chairman, Sir, I beg to move:-
THAT, Clause 2 of the Bill be amended in the definition of the term –
(a) “Cabinet Secretary” by deleting the words “devolution and planning” appearing immediately after the words “related to” and substituting therefor the words “food security”;
(b) “essential foodstuffs and commodities” by inserting the word “meat” immediately after the words “beans, wheat, rice”;
(c) “emergency foods assistance” by deleting the word “humanitarian” appearing immediately after the words “occasioned by”.

Mr. Temporary Chairperson, Sir, this is to do with definitions.

PROGRESS REPORTED
Date 29th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: THE FOOD SECURITY BILL (SENATE BILL NO. 23 OF 2014)

Sen. Elachi: Mr. Temporary Chairman, Sir, I beg to move that the Committee of the Whole reports progress on its consideration of the Food Security Bill (Senate Bill No.23 of 2014) and seeks leave to sit again tomorrow.

Date 29th July, 2015

Member of Parliament: Sen. (Dr.) Zani

Contribution She Made On: THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2014)

Sen. (Dr.) Zani: Thank you, Madam Temporary Speaker, for recognizing women Senators in this House. We rarely get such accolades and we need them more often. We assert ourselves in this House and continue to do our duties diligently as Senators.
Two or three days ago while in Mombasa for our meeting with Members of also not clear when there is going to be a storm or flooding. I know efforts have been made towards disaster reduction because that creates a problem. Climatic change has been most vulnerable and affected the very poor. It is easy for the privileged to adjust but not the poor.

Madam Temporary Speaker, I congratulate the originator of this Bill which, I think, is overdue. I know lots of efforts have been done in climate change but there has been very little coordination. In fact, when it comes to disaster risk reduction which is also related to climatic change efforts in a way, there has not been a lot of coordination; only theoretical material that has been discussed. However, when it comes to actionable plans on who should take charge of what, that has not been very clear. It is, therefore, very important that this Bill that hopes to address matters of coordination, planning and action be put in place.

This Bill establishes creation of a climatic change council that is very broad and clear in terms of its mandate. Therefore, they will be able to deliver. It also sets up a climatic change directorate which is key. More important, it seeks to give climate change response measures and actions. This is critical because for as long as we do not find a way to respond, sometimes there is very little that we can do about changes especially those which become disastrous. However, the idea is to plan in advance and we are able to do so. For example, The Netherlands is surrounded by water but they have found a way to ensure that they are not submerged. They have learnt to keep the water away and keep their environment safe.

Madam Temporary Speaker, the same applies to climatic change. We can actually look for ways and means. If we know, for example, as a result of climatic change we will have longer dry periods, we can then plan for that by having more irrigation initiatives and even changing planting seasons. As much as we are not God and we are unable to control seasons, we can preempt it using technology since this is something that we can use in terms of what can be done by the Meteorological Department. They can forecast and inform us in advance exactly what sort of weather we should expect and come up with the necessary plans, strategies and policies. This is exactly what this Bill seeks to establish comprehensively.

In terms of its objective, the Bill aims to ensure that decision making and implementation plans are done in advance. It is important that this Council that has been put in place and which will be chaired by the President plans and gives information in advance. The Bill also seeks to mainstream and reinforce climate change and disaster risk reduction into strategies and actions of public and private entities. I know that many initiatives have been put for Disaster Risk Reduction (DRR), but over time, we found that they have been very disjointed.

Recently I attended a workshop on DRR in Uganda that brought various people across the globe and specifically from Africa. The main thing was that there is no education on how to reduce the risk. There was also the issue of how people can propel and put finances in the right places. Another issue was on how people can respond to those disasters in order to reduce their effects as much as possible.

Madam Temporary Speaker, another issue that came out in that workshop was the issue of inter-generational gender equality. Women play a key role in terms of DRR, and I gave the example of the late Prof. Wangari Maathai who planted trees in order to ensure that we had a solid ground and hence less erosion. That affects climate and it will County Assemblies (MCAs), my son sent me a message saying that there were hailstones in Nairobi. I told him that it was impossible. I asked him to send me a photograph of what he was talking about. On looking at it, it looked like snow. I told him that one day it will snow in Kenya and Africa.
This is the impact of climatic change that we have now become aware of. It is very real. The sort of temperatures and the way the environment and seasons were formulated have completely changed. Apart from raining havoc, for example, farmers may not know the season to plant because it is not very clear when it will rain or not. It is determine whether we will have rains or dry spells. The main issue was not only focusing on one aspect of the lens in terms of having the general approach.

