

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 23rd April, 2024

Afternoon Sitting

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

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted the Chair)

Clerk, now that we have quorum, proceed to call the first Order.

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM PARLIAMENT OF MALAWI

Hon. Senators, I would like to acknowledge the presence, in the Speaker's Gallery this afternoon, a visiting delegation from the Parliament of Malawi. The Delegation comprise the Leader of Opposition, the hon. Kondwani Nankhumwa, MP, who is accompanied by the hon. Julius Chione Mwase, MP, and the secretariat. The delegation is undertaking a study tour at the Parliament of Kenya.

Hon. Senators, I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate's tradition.

1. Hon. Kondwani Nankhumwa, MP - Leader of Opposition
2. Hon. Julius Chione Mwase, MP - Member of Parliament
3. Mrs. Doroth Kabango
4. Mr. Gift Chomodzi

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On behalf of the Senate and my own behalf, I extend a warm welcome and wish you a fruitful visit.

I call upon the Senate's Leaders of Majority and Minority to extend words of welcome in under one minute each.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir. I take this opportunity on behalf of the Senate of the Republic of Kenya to welcome the visiting delegation from the Parliament of Malawi who are here on a study tour.

This is a continued tradition of great relations between the nations of Kenya and Malawi, which is growing deeper. We are integrating on many aspects; not only in our democratic practices, but even in our trade relations. I do hope that the Members will have a full undertaking of all the practices of the Kenyan Parliament. We look forward 'to revenge' their visit, as they stay in Kenya.

You have said that they have come with the Opposition Leader. I can see the Kenyan Opposition Leader, Sen. Madzayo, who is walking into the Chamber right now. Sen. Madzayo can perhaps give them a better view of this country.

Mr. Speaker, Sir, you can send the Opposition Leader in the Senate, Sen. Madzayo and the Leader of Government's business in this House, yours truly, on a three or four working days tour to Lilongwe during our next recess so that we can interact even better with the Members.

Otherwise, I appreciate and welcome them. Thank you, Mr. Speaker, Sir.

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

The Senate Minority Leader (Sen. Madzayo): Thank you, Mr. Speaker, Sir. I enjoin myself with you to welcome the delegation from Malawi, being led by my brother Kondwani. He is the Leader of the Opposition there. I have had a word with him and we had lunch together.

They are here for purposes of learning and knowing how Kenyans do their parliamentary duties. I am glad that he has come to the Senate and he will see how we operate.

As we were talking, he told me that they only have the National Assembly and they do not have the Senate. Therefore, he wanted to know how exactly the Senate operates, what it does and all that. I then told him that we deal with devolution.

These are good people and I believe all Malawians are like them. In one way or another, I hope that one day we might have an opportunity to visit Malawi to see how their social life and parliamentary affairs work.

Mr. Speaker, Sir, again, I say thank you for allowing them to come and learn from us. When they go back home, they will have learnt how we operate here, and it will be for the betterment of both countries - Kenya and Malawi.

The Speaker (Hon. Kingi): Next order, Clerk.

The Hon. Sen. Andrew Omtatah.

PETITION

ALLEGED CORRUPTION THROUGH THE SGR PROJECT

Sen. Ledama, are you holding brief for the hon. Sen. Omtatah? That Petition is dropped.

(Petition dropped)

Next Order, Clerk.

Yes, Senate Majority Leader.

PAPERS LAID

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today the 23rd April, 2024:

Report of the Auditor-General on Financial Statements of Makueni County State and Public Officers Car Loan and Mortgage Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Mbooni Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kibwezi- Makindu Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Wote Water and Sewerage Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kericho County Assembly Members Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kericho County Bursary Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kericho Municipality for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Litein Municipality for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kisii County Alcoholic Drinks Control Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Gusii Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Narok Bursary Management Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Narok County Alcoholic Drinks Regulation and Control Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kitui County Textile Centre for the year ended 30th June, 2023.

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Report of the Auditor-General on Financial Statements of Kitui Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kiambere Mwingi Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kakamega County Agricultural Inputs Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Mumias Municipality for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of the County Assembly of Nyeri Car Loan and Mortgage (Members) Scheme Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Othaya Mukurweini Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Mathira Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Dekut Enterprises Company for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Nyandarua County Assembly (Members) Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Olkalou Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Olkejuado Water and Sewerage Company for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Oololaiser Water and Sewerage Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Nairobi City County Assembly Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Nairobi City County Alcoholic Drinks Control and Licensing Board for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Ewaso Ng'iro North River Basin Development Authority for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Ewaso Ng'iro South River Basin Development Authority for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of University of Eldoret for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of the Eldoret National Polytechnic for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Eldoret Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Kirinyaga Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Murang'a South Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Ngagaka Water and Sanitation Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of North Rift Valley Water Works Development Agency for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Nyamira County Executive Mortgage and Car Loan Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Migori County Water and Sanitation Company Limited for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Trans Nzoia County Assembly Members and Staff Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Egerton University for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Bukura Agricultural College for the year ended 30th June, 2023.

Report of the Auditor-General on Financial Statements of Tambach Teachers Training College for the year ended 30th June, 2023.

(Sen. (Dr.) Lelegwe Ltumbesi laid the documents on the Table)

The Speaker (Hon. Kingi): The Chairperson, Standing Committee on Trade, Industrialization and Tourism.

(Sen. Kavindu Muthama stood in her place)

What is your point of order and there is no Senator on the Floor? Are you not rising---

Sen. Kavindu Muthama: On a Motion of Adjournment, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Absolutely. Proceed.

NOTICE OF MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 37

DELAYS IN RELEASE OF DISASTER MANAGEMENT FUNDS TO FLOODS VICTIMS

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

THAT, pursuant to Standing Order No.37, the Senate do now adjourn to discuss a definite matter of urgent national importance, namely-

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The delay in the release of disaster management funds to floods victims arising from the prevailing heavy rains and subsequent flooding in many parts of the country.

(All Senators stood up in their places)

The Speaker (Hon. Kingi): Hon. Senators, I am satisfied that the threshold as demanded by Standing Order No.35 has been met. I, therefore, nominate 5.30 p.m. as the time when this Motion shall be moved.

Next Order.

I had called the Chairperson of the Standing Committee on Trade, Industrialization and Tourism or any other Member of the Committee to lay the Paper.

Sen. (Dr.) Lelegwe, are you a Member of that Committee?

Sen. (Dr.) Lelegwe Ltumbesi: Yes, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Proceed.

REPORT ON THE STREET VENDORS BILL, 2023

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Speaker, Sir, I beg to lay the following paper on the Table of the Senate, today, 23rd April, 2024, the Report of the Committee on Trade, Industrialization and Tourism, on its consideration of the Streets Vendors (Protection of Livelihoods) Bill (Senate Bills No. 41 of 2023).

(Sen. (Dr.) Lelegwe Ltumbesi laid the Document on the Table)

The Speaker (Hon. Kingi): Next Order, Clerk.

Statements pursuant to Standing Order No.53(1). Hon. Agnes Kavindu.

QUESTION AND STATEMENTS

STATEMENTS

ALLEGED FAILURE BY PUBLIC UNIVERSITIES TO REMIT STATUTORY DEDUCTIONS

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir. A request of Statement on the failure of public universities to remit statutory deductions for their employees.

I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Education regarding the failure of public universities to remit statutory deductions for their employees.

In the statement, the committee should -

1. Provide a comprehensive report of remittance of statutory deductions made on salaries of staff employed by all public universities, including pension deductions, stating reasons for all instances of non-remittance.

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(2) Inform the Senate of any action taken by the State Department for Higher Education and Research to remedy the failure and to hold accountable the institutions responsible for non-remittance.

Thank you.

The Speaker (Hon. Kingi): Proceed, Sen. Tabitha Keroche.

ALLEGED FINANCIAL IMPROPRIETY IN THE COUNTY
GOVERNMENT OF NAKURU

That Statement is dropped.

(Statement dropped)

Sen. Tabitha Keroche, again.

STALLED PROJECTS AND ALLOCATION OF
DEVELOPMENT FUNDS IN NAKURU

That second Statement is dropped.

(Statement dropped)

Proceed, Sen. Julius Murgor.

WELFARE OF ECDE TEACHERS IN
WEST POKOT COUNTY

That statement is dropped.

(Statement dropped)

He had another statement, which is equally dropped.

SHORTAGE OF MAIZE SEED IN VARIOUS COUNTIES

(Statement dropped)

Proceed, Sen. Richard Onyonka.

Sen. Onyonka: Mr. Speaker, Sir, thank you for giving me this opportunity.

HUMAN RESOURCE MISMANAGEMENT BY
THE KISII COUNTY PUBLIC SERVICE BOARD

Sen. Onyonka: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53 (1) to seek a statement from the Standing Order Committee on Labour and Social Welfare regarding claims of improper handling of human resource operations of the Kisii County by the Kisii County Public Service Board (PSB).

In this statement -

(1) I would like the Committee to state whether there are any actions that the Kisii County PSB has put in place to fill the vacancies arising out of the impeachment, resignation, termination of employment contracts, transfers, or placement of senior county employees on compulsory leave.

Mr. Speaker, Sir, in this case, I would like to note that the total number of individuals that have been either transferred, fired, or removed from their positions of power are 47 for the last one year.

(2) I would like to have the committee provide reasons why these people have resigned, unilaterally terminated their employment with the county government, how many transfers without due process that have been done within the county government and how many individuals have been put on compulsory leave since the current administration took over power. That falls under the Constitution and Section 45 (2) of the County Government Act.

(3) I would like the committee to outline the status of all legal matters within the Kenyan court system; both that have been resolved or are pending, or are current matters affecting the Kisii County Government from the year 2021 to 2022.

(4) I would like the committee to clarify whether in its assessment; one can say that the Kisii County Government has fully constituted a cabinet and a governance structure inspite of the current vacancies, which affect the critical positions of all the senior officers in the executive within the county government.

ALLEGED IRREGULAR ALTERATION OF THE KISII COUNTY EXECUTIVE BUDGET

Sen. Onyonka: Mr. Speaker, Sir, I have a second statement on the alleged alteration of the county executive budget by the Kisii County Government.

I rise in pursuant to Standing Order No. 53 (1) to seek a statement from the Standing Committee on Finance and Budget regarding claims of the illegal alteration by the Kisii County Government of the budget for the county executive.

Mr. Speaker, Sir, as I speak, Kisii County Government does not have a budget for the three financial years that we have passed.

In the statement -

(1) I would like the committee to investigate allegations of the illegal alteration by the Kisii County executive of the supplementary estimates approved by the County Assembly of Kisii on 5th December 2023.

(2) Disclose the individuals liable in this illegality, detailing any actions taken against them, as well as any measures in place to remedy the situation.

(3) I would like the committee to explain the state of affairs of the Kisii County in light of the fact that the Controller of Budget (COB) has made a disqualification of all the past two county government budgets, that is, the Financial Year 2022/2023 and Financial Year 2023/2024.

OPERATIONS OF KISII TEACHING AND
REFERRAL HOSPITAL

Sen. Onyonka: Mr. Speaker, Sir, I rise pursuant of Standing Order No.53 (1) to seek a Statement from the Standing Committee on Health regarding the management and operations of the Kisii Teaching and Referral Hospital (KTRH). The operations of KTRH seem to be having a problem.

In the statement -

(1) I would like the committee to inform this Senate the circumstances, which led to the loss of medical equipment supplied by the Global Fund for the Teaching and Referral Hospitals in Kisii, which everybody knows has around-the-clock security backups, Closed Circuit Televisions (CCTVs) and physical individuals who act as security guards.

This is so that we can have a disclosure on the actions taken by both the hospital and the Kisii County Government to investigate and potentially try and recover the medical equipment and explain why the hospital Chief Executive Officer (CEO) has not yet provided any information, or written a statement with the Directorate of Criminal Investigation (DCI) in Kisii County.

(2) I would also like the executive to inform the committee how much money was allocated for the purchase of drugs from the Mission for Essential Drugs and Supplies (MEDS) as well as other suppliers who have supplied medicines between the year 2023 and 2024. I hope that they will be giving us an item as breakdown of the expenditure for the said drugs and every category thereof.

(3) I would like to have a clarification from the committee whether Kisii County has procured the services of an insurance company, which is meant to provide medical services to all the employees of the county in Kisii, the cost of that cover and the range of benefits that the staff will have access to under the said medical insurance cover.

(4) I would like to know who the owners, the directors of that insurance company are.

LABOUR MATTERS FOLLOWING THE AUDIT
ON HUMAN RESOURCE IN KISII COUNTY

Sen. Onyonka: Mr. Speaker, Sir, I stand here pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding labour matters flagged out in the 2023 audit of the management of human resource of Kisii County.

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(1) Can the county government explain why 128 officers who have been serving on probationary terms for over six months, contrary to section b (13) (1) of the County Public Service Human Resource Manual and Section 42(2) of the Employment Act, whether they will be confirmed or not.

(2) I would like the county executive to shed light on allegations of the employment of 901 employees who are being paid less than the minimum wage in contravention of the Employment Act of 2007.

(3) I would like to ask the county government to assess and give the committee the county's compliance with the National Cohesion and Integration Act given that 96 per cent of the county's workforce are from the dominant community of the Kisii and very few other Kenyans have been given this opportunity.

(4) I would like to have the county government review the human resource management practice in place, particularly the failure to implement the approval and promotions of 103 officers who work in the county government due with an excuse that is because of the budgetary complaints and constraints that are affecting this.

Mr. Speaker, Sir, pursuant to Standing Order No. 53 (1), I seek a Statement from the Standing Committee on Finance and Budget regarding the financial mismanagement of several issues within the Kisii County Government.

In the statement, the committee should-

(1) Have the county government clarify whether there have been unsupported expenditures totaling to Kshs381,310,505 in salaries and allowances and Kshs58,887,358 utilised for domestic travelling within the last one year.

(2) Investigate the procurement process of Kisii County Government, particularly in the construction and refurbishment of roads within the county and provide evidence, if necessary, for us to know the companies that were given those roads and what criteria was used and whether the Public Procurement and Disposal Act was followed for these individuals to be given those works.

(3) Be informed by the county government why about 44 per cent of its vehicles fleet and machinery, including all the equipment are all grounded, dysfunctional and do not have insurance policies taken on them.

(4) Explain to this House the reason for the reported underfunding and under-expenditure in certain budgetary lines such as capacity building, which has led to the county government officers unable to perform their services according to the law.

(5) Have the Executive of the Kisii County Government explain to this House how much Own Source Revenue (OSR) the county government has collected for the last two years and amount collected from the Kisii County Alcohol Control Fund.

(6) Receive an explanation from the county government, the Controller of Budget and the Auditor-General regarding 923 voided transactions on the Integrated Financial Management Information System (IFMIS) amounting to Kshs261,015,000 during the Financial Year 2023/2024 relating to the Kisii County Government expenditures.

(7) Explain to this House, why is it that the Kisii County Executive is still holding Kshs5.4 billion in the County Revenue Fund (CRF) account and the employees are not getting their salaries yet the Senate is working so much to make sure that we seek funding

from the national Government so that the county governments that we love dearly can receive the resources.

Thank you, Mr. Speaker, Sir. I appreciate the time you have given me.

The Speaker (Hon. Kingi): Sen. (Prof) Ojienda? Is any Senator holding brief for the good professor?

STATE OF TRAINING IN TVET CENTERS IN KISUMU COUNTY

THE STATE OF MARKET CENTERS AND ESTABLISHMENT
OF THE KISUMU TRADE FUND

Those two Statements are dropped.