The strategy that I advocated for was to have very clear gender mainstreaming. This is because women understand the environment more than anybody else since they are the ones who fetch water from rivers and collect firewood. Therefore, when it comes to mitigating measures and putting actions into place, they need to be put into focus. Again, this process has to be from one generation to the other. The emphasis in this Bill that the inter-generational gender equality aspect will be taken into consideration will be very critical. That way, from one generation to another, the key tenets of what it means to ensure that we do not suffer as a result of climatic change are put into place.

Madam Temporary Speaker, another important aspect of the Bill is ensuring that there will be public participation in climate change responses through awareness creation. At the end of the day, communities will discuss. Most communities have had a historic and age old ways of coping with climatic change. Some of them include relocation to safer grounds at the time of danger. Carrying out public participation and education, therefore, becomes critical.

The Bill also advocates for a lot of research to go into climate change and responses to disaster so that at the end of the day, there is a sense of knowledgeability that has been passed on, for example, the key indicators of climate change and how to plan for them in advance in order not to be caught in a difficult situation.

Another aspect is that of mainstreaming the principle of sustainable development. One of the things that makes climate change one of the key topics is the destruction that it causes. A whole decade of development can be wiped away just overnight. For example, if it snows and we are all not ready and about 50 per cent of us die as a result, it will erode all the development that we have. It is so key and can actually take you back 100 years. It becomes critical to focus on the key tenets.

Madam Temporary Speaker, I have looked at the composition of the Council that has been put into place and I am impressed with the various people who will sit in that Council that will be chaired by the President. There will be the directorate comprising of a secretariat and then the Cabinet Secretary (CS) who, for the time being is in charge of environment and climate change who will also sit in the Council. However, it also extends to other members who will be appointed by the President.

I will not go through all the members but just the key ones. One is a representative from the academia who will be nominated by the Commission of University Education (CUE). I would like to add that this has to be somebody who is very well versed with issues of climatic change and bring in the theory and actual sense of good practice from other countries that have been in this situation. There will also be a representative from the private sector, civil society and one from the Council of Governors. I think this cascades the issue of looking at it in terms of the actionable plan not just at the national level but even to counties and wards. That way, they will be prepared at various moments so that they can have a quick reaction.

One of the ways that it will be cascaded that has been put in the Bill is to ensure that at county levels, we have people who will consistently have a feedback mechanism into the Council. I expect that at the implementation level, apart from the Council at the national level, we need to
cascade this to various levels at the county so that matters of climate change can be handled quite appropriately. Also, as part of the functions of the Council, advising the national and county governments on legislative policy and other measures to be taken. This brings it together and sums it up in a way that helps the key issues to be addressed in the most appropriate way and time.

Madam Temporary Speaker, the Bill also outlines the various functions and what the directorate will be responsible for, as well as serving as a national knowledge and information management centre. This is very critical for climatic change because by the time a disaster occurs as a result of adverse climatic change, there would have been patterns. Remember when there was a tsunami, all animals and living creatures apart from people had already migrated. In climatic change discourse, they always say that extreme climatic change that will lead to disaster will always come with prior warning.

Collating information, verifying and redefining this knowledge will help people to come up with a better response mechanism at any one time to enable them to have a way to respond. The Bill is arranged very well. In Clause 3, the climate change response measures and actions have been clearly stipulated and versed. I think Hon. (Dr.) Otichilo did his homework as he drafted this Bill. Let me stress on strengthening the approaches to climatic change research and developing training technology transfer.

There is also the need to recommend and review duties of public and private bodies on climate change so that the work that had been done prior to this by both public and private sectors becomes a way to inform the future. This is one of the sectors where there is no winner or grandmaster. Everybody needs to be brought on board so that people are brought to a situation where they can be able to save themselves especially in a situation of drastic climatic change and use the right technological interventions and innovations that are being put into place more and more. As a result of that, it will ensure that we have more employment opportunities coming on board so that people can play their roles at various stages. We should be able to cascade international laws dealing with climatic change to the national level and then the county level.