(Statements dropped)

Sen. Tabitha Keroche, having explained your absence to the satisfaction of the Chair, your statements are hereby reinstated. You may now proceed to read them.

STALLED PROJECTS AND ALLOCATION OF
DEVELOPMENT FUNDS IN NAKURU

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

Mr. Speaker, Sir, I rise pursuant---

(Sen. Cheruiyot) consulted loudly)

The Speaker (Hon. Kingi): Senate Majority Leader, I know you are doing a very good job, but please do not interrupt the flow of work in the Senate.

Proceed, Sen. Tabitha.

Sen. Tabitha Keroche: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Finance and Budget concerning stalled projects and the allocation of development funds in the 2023/2024 budget for Nakuru County.

In the statement, the committee should-

(1) Explain why the County Government of Nakuru allocated only 4 per cent for development in the Kshs18.79 billion budget allocation in disregard of the requirements of the Public Finance Management (PFM) Act that counties allocate a minimum of 30 per cent of their budget to development expenditure;

(2) State the reasons for the numerous stalled projects in Nakuru County, particularly those inherited from the previous county governments, including Mai Mahiu, Gilgil, Olenguruone Level 4 Hospital and the fish market in Naivasha Township and provide timelines for their completion.

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Thank you.

ALLEGED FINANCIAL IMPROPRIETY IN THE
COUNTY GOVERNMENT OF NAKURU

Mr. Speaker, Sir, this is my second statement. I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Finance and Budget regarding financial impropriety in the County Government of Nakuru, particularly in respect to the Financial Year 2022/2023.

In the statement, the committee should-

(1) State the circumstances leading to the misappropriation of Kshs1.5 billion by the County Government of Nakuru through double payment and irregular procurement in the Financial Year 2022/2023, which includes the payment of Kshs116 million to several law firms without the requisite documentations or evidence of provision of services.

(2) Explain why the County Government of Nakuru paid Kshs1.15 billion to staff not in the county payroll in the Financial Year 2022/2023.

(3) Explain why the County Government of Nakuru failed to effect the court decree of 2019 arising from Civil Case No. of 2016 resulting in the unnecessary and avoidable accumulation of Kshs38,011,890 million in interest charges as at 30th June 2023.

(4) Explain why the county government did not deposit revenue generated by health facilities in the county into the CRF in the said financial year as required by the law.

(5) Outline any measures put in place by the county government to seal all loopholes in the revenue collection system, which has facilitated the loss of public funds paid through dubious bank accounts and M-Pesa Pay Bill numbers.

The Speaker (Hon. Kingi): Sen. Lelegwe?

COMPULSORY ACQUISITION OF LAND
IN SAMBURU COUNTY

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources concerning the impending compulsory acquisition of part of the land under LR No. Samburu/East Waso/1, which is owned by the Losesia Community group ranch in Samburu County for use by the Ministry of Interior and National Administration as per the gazette notice by the National Land Commission (NLC) on 25th March 2024.

Mr. Speaker, Sir, the chairperson of the NLC has published a notice indicating the Ministry of Interior and National Administration's intent to acquire the aforementioned land. There appears to be no evidence that the Losesia Community was consulted or engaged in this process.

While Article 40(3) of the Constitution of Kenya allows for the acquisition of land by the State, it mandates that such acquisitions be conducted in the public interest.

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The acquisition of this Land by the Ministry of Interior and National Administration may not serve the public interest of the Samburu Community as the remaining land available to the community is scarce and vital for cultural practices and livestock rearing and or pastoralist lifestyle.

In the statement, the committee should-

(i) Provide a justification for the proposed acquisition considering that the Government is already currently leasing vast tracts of land from the group ranch for use by the National Intelligence Service (NIS), as well as over 80,000 acres for use by the Kenya Defence Forces (KDF), resulting to loss of livelihoods to the pastoral community.

(ii) State the criteria and guidelines used by the National Land Commission (NLC) in approving the request from the Ministry of Interior and National Administration for the acquisition of the land.

(iii) Investigate whether the proposed land for accusation was mapped out and valued by the NLC as required under Section 107(4)(a) of the Land Act.

(iv) Indicate whether public participation was carried out by the NLC or the Ministry of Interior and National Administration as envisioned by Articles 40(3) and 232(1)(d) of the Constitution to establish the needs of the Losesia Community vis-à-vis the need to develop security infrastructure and a training facility in Samburu County.

(v) Provide the criteria proposed to be used by the NLC in assessing the value of the community land for purposes of facilitating prompt payment of just compensation to the affected persons.

The Speaker (Hon. Kingi): Hon. Senators, I will rearrange the sequence of today's Order Paper. Instead of proceeding with Order No.7(b), we will go to Order No.8, and maybe thereafter, we will have restricted comments on the Statements that have been made before we allow the normal flow of today's Order Paper.

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

Clerk, just call the Orders that are due for Division.

BILL

Second Reading

THE TEA (AMENDMENT) BILL
(SENATE BILLS NO.1 OF 2023)

(Sen. Cheruiyot on 29.11.2023)

(Resumption of debate interrupted on 30.11.2023)

BILL

Second Reading

THE CONFLICT OF INTEREST BILL (NATIONAL
ASSEMBLY BILLS NO.12 OF 2023)

(Sen. Cheruiyot on 27.3.2024)

(Resumption of debate interrupted on 28.3.2024)

BILL

Second Reading

THE NATIONAL RATING BILL (NATIONAL
ASSEMBLY BILLS NO.55 OF 2022)

(Sen. Cheruiyot on 16.4.2024)

(Resumption of debate interrupted on 16.4.2024)

BILL

Second Reading

THE GAMBLING CONTROL BILL (NATIONAL
ASSEMBLY BILLS NO.70 OF 2023)

(Sen. Cheruiyot on 17.4.2024)

(Resumption of debate interrupted on 17.4.2024)

BILL

Second Reading

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILL NO.25 OF 2023)

(Sen. Cherarkey on 18.4.2024)

(Resumption of debate interrupted on 18.4.2024)

Serjeant-at-Arms, kindly, ring the Division Bell for a further five minutes.

(The Division Bell was rung)

Hon. Senators, take your seats so that we proceed with the business of the House. Serjeant-at-Arms, close the Door and draw the Bars.

(The Bars were drawn and the Doors closed)

Hon. Senators, as the doors are being closed kindly proceed to logout. Serjeant-at-Arms, go around and pick the cards that are still in the delegate units. Let me know when you are done.

Hon. Senators, I will proceed to put the question. First, I will allow the Clerk to call the order. We will save time. The Clerk will call the order, you will proceed to vote, results recorded, we vote for the next order, and I will rise to read out the results of all the divisions.

The Clerk, proceed to call the first order that is due for Division. We proceed with Order No. 8 which has been read.

*(Question, that the Tea (Amendment) Bill (Senate Bills No.1 of 2023)
be now read a Second Time, put and the Senate proceeded to
vote by County Delegations)*

Voting will be electronic.

(Technical hitch)

Clerk, halt voting and reboot the system.

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

Clerk, is the system ready? Hon. Senators, you may proceed to vote.

Hon. Senators, because of the failure of the system, we will resort to voting manually. This means we will be using the Roll Call. When you are called out, you proceed to vote for the five Bills at a go.

Clerk, proceed to call by way of Roll Call and voting shall be done manually.

Sen. (Dr.) Murango, where did you appear from? Just have your seat.

Can we have the tellers for Ayes and Noes? Clerk, let us proceed to save on time.

Hon. Senators, you are going to vote for the five Bills at once. I will, therefore, put the five Questions. I will proceed with Order No. 8.

BILLS

Second Reading

THE TEA (AMENDMENT) BILL
(SENATE BILLS NO.1 OF 2023)

(Division)

(Question put)

Second Reading

THE CONFLICT OF INTEREST BILL,
(NATIONAL ASSEMBLY BILLS NO.12 OF 2023)

(Division)

(Question put)

Second Reading

THE NATIONAL RATING BILL (NATIONAL
ASSEMBLY BILLS NO.55 OF 2022)

(Division)

(Question put)

Second Reading

THE GAMBLING CONTROL BILL (NATIONAL
ASSEMBLY BILLS NO.70 OF 2023)

(Division)

(Question put)

Second Reading

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILLS NO.25 OF 2023)

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(Division)

(Question put)

Hon. Senators, you may now proceed to vote by way of Roll Call.
Clerk, kindly proceed.

(Roll Call Voting in Progress)

Order, Hon. Senators.

(Sen. Betty Montet and Sen. (Dr.) Murango stood in their places)

Sen. Betty Montet and Sen. (Dr.) Murango, take your seats.
Hon. Senators, the results of the Division are now in and they are as follows-

DIVISION

ROLL CALL VOTING

*(Question, that the Tea (Amendment) Bill (Senate Bills No.1 of 2023)
be now read a Second Time, put and the Senate proceeded to
vote by County Delegations)*

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cheptumo, Baringo County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Joe Nyutu, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Tabitha Keroche, Nakuru County; Sen. Wamatinga, Nyeri County, and Sen. Wambua, Kitui County.

Teller of the Ayes: Sen. Ogola

NOES: Nil

Teller of the Noes: Sen. Miraj

The Speaker (Hon. Kingi): Hon. Senators, the results for this Division are as follows-

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AYES: 32
NOES: Nil
ABSENTIONS: Nil
The “Ayes” have it.

(Question carried by 32 votes to Nil)

*(The Bill was read a Second Time and Committed
to a Committee of the Whole tomorrow)*

DIVISION

ROLL CALL VOTING

*(Question, that the Conflict of Interest Bill, 2023 (National Assembly Bills No.12
of 2023), put and the Senate proceeded to vote by County Delegations)*

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cheptumo, Baringo County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Joe Nyutu, Murang’a County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Tabitha Keroche, Nakuru County; Sen. Wamatinga, Nyeri County, and Sen. Wambua, Kitui County.

Teller of the Ayes: Sen. Ogola

NOES: Nil

Teller of the Noes: Sen. Miraj

The Speaker (Hon. Kingi): Hon. Members, the results for this Division are as follows-

AYES: 32

NOES: Nil

ABSENTIONS: Nil

The “Ayes” have it.

(Question carried by 32 votes to Nil)

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*(The Bill was read a Second Time and Committed
to a Committee of the Whole tomorrow)*

DIVISION

ROLL CALL VOTING

*(Question, that the National Rating Bill (National Assembly Bills No.55 of 2022),
put and the Senate proceeded to vote by County Delegations)*

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cheptumo, Baringo County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Joe Nyutu, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Tabitha Keroche, Nakuru County; Sen. Wamatinga, Nyeri County, and Sen. Wambua, Kitui County.

Teller of the Ayes: Sen. Ogola

NOES: Nil

Teller of the Noes: Sen. Miraj

The Speaker (Hon. Kingi): Hon. Members, the results for this Division are as follows-

AYES: 32

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 32 votes to Nil)

*(The Bill was read a Second Time and Committed
to a Committee of the Whole tomorrow)*

DIVISION

ROLL CALL VOTING

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(Question, that the Gambling Control Bill (National Assembly Bills No.70 of 2023), put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cheptumo, Baringo County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Joe Nyutu, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Tabitha Keroche, Nakuru County; Sen. Wamatinga, Nyeri County, and Sen. Wambua, Kitui County.

Teller of the Ayes: Sen. Ogola

NOES: Nil

Teller of the Noes: Sen. Miraj

The Speaker (Hon. Kingi): Hon. Members, the results for this Division are as follows-

AYES: 32

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 32 votes to Nil)

(The Bill was read a Second Time and Committed to a Committee of the Whole tomorrow)

DIVISION

ROLL CALL VOTING

(Question, that the County Governments (Amendment) Bill (Senate Bills No.25 of 2023), put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cheptumo, Baringo County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa

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County; Sen. Joe Nyutu, Murang'a County; Sen. Kavindu Muthama, Machakos County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Kinyua, Laikipia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Methu, Nyandarua County; Sen. Mungatana, Tana River County; Sen. (Dr.) Murango, Kirinyaga County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. Ogola, Homa Bay County; Sen. Okiya Omtatah, Busia County; Sen. Olekina, Narok County; Sen. Osotsi, Vihiga County; Sen. Sifuna, Nairobi City County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Tabitha Keroche, Nakuru County; Sen. Wamatinga, Nyeri County, and Sen. Wambua, Kitui County.

Teller of the Ayes: Sen. Ogola

NOES: Nil

Teller of the Noes: Sen. Miraj

The Speaker (Hon. Kingi): Hon. Members, the results for this Division are as follows-

AYES: 32

NOES: Nil

ABSENTIONS: Nil

The "Ayes" have it.

(Question carried by 32 votes to Nil)

(The Bill was read a Second Time and Committed to a Committee of the Whole tomorrow)

The Speaker (Hon. Kingi): Hon. Senators, that brings us to the end of the Division on those five Bills. Serjeant-at-Arms, you may now proceed to open the door and withdraw the bar.

(The Bars were drawn and the Doors opened)

Hon. Senators, we will move to Statements pursuant to Standing Order No.56 (1) (b).

Proceed, Chairperson, Standing Committee on Land, Environment and Natural Resources.

QUESTIONS AND STATEMENTS

STATEMENTS

ACTIVITIES OF THE COMMITTEE ON LAND,
ENVIRONMENT AND NATURAL RESOURCES

Sen. Methu: Thank you very much, Mr. Speaker, Sir. I am being harassed by the Senate Majority Leader.

I rise pursuant to Standing Order No.56 (1) (b) of the Senate Standing Orders to make a Statement relating to the activities of the Standing Committee on Land, Environment and Natural Resources during the period between 1st January to 16th April, 2024.

The Senate Standing Committee on Land, Environment and Natural Resources is established under Standing Order No.228 (3) of the Senate Standing Orders and is mandated to consider all matters relating to lands and settlement, environment, forestry, wildlife, mining, water resource management and development.

During the period under review, the committee held a total of 15 sittings during which it considered four Bills, six Petitions, one Legislative Proposal and 12 Statements.

The Committee held meetings with the Ministry of Lands, Public Works, Housing and Urban Development on a Bill and further sought written responses on Petitions and Statements.

In addition, written responses were sought with some responses still pending from the following stakeholders-

- (a) The Ministry of Environment, Climate Change and Forestry.
- (b) The Ministry of Water, Sanitation and Irrigation.
- (c) The Ministry of Mining, Blue Economy and Maritime Affairs.
- (d) The Ministry of Tourism, Wildlife and Heritage.
- (e) The National Land Commission.

On legislative proposals, during the period under review, the committee considered the Environment Laws (Amendment) Bill, 2023, a legislative proposal sponsored by Sen. Abdul Haji, MP, and the committee communicated back to the Speaker its resolution on 12th March, 2024, pursuant to Standing Order No.130(3)(a).

Moving to Bills, the committee considered and tabled reports on the following two Bills-

(1) The Water (Amendment) Bill (National Assembly Bills No.33 of 2023). The committee held meetings with the Council of Governors (CoG), the National Treasury, the Kenya Association of Manufacturers (KAM), the Water Services and Sanitation Providers Association (WASPA), and Water Services Regulatory Board (WASREB), who comprised part of the targeted stakeholders to deliberate on the Bill. The committee thereafter tabled its report on 20th February, 2024.