Madam Temporary Speaker, the issue of public participation has been covered extensively in this Bill. This is going to be at each level of government. We are going to streamline it from the national Government to the county government. I think as a result of public participation, we will ensure that climate change becomes something that we can be able to deal with effectively through legislation.

Date 29th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2014)

Sen. Elachi: Madam Temporary Speaker, I thank you for appreciating that women Senators are the ones handling the work of the Senate and ensuring that we go up to 6.30 p.m. when the House adjourns. Having said that, I thank---

Madam Temporary Speaker, I thank the Mover of this Bill who is a Member of the National Assembly. I also thank the National Assembly for realising that this is a Bill that touches on counties.

Madam Temporary Speaker, you will realise that climate change is a challenge that faces the global world. There have been many protocols, for example, the Kyoto Protocol of 2005 which
obligates governments to ensure that every country mitigates and handles climate change. Climate change has especially affected Third World countries. We have faced different challenges especially disasters of rainfall and snow. For example, Nyandarua County experiences snow and that has completely changed. Therefore, climate change has also affected the agricultural sector. Most of the farmers who believed in and followed the seasons that have now changed are also affected.

Madam Temporary Speaker, the Bill has to be amended to ensure that the words “National Assembly” are changed to “Parliament” to ensure that both the Senate and “Parliament” receive, for example, reports and many other issues that the Mover of the Bill has indicated. The other issue I want to raise concerns Clause 6 which is about issues relating to climate change. We must ensure that as we create this not just at the national level---

Date 29th July, 2015

Member of Parliament: Sen. (Dr.) Zani

Contribution She Made On: The Climate Change Bill (National Assembly Bill No. 1 of 2014)

Sen. (Dr.) Zani: On a point of order, Madam Temporary Speaker. Is it in order for Sen. Elachi to talk about the National Assembly and Parliament? She should have said the National Assembly and the Senate so that we do not give a wrong impression because she is talking about a critical point of the Bill being subjected to both Houses. I think she wanted to highlight the Senate and the National Assembly.

Date 29th July, 2015

Member of Parliament: Sen. (Dr.) Zani

Contribution She Made On: The Climate Change Bill (National Assembly Bill No. 1 of 2014)

Sen. (Dr.) Zani: Madam Temporary Speaker, was the Senator in order to allude that the National Assembly and the Senate are inclusive? I think she wanted to allude to the National Assembly and the Senate rather than the National Assembly and Parliament.

Date 29th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: The Climate Change Bill (National Assembly Bill No. 1 of 2014)

Sen. Elachi: Madam Temporary Speaker, I meant that the words “National Assembly” should be deleted and replaced with the word “Parliament” to ensure that both the Senate and the National Assembly receive reports.

Madam Temporary Speaker, the most important thing we need to look at are functions to be performed by counties and those of the national Government. However, we must ensure that those functions are stipulated very clearly in the Bill. The issue of the Cabinet Secretary (CS) has been emphasised in the Bill, which is okay. However, we must understand climate change cuts across many Ministries. Therefore, we have to be very clear on that, or else, we will continue facing the same challenges we faced when we
were looking at the Food Security Bill. We had to delete the words “the Cabinet Secretary” so that whoever will be in at that time takes charge of that department. Madam Temporary Speaker, we must understand that climate change links development and economics together. Therefore, as we discuss this Bill, we should be aware of the effects that come as a result of climate change which could affect our economy and development. As the Bill moves to the Committee on Land and Natural Resources, we hope that there will be more amendments to ensure that we do not just look at the seven parts the way they are but include more content for county governments so that they are included in this Bill. With those few remarks, I beg to support.

Date 29th July, 2015

Member of Parliament: Sen. Ong’era

Contribution She Made On: The Climate Change Bill (National Assembly Bill No. 1 of 2014)

Sen. Ong’era: Thank you, Madam Temporary Speaker for giving me this opportunity to contribute to the Climate Change Bill (National Assembly Bill No.1 of 2014). From the outset, I thank you for recognising the very important work that women Senators in this House do and how they stay here up to the late hours to make our Senate better and grow so that we finish the business of the day.

Madam Temporary Speaker, this Bill that has been brought to this House is very important. Climate change has been universally recognised as one of the greatest global challenges that the world is facing today. This is because it affects and creates serious threats to sustainable development in this world. Therefore, I am very happy that hon. (Dr.) Otichilo considered it proper to bring a Bill that would address policy issues, regulate climate change and create adaptation and mitigation of the effects of the climate change.

Madam Temporary Speaker, as you are aware, Kenya has ratified several international conventions including the UN Framework Convention on Climate Change that was adopted in 1994 and the Kyoto Protocol in 2005. Incidentally, the United States of America that trumpets to be a democratic nation has refused to ratify these conventions---

After President Obama, who happens to be a son of Kenya was here, we keep on getting mixed up.

I was saying that incidentally, the USA which happens to be one of the greatest democracies has not seen it fit to ratify the Kyoto Protocol. However, I am happy to note that Kenya is the first African country to come up with a Bill that will regulate the effects of climate change in this country.

The Bill, as many speakers have said before me, sets out policy framework that will adapt and mitigate the effects of climate change. There is a provision for a council to be set up. However, I have issues with this clause. I hope that the Mover of the Bill will look at Clause 7 which sets out the members of the council. I do not see why we have to make the President the Chairman of the council. If we do that, we will be bogging him down with technical issues. It would suffice if a CS or any other qualified Kenyan was appointed to be in charge.

Madam Temporary Speaker, we will also be pleased to have criteria on how these appointments will be made, particularly, for those from the private sector, civil society and the marginalised communities so that there is no misuse of power in terms of how people are appointed. There should be a clear criterion so that when we see a person from a marginalised community...
appointed, we are sure that he or she is from a marginalized community and that no one is using it to reward their political cronies.

Madam Temporary Speaker, I am happy to note that within that membership, gender issues have been considered. In the appointments, there should be, at least, onethird of either gender represented. Women have done a lot concerning climate change, particularly, in risk reduction.

We have, in this Parliament, our very own hon. Rachel Shebesh who was elected the UN Champion for Disaster Risk Reduction yet she has not been given enough opportunity to advance this. In fact, outside Kenya, such kind of people are highly celebrated. Hon. Shebesh is forever in the air going around speaking on issue of disaster risk reduction.

Madam Temporary Speaker, we know the effects of climate change. I am happy that this Bill provides for research particularly in the field of agriculture and industrial technology. As you are aware, there are very many diseases arising as a result of climate change. We need to have thorough research or research centres set up to address these issues coming up as a result of climate change.

I am very happy to see that there are provisions that will deal with the effects of what many farmers are undergoing. As a result of climate change, maize, which is a major crop in this country, is now not being grown in the manner we would have wanted.

The Food and Agriculture Organisation (FAO) has warned us that five years from now, maize production will become almost extinct. That has encouraged farmers to start considering planting bananas.

I hope that with the establishment of the council, enough research will be done so that we know the varieties of bananas we should plant and crops we should not plant so that our farmers are left with no cash crops to grow. In fact, if I may quote, our own Ministry of Agriculture, Livestock and Fisheries said that; “At least, 300 maize farmers are currently affected by crop failure in this country.” Therefore, adaptive capacities need to be addressed in this Bill.

Finally, Madam Temporary Speaker, Clause 25 is with regard to the use of the Fund. A lot of money will be poured into this Fund, especially, from the donor communities. It is my hope that the money will be used effectively to do work that has been set out in Clause 25(8) which states that the Fund shall be applied for use of industrial research, technological policy formulations, scientific and academic research.

Madam Temporary Speaker, I once more, congratulate the Mover of this Bill. I hope that once it is passed, we will see the effects of proper regulations on climate change. I beg to support.

Date 29th July, 2015

Member of Parliament: Sen. (Dr.) Zani

Contribution She Made On: THE COMMUNITY LAND BILL (SENATE BILL NO.38 OF 2014)

Sen. (Dr.) Zani: Madam Temporary Speaker, let me congratulate Sen. ((Prof.) Kindiki for bringing this Bill. For a long time, issues of land have been very sensitive in this country and especially the issue of community land. It has been quite difficult to define what community land is and various definitions have been given. Lots of complications come because they do not know the basis of community land; is it for people sharing common ancestry, a common language, the geographical space or the interests of that community? It becomes very critical to provide basis for recognition, protection, management and administration of community land.
As the Mover of this Motion said while moving the Motion, previously, adjudication had not specified community land. It was across all land. It is important to have the key components put into place.