(2) The Meteorology Bill (Senate Bills No.45 of 2023). The committee met the Ministry of Environment, Climate Change and Forestry, the Hydrological Society of

Kenya (HSK) and Google at its retreat held on 23rd February, 2024, and thereafter considered the submissions and tabled a report in the House on 19th March, 2024.

The committee is currently considering the following four Bills-

(1) The Real Estate Regulation Bill (Senate Bills No.35 of 2023). The committee has met the CoG, Ministry of Lands, Housing and Urban Development, the Institution of Surveyors Kenya (ISK), Estate Agents Registration Board (EARB), the Kenya Alliance of Resident Associations (KARA), and the Kenya Property Developers Association (KPDA) at a retreat held on 23rd February, 2024. The committee is considering the submissions and will submit a report on the Bill in due course before the next reporting period.

(2) The National Rating Bill (National Assembly Bills No.55 of 2022). The committee met the National Treasury and Economic Planning, the Ministry of Lands, Housing and Urban Development, the National Land Commission (NLC) and the CoG at its retreat held on 23rd February, 2024. The committee considered its draft report and is scheduled to adopt and will submit a report to the House on the Bill in due course.

(3) The Wildlife Conservation and Management (Amendment) Bill (Senate Bills No.46 of 2023). The Bill is sponsored by Sen. Mwaruma, MP was read a First Time on 14th February, 2024. The advertisement inviting submission of memoranda was done on 16th February, 2024. The committee is scheduled to meet the stakeholders as it continuously continues to receive written memoranda on the Bill.

(4) The Wildlife Conservation and Management (Amendment) Bill (Senate Bills No.49 of 2023). The Bill sponsored by Sen. Seki, MP, was read a First Time on 21st March, 2024. The advertisement inviting submission of memoranda was done on 25th March, 2024. The committee is scheduled to meet the stakeholders as it continuously continues to receive written memoranda on the Bill.

Moving to petitions, the committee has nine petitions committed to it that are pending and under consideration. The committee has since managed to consider four of the petitions during the reporting period, following the receipt of written submissions from the Ministry of Lands, Housing and Urban Development. The petitions are-

(a) A petition by Nyandarua IDPs on delayed compensation and occupation of parcels of land bought for their settlement between 2010 and 2013.

(b) A petition by Marungu Residents within Mchange Mwanda Ward, Taita Taveta County.

(c) A petition by the Cultural Environmental Care Society (CECARE Society) concerning the conversion of LR NO.209/2378/1 Pumwani Majengo, from public to private land.

(d) A petition by representatives of Mwabundusi Land Squatters in Bobaracho Ward in Kisii County.

Mr. Speaker, Sir, the committee endeavours to ensure completion of the remainder of petitions that are pending by the next reporting period as it pursues the responses from relevant Stakeholders.

Regarding Statements, cumulatively, the committee has received a total of 108 Statements, out of which 71 have been concluded and 37 are pending before the

committee. This translates to a completion rate of 66 per cent. The committee is yet to receive responses on some of the statements.

During the period under review, 13 statements were considered by the committee and dispatched to the relevant Senators and a detailed analysis is annexed herein. The Ministry of Lands, Public Works, Housing and Urban Development requested for additional time to provide a comprehensive response to the following statements that are also annexed herein.

Given the large number of Statements before the committee, a more comprehensive updated tracker is available providing a status of each of the Statements.

In conclusion, Mr. Speaker, Sir, I wish to thank your Office and that of the Clerk of the Senate for the continuous support accorded to the committee in undertaking its work. Lastly, I also wish to thank Members of the committee for their commitment, diligence and contributions during the committee activities.

I thank you.

The Speaker (Hon. Kingi): Next is the Chairperson of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration.

ACTIVITIES OF THE COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION

Sen. Chute: Mr. Speaker, Sir, I rise pursuant to Standing Order No.56(1)(b) to make a statement on the activities of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration for the period commencing January to March, 2024.

The Standing Committee on National Cohesion, Equal Opportunity and Regional Integration is established under Standing Order No.228(1) of the Senate Standing Orders and is mandated to consider all matters relating to pursuit of national and intercommunity cohesion, equalization of opportunities and improvement in the quality of life and status of all persons, regional integration, the East African Legislative Assembly (EALA) and the Pan-African Parliament (PAP).

During the reporting period, the committee carried out various activities pertaining to its mandate. As a snapshot, the committee transacted the following legislative business.

The committee processed eight Statements, which were sought from the committee. The committee considered and concluded three and is yet to conclude other five statements. These statements are pending before the committee upon appearance of the invited stakeholders. Annex 1 lists the status of each of the eight statements that were brought before the committee.

The committee visited Marsabit County on 23rd to 24th February, 2024. The primary focus was on advocating for peace, with the aim of fostering an atmosphere of peaceful coexistence among the communities. The committee noted that the fight between the Gabra and the Turkana was occasioned by limited resources. That is lack of water and pasture for their livestock.

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The committee successfully mediated a long-standing dispute between the warring communities, bringing harmony to their previously strained coexistence which had threatened further animosity between communities, led to displacement of people, loss of lives and property.

The committee is currently considering an inquiry into the demographic composition of employees of the State agencies in terms of gender, Persons with Disabilities (PWDs), age and ethnicity; the mechanisms put in place to ensure that PWDs, women, and minorities are adequately represented in the organisation; and any audits or assessments undertaken in the last three years to ascertain the level of inclusivity in the recruitment process.

The committee in pursuing of its mandate embarked on an inquiry to ascertain whether the state agencies and commissions have complied with the Constitution of Kenya, 2010, laying emphasis on Article 54 in their staff establishment and recruitments.

The Committee has, so far, held meetings with Teachers Service Commission (TSC), Kenya Revenue Authority (KRA), Kenya Ports Authority (KPA), Kenya Industrial Research and Development Institute, Export Processing Zones Authority, (EPZA), National Irrigation Board (NIB), Kenya Meat Commission (KMC), Kenya Seed Company (KSC), Kenya Maritime Authority (KMA), National Social Security Fund (NSSF), Kenya Leather Development Council (KLDC) and Kenya Dairy Board (KDB).

In the coming two months of April to May, the committee has planned meetings with The Tourism Fund, Youth Enterprise and Development Fund, Energy and Petroleum Regulatory Authority (EPRA), The Bomas, Geothermal Development Company, Kenya Forestry Research Institute (KEFRI), National Government Constituencies Development Fund (NG-CDF), Rural Electrification and Renewable Energy Cooperation, Kenya Roads Board (KRB), Kenya School of Government (KSG), Kenya Industrial Estate (KIE), Uwezo Fund, New Kenya Cooperative Creameries, Kenya Wildlife Service (KWS), National Land Commission (NLC), Kenya Electricity Generating Company and Sports, Arts and Social Development Fund

It is shocking to note that none of them have complied with Article 54 (2), which states that -

“The State shall ensure the progressive implementation of the principle that at least 5 per cent of the members of the public in elective and appointive bodies are persons with disabilities”.

Mr. Speaker, Sir, in future, the committee plans to:

(a) Retreat with the Public Service Commission (PSC) to consider responses on an inquiry the committee is undertaking on Kenya’s diversity in the staff composition in the Public Service.

(b) Have an inquiry into the state of access of the physical infrastructure of roads and buildings, including sidewalks, ramps, pathways, entrances, exits, elevators, parking spaces, and other relevant facilities by Persons with Disabilities (PWDs).

(c) Undertake county visit to Lamu County and other hotspot areas to supervise Government agencies on peace building initiatives and oversight county government on issues of inclusivity.

(d) Consider the proposed County Youth Bill.

Mr. Speaker, Sir, lastly, on behalf of my committee, I wish to appreciate the Office of the Speaker, the Senate Leadership and the Office of the Clerk of the Senate, for the steadfast support that they have accorded this committee.

Thank you.