Madam Temporary Speaker, I was saying that it is important that this adjudication be done for all the land. It is going to be an extensive exercise. The National Land Commission (NLC) will have to look into the different pieces of land and come up with the clear categories of the same land. The county councils that held the land in trust can give the responsibility to the national Government and the county governments.

Looking through the whole issue of unregistered community land gives us a sense of the problems that have come about. For example, in the former Coast Province, there have been a lot of problems when purchases of land have been made. Community land does not have a title. You find that one of the brothers can sell the land without other members knowing. It is important to have this sort of a process so that this can be streamlined. Looking through the definitions, I see the issue of community has been tackled. I want to say that the definition of natural resources is very narrow. When we come to the Committee Stage, we will propose amendments which will include a broad definition of natural resources as per Article 260. A lot has been left out in that definition.

Madam Temporary Speaker, Clause 7 states that community land shall be owned by the communities. This is a basis of the whole Bill so that at the end of the day, various land tenure systems can be put into place, either customary, freehold, leasehold or any other tenures system. The NLC would have to give a sense of the various tenures and go through a lot of work to ensure that these tenures are adhered to. It should be clear that at the end of the day, the various categories are well stipulated and streamlined. This will include a lot of work which the Commission will do.

The procedure for adjudication will need to include documenting and this is stipulated in Clause 12. The Commission will need to document, map and develop an inventory of community land so that it is done in a transparent, equitable, cost effective and participatory way. This is going to be very key. I also see in the Bill the level of interaction and public participation that has been created, so that members can come on board and clearly indicate the various parcels of land and have a way of proper inventory to be put in place.

Madam Temporary Speaker, various measures are going to be put in place by the Commission to ensure that this is done. One measure is public notice. I think that the stipulation of 30 days is very short to declare the area of land to be classified as community land, especially given the complexities of what community land entails and being able to adjudicate and categorise the various pieces of land.

If we look at the documentation at the Ministry of Lands, Housing and Urban Development, and going by the history that we have issues and problems in the Ministry in terms of doing proper allocation--- A common Kenyan may not even know the category of the land that he occupies. Therefore, even if a public notice is given, where can it be done? It may be done at the governor’s office without a common Kenyan knowing.

It is unfortunate that we might not have a lot of time because this is one of the Bills with a constitutional deadline of the 27th August, but it is important that we give provisions of ensuring that we give enough time for people to come forth, talk about and give stipulations of their land. They should be given the sort of involvement and engagement that Clause 12(2)(b) envisages; that they have a proper inventory of their land and resource rights.
Madam Temporary Speaker, upon adjudication, the title deed will therefore be given and then that becomes community land. It is important to note that it will have to be registered and various provisions are given for registration. It can be under family, community association or a traditional leader. Communication must begin early and some sort of discourse has to happen at that particular level. This is because matters lands are so sensitive that if the title deed is given to somebody who will abuse that title--- Maybe, we should even have very strict provisions about how that land can be sold, so that we do not have somebody who has been given the responsibility and authority to hold that land, being the one who is going to give it away. That sort of clear demarcation of who is in charge and the responsibilities that go with it are very important.

Madam Temporary Speaker, more importantly, in Clause 14, the land is going to be registered and clear provisions have been given for that, including the estimation of the size of the community at the time of the registration and the particulars of the members for that particular community that has been put into place. Part II, on the administration and management of community land also delves into detail.

One of the most important components of this Bill is the setting up of a properly registered committee that will need to have representation at all levels and hold regular and democratic elections; that we would have to keep proper books of accounts so that for this particular group and committee, they can run the show.

Madam Temporary Speaker, the distribution is also gender inclusive and cuts out anybody who is 35 years and younger. We are therefore thinking that the level of maturity is key here. If there is a correlation between age and maturity, then this might be important. It is not always that obvious. Two members; a man and a woman, representing the youth is very critical. All these have been provided. I do not want to go into details because of time, but I would just like to note that there is at least gender representation.

This committee will actually manage and administer community land on behalf of the communities, facilitate recording and perform any other functions as stipulated by the Act. Clause 22 is critical because it talks about removal of Committee members, for example, where there has been a variation or gross misconduct. Where a person ceases to be a member of that Committee, he has to do so in writing. So, there is a level of formality.

Madam Temporary Speaker, we must remember that we are dealing with communities which are usually more informal. Again, it is really important and I cannot overstress that discourse, education and people understanding what is going on will be very critical. We do not want a situation where those who are more educated in matters of land run away and put people in a very difficult position.

There is also a community land board which will be overall in charge of, for example, very specific issues of overseeing the management, administration of the functions, monitoring and evaluation and compliance of the committee as a board so that they do what the committees have actually stipulated.

Clause 32 is critical in that it creates community lands appeal boards. This gives a chance for those who feel that classification has not been done appropriately and can make a point of reference in terms of being considered.

Let me stress on Clause 36 which talks about overriding interests that have to be taken into consideration especially during the registration. Some of the key things that he brings in are cultural and social issues like spousal rights over matrimonial property as they need to be considered and have a say. Certain trusts like customary ones that are put on land need to be put
into consideration as well. For example, it should be known whether the land is for grazing or burying people. All those considerations have been put into place and they are quite extensive. There is also provision given to changing of land from community to public land. This is usually by compulsory acquisition, transfer or surrender. A mechanism for transferring community into private land is provided. According to the Constitution, all land belongs to the national Government. Therefore, conversion is important especially where the Government or country has interests, may be, to construct a road on a certain piece of land, they can acquire the land. Lastly, Madam Temporary Speaker, the settlement of disputes relating to community land is also clearly stipulated. There will be processes which will include having a mediator, convening meetings where the mediator can understand the specific issues and how people can move forward where these disputes have been.

As I finish, strategic approach and education will be needed in implementing this Bill. That way, community land will be safeguarded. I would like to believe that this Bill actually safeguards community land. We also have to pay a lot of caution that nobody will be put in a position where when this land has been converted into community land, they end up suffering and become disgruntled as a result.

This Bill is meant to create order but we have to make sure that we put clear legal operation systems into place to ensure that beneficiaries of the classification of community land are the communities themselves. This is because without this land, many communities will not sustain themselves since they depend on it for water, and other natural resources, grazing needs and other customary rituals. These lands have buried forefathers who have to be respected. I support.

Date 30th July, 2015

Member of Parliament: Sen. Chelule

Contribution She Made On: ACCESS TO FINANCES BY THE YOUTH, WOMEN AND PWDs TO EXECUTE TENDERS WON

Sen. Chelule: Mr. Speaker, Sir, I rise pursuant to Standing Order No.45(2)(b) to request for a statement from the Chairperson of the Standing Committee on Labour and Social Welfare on access to finances by the youth, women and persons with disabilities to execute tenders won through 30 per cent access to Government procurement.

In the statement, the Chairperson should explain the following:-

1. Whether the Government is aware that the youth, women and persons with disabilities face challenges in executing Government tenders that are won due to lack of collateral required by financial institutions to secure the loans.

2. Provide a comprehensive report on the youth, women and persons with disabilities who have benefitted from Uwezo Fund in all the sub counties.

Date 30th July, 2015
Member of Parliament: Sen. Ongoro

Contribution She Made On: ACCESS TO FINANCES BY THE YOUTH, WOMEN AND PWDs TO EXECUTE TENDERS

Sen. Ongoro: Mr. Speaker, Sir, over the years, we have seen these kind of cases where exporters use the goods that they are supposed to export so has to camouflage illicit trade. Could the Chair give more clarification and a list of the companies that have been deregistered over the years for engaging in this kind of trade?

Date 30th July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: THE COMMUNITY LAND BILL (SENATE BILL NO.38 OF 2014)

Sen. Ongoro: Mr. Speaker, Sir, I rise to support this Bill. Community land is what was previously known as trust land. As you are aware, this has been a source of contentious issues, especially in areas like the coastal region, Masai Mara and other communities where the boundaries of ancestral land that was then referred to as trust land or used for other purposes like tourism, has been a real source of contention.