The Speaker (Hon. Kingi): The Chairperson, Standing Committee on National Security, Defense and Foreign Relations, you may have the Floor.

ACTIVITIES OF THE COMMITTEE ON
NATIONAL SECURITY, DEFENCE
AND FOREIGN RELATIONS

Sen. Nyamu: Mr. Speaker, Sir, I rise on behalf of the Chairperson, pursuant to Standing Order No.56 (1) (b) to make a statement on the activities of the Standing Committee on National Security, Defence and Foreign Relations for the period commencing 1st January to 19th April, 2024.

Mr. Speaker Sir, during the period under review, the committee held a total of 10 sittings, considered one legislative proposal, two Bills, 13 Statements and four Petitions.

In respect to legislative proposals, the committee is currently considering the Protection of Critical Infrastructure Bill, 2024, sponsored by Sen. Allan Chesang, MP. The Bill seeks to establish a robust institutional mechanism for the identification, designation and securing of vital assets that are essential for the country's social and economic stability, national defence and public safety.

In respect to Bills, the committee is considering the following:

(a) The Fire and Rescue Professionals Bill, 2023, (Senate Bills No.55 of 2023) sponsored by Sen. Mohamed Sheikh Abass, MP; and,

(b) The Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill, 2024, (Senate Bills No.1 of 2024) sponsored by Sen. Kathuri Murungi, MGH, MP.

The Committee has received submissions from the public on the two Bills and is in the process of finalising the proposed amendments and its report on the Fire and Rescue Services Professionals Bill, 2023.

With regard to the Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill, 2024, the committee is scheduled to hold a stakeholders forum and county visits to receive further submissions including, expert opinions on the Bill.

Mr. Speaker, Sir, with respect to statements before the committee, a total of 13 statements were sought from the committee during the period under review, as annexed to this statement. Out of these, the committee has received a total of four responses to the statements sought, which were shared with the respective Senators and awaits responses to six statements from the relevant Ministries.

The committee is also following up on eight pending responses to statements sought during the Second Session.

With respect to Petitions, the committee is currently considering the following Petitions-

(a) Petition concerning the rampant theft of livestock in Kajiado East and Kajiado West Sub counties and Kajiado County at large.

(b) Petition on the state of insecurity in Turkana County.

(c) Petition concerning persistent insecurity, cattle rustling, loss of lives and property in Lorroki and Malaso Divisions of Samburu County.

(d) Petition by Isaiah Ochanda concerning the non-fulfilment of a court order and decree made against the Ministry of Defence and the Attorney General (AG) and the non-payment of disability pension.

Mr. Speaker, Sir, going forward, the committee intends to-

(a) Hold a Report Writing Retreat between the 25th and 29th April, 2024 to finalise on legislative business before it.

(b) Hold a stakeholder's forum and visit Meru, Kirinyaga and Embu Counties to receive further submissions on the Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill, 2024.

(C) Fast-track the consideration of legislative business pending before respective committees, particularly such business as may be subject to timelines provided under the Standing Orders or any other law.

Thank you.

The Speaker (Hon. Kingi): Sen. (Prof) Tom Ojienda, having explained yourself, you may now proceed to read your statements.

VOCATIONAL TRAINING CENTRES
IN KISUMU COUNTY

Sen. (Prof) Tom Odhiambo Ojienda, SC: Mr. Speaker, Sir, I rise pursuant to Standing Order No. 53(1) to seek a statement from the Standing Committee on Education regarding the state of VTCs in Kisumu county.

In the statement, the committee should-

(1) Indicate whether Kisumu County Government has in place policies on vocation training and development, and if so, state them.

(2) Provide a list of all VTCs in Kisumu County while reporting on their operational status and elaborate on the measures taken to enhance functioning of partially operational centres.

(3) Provide information concerning availability of financial aid and scholarships for students enrolled in VTCs stating their eligibility criteria.

(4) Present a breakdown of the revenue generated from VTCs in Kisumu County from the year 2017.

(5) Outline strategies employed by the County Government to enhance the quality of training and training programmes offered in the VTCs and elucidate on the initiatives aimed at interrogative programmes offered by the VTCs with local industries to ensure the relevance and employability of graduates from the institutions.

ESTABLISHMENT OF MARKET CENTRES AND
TRADE FUND IN KISUMU COUNTY

Mr. Speaker, Sir, my second statement is on the establishment of market centres and trade fund in Kisumu County.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Trade, Industrialisation and Tourism regarding the state of market centres and the purported establishment of Kisumu Trade Fund in Kisumu County.

In the statement, the committee should-

(1) Report on the state of markets in Kisumu County indicating the occupancy rate and the level of revenue generated by the operational markets.

(2) Provide details of all stalled market projects in the county while outlining the reasons for the stalling and also indicate a timeline for completion of the said projects.

(3) Elucidate on the legal framework for the establishment of the Kisumu Trade Fund and outline the process followed in selecting Kenya Commercial Bank (KCB) to oversee the administration of the fund.

(4) State the criteria used to allocate resources to the Fund, providing a list of traders who have benefited from the Trade Fund as well as the criteria used in the selection of beneficiaries.

I thank you, Mr. Speaker, Sir.

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

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

(Interruption of debate on Statements)

COMMUNICATION FROM THE CHAIR

VISITING PATHFINDERS DELEGATION FROM
SYOKIMAU EAST SDA CHURCH

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, there is a Communication from the Chair.

In the Public Gallery, we have 30 Pathfinders from the Seventh Day Adventist Church in Syokimau East, Machakos County, who are undertaking a one-day study tour in the Senate.

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

Senator for Makeni, welcome them.

Sen. Maanzo: Thank you, Mr. Temporary Speaker, Sir, let me take this opportunity as is the culture of the national Parliament, and also as a Seventh Day Adventist, to invite the Pathfinders.

Pathfinders are usually young children who are trained from an early age on virtues of life, skills on first aid, among other life skills. I welcome and ask them to learn and get to know because as school-going children and in the examinations of primary and secondary schools, there will be questions to do with Parliament. So, they should have an advantage when they go back to their schools and during their exams.

I wish them well.

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

Next Order.

Sen. Gloria, I do not have any information about comments. Approach the Chair.

(Sen. Orwoba consulted with the Chair and the Clerks-at-the-Table)

(Resumption of debate on Statements)

Very well Senators. We are going to take comments on the Statements. I will only allow two comments.

We will start with, Sen. Gloria.

Sen. Orwoba: Thank you, Mr. Temporary Speaker, Sir. I would like to comment on Sen. Onyonka's Statements. He had three statements that touched on the Kisii County and its operations.

In one of the statements, Sen. Onyonka highlighted issues on the Human Resource (HR) of Kisii County. In his statement, he gave a list of about 40 plus employees, most of them being chief officers from the previous governments that have been fired, resigned and others that have been transferred. I know it is our duty as Senators and as the "Upper" House to ensure that devolution is working.

Mr. Temporary Speaker, Sir, I would like to point out that the issue we have in Kisii County is not lack of leadership. We also do not understand how county governments were set to work. For instance, any new government that comes in at the county level is guided by the County Governments Act.

Sections 30, 31, 45 and 46 clearly stipulate that once a new county government comes into place, the governor has the power to get a team that can deliver to the people. Therefore, some of the questions that were in the first Statement highlighting or insinuating that we could be having a problem of people being fired illegally, are based on no specific facts that are there.

Mr. Temporary Speaker, Sir, I have confirmed that the 40 plus employees are chief officers from the previous county government. Some of them are people who served with the former governor, and I do not see a problem there.

The Temporary Speaker (Sen. Abdul Haji): One moment, Sen. Gloria.

What is your point of order, Mwinyihaji?

Sen. Faki: Mr. Temporary Speaker, Sir, I have risen to the comments from Sen. Orwoba. It is my humble opinion that those comments should be directed to the committee that will be dealing with this statement when the committee sits. This is because she is sort of contradicting the request from the statement sought by Sen. Onyonka.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Gloria, I hope you are guided.

Sen. Orwoba: Mr. Temporary Speaker, Sir, I am well guided. However, I am also guided by the same Standing Orders that we have on this Floor; that I can contribute and add my voice to a statement that has been read.

I come from Kisii County and I am sure that Sen. Faki does not come from Kisii County. As I comment and contribute, if Sen. Faki is in that committee, these are some of the things he should take to it to consider.

Mr. Temporary Speaker, Sir, I would like to highlight that Kisii County has had a history of ghost workers and this comes from the previous county government. It is an issue that has been highlighted in the Committee on Labour and Social Welfare and even in this House. Some of the questions that Sen. Onyonka has raised should be looked into.

As we are playing oversight and coming to highlight issues of counties because we are the ones who come from those counties and we know what happens there. We should also be able to guide the House within the legal framework because we are guided by the County Government Act.

There is an important issue which Sen. Onyonka highlighted, that Kisii County has had two financial year budgets and he claims they have been disqualified. It is true that the Controller of Budget (CoB) has raised certain issues in those budgets. However, in my opinion, Kisii County lacks capacity in their Ministry of Finance to draft budgets that are guided by our laws.

Sen. Onyonka talked about over Kshs200 million worth of transactions that have been voided by the IFMIS. When a transaction is voided by IFMIS, it is not a county government official who does that. We all know that sometimes when there are problems and if, for instance, there is an error, IFMIS and officers on the other side will be forced to void that transaction.

Mr. Temporary Speaker, Sir, we should be asking if we can be given the reasons for the voided transactions. One can have more than 1,000 voided transactions; not because they are doing any corrupt dealings, but they do not have the capacity to do the right thing. If we have accountants in the House, they will tell you that a small error can cause the CoB to disqualify a budget.

It is true that we have Kshs5.4 billion that is domiciled in the County Revenue Fund (CRF) account. This is because you cannot spend money against a budget that already has been disqualified by CoB, so to speak. It is an issue of the chicken or the egg. If you have fronted two budgets that have been approved by the county assembly, but they have been disqualified by CoB, you are usually given a reason.

Mr. Temporary Speaker, Sir, they may say that maybe you have exceeded the spending percentage of human resource. What I see happening in this issue of Kisii

County having money that it is unable to spend. Based on the facts that I am presenting, is that we lack capacity to do so. This is something I call upon the Governor to consider. If you have made one wrong decision on a budget, there is no way again you will repeat that wrong decision.

The CoB is highlighting all these things being done wrong. The Senate Committee on Finance and Budget and that of Devolution and Intergovernmental Relations, should probably carry out a capacity building to the team that is involved there. That is how we are supposed to assist to ensure that devolution is working. Otherwise, the Kshs5.4 billion is domiciled in the County Revenue Services (CRS) account. If you know how county assemblies work, that money is within the county assembly. As soon as we figure out the issue of the red flags that are being highlighted by the CoB, then we should be able to spend that.

Mr. Temporary Speaker, Sir, I conclude by saying that the issue of employees, both at the national and particularly at county level - we have governors who towards the end of their term, because they know they are leaving, turn employees into permanent and pensionable. This is an issue that is being discussed even now by our Cabinet Secretary for Public Service, Performance and Delivery Management. We have to understand that county governments are constituted every five years.

It is an executive entity that is influenced by politics, what we need to legislate and cure is to ensure that any person coming to work gets a contract of five years because the same County Government Act gives the governor the power to bring a new team. So, then what happens to the old team? Automatically, in order for us not to have a bloated wage bill, the old team has to either resign or be fired.

Mr. Temporary Speaker, Sir, in all fairness, Kisii County is trying very hard to work within the constraints of our legal framework on the county governments. I am happy that we are being told Kshs5.3 billion is still domiciled in the CRS account and has not been looted. Other county governments do not have money in their accounts, yet they have nothing to show of it.

If the budget has raised a lot of red flags, I would rather have the governor together with the county assembly taking their time to ensure that we are following the processes of procuring or whatever it is that we need to do to spend that money.

With these remarks, I do not know which committee these questions and statements will be directed to, but I urge them not to take anything on face value. It is not in good faith to bring a list of 40 people who you claim have been fired illegally, yet they are all Chief Executive Officers (CEOs) or staff members from the old regime.

I support that statement in the sense that Kisii County needs capacity building on the financial element, so that the CoB does not keep sending us back to go sit down and do the right thing.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Oburu Oginga of Siaya.

Sen. (Dr.) Oburu: Thank you, Mr. Temporary Speaker, Sir. I will comment briefly on the statement sought by the Senator for Machakos County, Madam Agnes

Kavindu. This is on the failure of the State universities to remit statutory deductions from their employees.

Mr. Temporary Speaker, Sir, this is a very serious problem and it is not only with the universities, but also many State corporations that they do not remit those deductions they make from their workers. This affects the workers not only at the time of their retirement, but even while still in employment.

If you take an example of the National Health Insurance Fund (NHIF), people are insured with their families and their monies are deducted every month from their salaries. However, when they go to dispensaries, health centers or hospitals to seek treatment, they are denied treatment because they are not up to date in their contributions.

This affects the livelihood and many people even die because you do not get treated. Sometimes, you do not have any other money to pay for the treatment and the only way is to go to heaven. There is also the other issue of people being detained in hospitals because of a lack of money to pay, yet money is being held by the employers. Counties do it. They always find that the easiest money to use are statutory deductions because they are deducted. There is nobody immediately demanding that they remit these monies to the institutions concerned.

Finally, if it is pensions, you might not be aware that your university has been deducting pensions from your salary every month, which you see glaringly. However, you might also not be aware that these same people are not remitting the same to the institutions where that money is supposed to go. Sometimes they take it with good intentions that they will refund it when their monies come because sometimes remittances from the Government delays, particularly for universities. However, money is sometimes sweet and the needs are very many.

When they eventually get their allocations from the Ministries, they find that they cannot remit it to those institutions because nobody has demanded from them. Therefore, they continue to spend these monies, which turn into what is called the pending bills. This thing called pending bills is a very big monster. It is something that has made businesses collapse, sent people bankrupt and made many people commit suicide because they do not have any other ways of paying their debts when they have contributed to the Government and continue with their normal businesses.

We must find a way of eliminating pending bills from the Government. There should be some measures of punishment for those organisations that deliberately dip their hands into statutory deductions that they have made from the workers. This is from the workers' sweat. These people have to sweat to earn, yet when deductions are being made, the organisations even use it sometimes on luxurious things. These people are completely unaware that these deductions are not being put to proper use where the monies are supposed to be put.

I stand to very strongly support the statement sought by Sen. Kavindu. I hope the committee to which it has been referred will do thorough investigations and report back their findings on these statutory deductions to this House.

Thank you.

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

Hon. Senators, for the convenience of the House, we will reorganise the Order Paper. We move to the Motion by Sen. Mwinyihaji, Order No.21.

Next Order.

HOJA

KUIDHINISHWA KWA RUZUKU YA MASHARTI KWA UJENZI WA UWANJA WA MANISPAA YA MOMBASA

Sen. Faki: Bw. Spika, asante kwa kunipa fursa hii. Kabla sijaendelea na Hoja hii, ningependa kuwaomba radhi baadhi ya Maseneta ambao walitarajia kwamba tutaizungumzia Hoja hii kwa lugha ya Kingereza.

Ijapokuwa awali nilileta Hoja kwa lugha ya Kiingereza, nimeona itakuwa bora tuizungumze kwa lugha ya Kiswahili ili watu wengi nchini waweze kufuata, hasa watu wa Kaunti ya Mombasa, waweze kuelewa yale tunayo zungumzia.