If you go through this Bill, it makes a lot of provisions that will help in the administration of what is known as community land. It actually even restricts those who formerly gave themselves the responsibility of administering these kinds of lands; the so-called council of elders and such like people. They are no longer going to have the opportunity to unilaterally make decisions that affect an entire community.

Mr. Speaker, Sir, this Bill even has provision that can actually transfer land back to the community that is already owned by individuals. According to me, the few provisions that I have noted in this Bill are quite exciting considering the issues of land, that have affected the people living along the Coast, where you find indigenous people living as squatters, generation after generation. With this Bill, certain provisions can be used to actually transfer this land owned by individuals along the Coast – those who own thousands upon thousands of acres as one family or individual. Through this Bill such land can be transferred back to the community and by extension, allow indigenous community members to own land and not be squatters in their own home. I beg to support.

Date 30th July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: THE COMMUNITY LAND BILL (SENATE BILL NO.38 OF 2014)

Sen. Sijeny: Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to this Bill. Land is man’s most valuable resource that wholly deals with the economic, social and political status of Kenyans. It has to be treated very carefully because it determines whether a nation succeeds or flops.

When we narrow into community land, if you give a proper legal framework as this Bill intends to do, then all those injustices which occurred due to mismanagement of land issues will be sorted out. We have had cases where community land is taken away by private developers and institutions or certain greedy individuals. We have seen how Kenyans have suffered because of these injustices. We saw the Syokimau incident where people built houses using all their money.
Some individuals had grabbed the land which belonged to a community and sold it to unsuspecting buyers. Generally, lack of proper guidance within the land factor brought all these problems. We have even seen many nomadic communities thinking that they own a ranch and before you know it, an individual has acquired it. So, all those communal things that would bring cohesion within the region suffer. They end up being unable to do some traditional or customary functions that were ordinarily done on certain land. If it is communal cultivation, then the food that is produced is not sufficient because someone has converted the land ownership illegally or unfairly.

Mr. Speaker, Sir, although the Constitution defines what community land is in Article 63(2), there are some people who still abuse this provision. The Bill properly gives the identification, registration and management of community land. This is very important as it brings sanity within the land sector and ensures that people do not act arbitrarily, corruption is curbed and there is fairness so that people live in cohesion and improve their income. With those few remarks, I beg to support.

Date 30th July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: THE COMMUNITY LAND BILL (SENATE BILL NO.38 OF 2014)

Sen. Nabwala: Mr. Speaker, Sir, I also stand to support this Bill which is very important as it gives effect to Article 63(5) of the Constitution which talks about community land which shall vest in and be held by communities identified on the basis of community, culture or similar community of interest.

This Bill is very important because it seeks to set up boards in communities that are going to be responsible for the management and protection of community land. We know that community land is very sensitive. In most counties, you will find that always there is a struggle of who owns the community land, unless land is properly defined and has a title.

I support this Bill because it seeks to issue titles so that there is proper ownership to avoid conflict particularly on land that borders with other communities and the border has not been properly defined. For instance, Migingo Island has been a big dispute and up to today, the Government has not come out clearly to state who owns it. We have also seen other disputes concerning land which is owned by groups. We have seen shareholders being killed. This is, maybe, because the land has not been properly defined and the people are very many.

For every community land, there will be a title so that there is no grabbing. This will also ward off corruption where people wait to grab any vacant land that is not owned by anybody. I support.

MOTION
Date 30th July, 2015

Member of Parliament: Sen. Nabwala

Contribution She Made On: APPROVAL OF CASH DISBURSEMENT SCHEDULE TO COUNTY GOVERNMENTS FOR 2015/2016 FINANCIAL YEAR

Sen. Nabwala: Mr. Speaker, Sir, I stand to support the Cash Disbursement Schedule to County Governments for 2015/2016 Financial Year. The Schedule is very clear. Figures have been calculated by the national Treasury and disbursements will be done on a monthly basis. Of
notable importance is the amount that will go to counties; that is the Equitable Share which is Kshs259,774,500,000. The other amounts make up to Kshs273,225,935,204. These include; the Fuel Levy Fund, Maternal Health Care, User Fees Foregone, Level 5 Hospitals, Health Facilities---

Date 30th July, 2015

Member of Parliament: Sen. Ongoro

Contribution She Made On: Approval of Cash Disbursement Schedule to County Governments for 2015/2016 Financial Year

Sen. Ongoro: Mr. Speaker, Sir, I rise to support this Motion. However, I have a specific issue with the fact that we are receiving this Schedule on the last day when we have time constraints. It is a pity that we do not have enough time to interrogate an important Schedule like this. In future, I believe we need to debate it thoroughly and give our input for necessary action. This should be a wake up call to the governors. There is no way that we can be summoning them to the Senate and some of them refuse to come when the responsibility of allocating them funds lies with this Senate. We should put them on notice. From the next financial year, any county government that does not respond to any summons by the Senate will face specific action. We cannot give money without accountability. Mr. Speaker, Sir, regarding any audit queries raised in any county government, we will use these schedules in the next financial year to see how this money has been spent. We shall deduct the amount which is not accounted for from their next allocation.

Lastly, we, as a Senate, must realise that the office of the Auditor-General is our strategic partner. We should ask the Auditor-General to give us a synthesized analysis of any report from his office on every county so that even as we interrogate this kind of schedule brought to the Senate, we have in-depth knowledge. The Chairperson of the Committee on Finance, Commerce and Budget should kindly take specific note that the Senators would want him to bring this on time and give us time to interrogate. This is very important to the Senate. With those remarks, I beg to support.

MOTION FOR ADJOURNMENT

Date 30th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: Adjournment of the House Pursuant to the Approved Calendar for the 2015 Session

Sen. Elachi: Madam Temporary Speaker, I want to join the Senate Majority Leader and the Senator for Siaya in supporting this Motion. I thank all the Senators for the work we have done so far.

Many Bills and Motions have been passed during this period and I want to thank the Senators for that. Even the work in the Committees has been tremendous. The Committee on Finance, Commerce and Budget has been working for the last three weeks and I want to thank the Members. We were able to clear most of the work that was pending. As we go for recess, I think it is our opportunity also to ensure that the counties understand that, indeed, they should be accountable.
If you look at the reports of the Auditor-General they are very worrying. We are a rich country, but it seems like most of our resources, as President Obama said, are going to people’s pockets, when actually many young people would have benefited. Therefore, I wish to remind the county governments that, indeed, it was the wish of the Kenyan people to ensure that we have devolution, but ensure that services are given to them.

Whenever we see misuse of resources we ask ourselves whether we devolved corruption among the functions under the Fourth Schedule. I hope the governors will take responsibility knowing that we are now going to the third year since the last general election. When we come back from recess I hope that we shall get a report and recommendations of the Select Committee that we tasked to review the Constitution. With those few remarks, I beg to support.

Date 30th July, 2015

Member of Parliament: Sen. Elachi

Contribution She Made On: ADJOURNMENT OF THE HOUSE PURSUANT TO THE APPROVED CALENDAR FOR THE 2015 SESSION

Sen. Ong’era: Madam Temporary Speaker, thank you for giving me this opportunity to contribute to this Motion. I thank the Senate Majority Leader and the distinguished Senator for Siaya for moving and seconding this Motion, respectively. It comes at a unique time in the history of this country. We have just had the President of the United States of America (USA) visiting Kenya. We have many other distinguished visitors lined up to come to our country. I am told that the Pope will also be visiting us. It is a unique time for Senators to go on recess.

I thank all the distinguished Senators of this House for responding to the timely calls that we have been making to them to attend House sittings, vote on crucial Motions and Bills. Indeed, for the last two months the record has been very good. On behalf of my fellow whips, I thank them. I request that we continue in the same spirit.

As we go home for recess, distinguished Senators should go out and meet the electorate. We should not lose sight of our oversight role and not be worried by the fact we did not receive the Kshs1 billion that we wanted in order to conduct our oversight role. We should go on with our role. We are the guardians of counties. Let us visit the county executive, the county assembly and our electorate.

Madam Temporary Speaker, in conclusion, I wish all distinguished Senators a very good recess. Let us come back on 15th September, 2015 ready to continue passing legislation that can help our Kenyan nation grow into the prosperity that we want.

Although, we are leaving at a time when we have problems in this country, we have noted that there are audit queries. There is a lot of money that is missing in the accounts of the county and national Government. I urge all Senators to speak clearly on these issues. They should take a leading role. Corruption is something that we should not condone in this country. I beg to support.