Hoja ni kuidhinishwa kwa ruzuku ya masharti kwa ujenzi wa uwanja wa Munispaa ya Mombasa.

KUFAHAMU KWAMBA sehemu ya pili ya Ratiba ya nne ya Katiba ya Kenya, inazipa serikali za kaunti jukumu la kuanzisha, kuendeleza, kusimamia, na kudumisha vifaa vya michezo na kitamaduni ambavyo ni pamoja na viwanja vya michezo, vituo vya utamaduni, na miundombinu mingine inayohusiana;

IKIKUMBUKWA kuwa ukanda mzima wa Pwani nchini hauna uwanja wa kisasa, uliojengwa kwa viwango vya kimataifa hivyo kuwanyima wananchi manufaa yanayotokana na viwanja na vifaa kama hivyo;

WASIWASI kwamba ujenzi wa uwanja wa michezo ya Manispaa ya Mombasa, umekumbwa na ucheleweshaji, na vikwazo tangu kuanzishwa kwa mradi huo mwaka wa 2019 kutokana na matatizo ya kifedha, ambayo yameathiri utekelezaji wa mradi huo, na kunyima jamii ya eneo hilo uwanja unaohitajika;

KWA HIVYO SASA, Bunge la Seneti, linaazimia kwamba Hazina ya Kitaifa na Wizara ya Maswala ya Vijana, Uchumi Ubinufu na Michezo, itengee Serikali ya Kaunti ya Mombasa, ruzuku ya masharti ya shilingi bilioni 1.7 kwa ajili ya kukamilisha ujenzi uwanja wa Manispaa wa Mombasa.

Bw. Spika wa Muda, nimesimama kwa masikitiko kwamba ukanda mzima wa Pwani kwa sasa hauna uwanja wa kimataifa ambao unaweza kuchezewa mchezo wa mpira wa kimataifa.

Uwanja ambao ulikuwa unatumika kwa muda mrefu ulikuwa ni uwanja wa Manispaa ya Mombasa ambao ulijengwa kwa ufadhili wa *Work for Aga Khan*, mnamo mwaka wa 1957. Uwanja huu, uliandaa mchezo wa kimataifa mwaka wa 1962 wakati mchezo wa kwanza wa Gossage, ulichezwa.

Gossage Cup ilikuwa inachezwa baina ya mataifa ya Kenya, Uganda na Tanzania. Baadaye iliitwa Confederation of East and Central African Federation (CECAFA).

Mnamo mwaka wa 1962, Mombasa ilikuwa na uwanja wenye kiwango cha kimataifa, kwa wakati ule ambapo iliweza kuandaa michuano ya kimataifa. Vile vile,

baada ya hapo, uwanja huu umeandaa michuano mingi ya kimataifa, hususan CECAFA ambapo timu za Kenya, Uganda, Tanzania, Malawi, Zambia, Zimbabwe, zimewahi kucheza katika uwanja ule

Na vile, mwaka wa 1996, uwanja huu uliandaa mechi ya kimataifa ya *youth*, ambao walikuwa washindi wa kwenda Olympic kati ya Kenya na Nigeria. Wachezaji wenye tajriba kubwa kama vile JJ Okocha na Nuan Kokanu waliweza kucheza katika uwanja ule. Ilizua hisia na uzalendo mkubwa kwa watu wa Kenya na watu wa Mombasa.

Vile vile, uwanja huu umewalea wachezaji wengi kutoka Pwani. Vile, wengine walihamia bara, kwa mfano, marehemu, Ali Kajo, Marehemu, Ahmed Breik, Mahmoud Abass, ambaye alikuwa ni Kenya One kwa muda mrefu, na mwisho alichezea timu ya AFC Leopard, ambayo juzi, ililambishwa lolo na Gor Mahia hapa katika mchuano wa 'Mashemeji Derby.'

Kwa hivyo, ni kiwanja kilicho na historia ya kusaidia pakubwa kuinua viwango vya mpira wa soka kabumbu katika eneo la Mombasa na Pwani kwa jumla.

Ilipofika wakati wa ugatuzi, uwanja huu ulikuwa unasimamiwa na Baraza la Munispaa ya Mombasa. Ugatuzi ulipoingia, ukachukuliwa na Kaunti ya Mombasa. Nia na madhumuni ya Kaunti ya Mombasa ilikuwa ni kujenga uwanja wa kimataifa ambao utasaidia kuinua talanta katika eneo lile na kuandaa michuano ya kimataifa, ili kuleta biashara na maendeleo katika eneo la Pwani.

Mnamo mwaka wa 2018, Kaunti ya Mombasa ilitoa mpango wa kuujenga upya uwanja ule na kutenga pesa za kutekeleza hilo. Mnamo mwaka wa 2017/2018, Kaunti ya Mombasa ilifanya vizuri sana katika ukusanyaji wa kodi Mjini Mombasa. Kwa lugha ya Kiingereza, inaitwa Source Revenue (OSR). Walifanya vyema mpaka Commission on Revenue Allocation (CRA) wakatoa ruzuku ya bilioni moja kama kiinua mgongo kwa Kaunti ya Mombasa kwa kukusanya pesa kupita matarajio yake.

Kwa hivyo, mipango ilikuwa imefanya uwanja ule ujengwe kwa njia ya kudhibiti bajeti na kwa muda unaofaa. Bahati mbaya ni kwamba Serikali Kuu ilipitsha amri mzigo mingi, ibebwe na Standard Gauge Railway (SGR). Kwa hivyo, biashara Mombasa ikaanguka na mapato ya Kaunti ya Mombasa pia yakaanguka.

Baadaye, kukaingia janga la Korona mwaka wa 2020 mpaka 2021. Athari za Korona zikaathiri pakubwa, mapato ya Kaunti ya Mombasa na ya Serikali. Hivyo basi, ikawa Serikali ya Kaunti ya Mombasa haikuweza kupata pesa hizo.

Hivi tunapo zungumza, imekuwa vigumu kwa Kaunti ya Mombasa kujenga uwanja huu kwa mkupuo mmoja. Zile pesa wanazoweka kwa bajeti yake, kwa mfano, bajeti ya mwaka jana, ilikuwa ni shilingi milioni themanini. Pesa hizi haziwezi kutosheleza ujenzi wa uwanja huu. Uwanja wenyewe umejengwa wa kisasa na utakuwa na uwanja wa mipira ya miguu, kidimbwi cha kuogelea cha hadhi ya Olympic, jumba la sanaa, ama *auditorium* ambalo litasaidia pakubwa kuinua sanaa, na pia jumba la mikutano.,

Uwanja huu utakuwa na uwezo wa kubeba, mashabiki, 18,000-20,000. Kwa hivyo, uwanja huu utakuwa wakimataifa. Kaunti ya Mombasa, ina hoteli na sehemu za kupumzika zenye viwango vya kimataifa. Kwa mfano, hoteli ya Serena, Whitesands,

Neptune na nyingine nyingi ambazo zina uwezo wa kubeba wageni wote watakaokuja kwa Kaunti ya Mombasa na kuhakikisha wamehudumiwa.

Mwaka huu, Kenya itakuwa mwenyeji wa mashindano ya mabunge ya East Africa. Mashindano haya yamepangwa kufanywa katika Kaunti ya Mombasa. Kwa hivyo, kiwanja hiki kitakuwa na umuhimu zaidi kikikamilishwa ili kitumike wakati wa mchezo hii ya Bunge za East Africa.

Uwanja tayari umetengenezwa. Iliyobakia sasa ni kuleta vifaa uwajani. Kinachoweza kuchelewesha labda ni kutengeneza ule uwanja wenyewe utakaotumika kucheza kandanda. Kwa ujenzi wa mambo mengine, ni vitu vichache vya kuwekwa kwa pamoja. Ninamsihi *contractor* amalize uwanja huo ili uwekwe tayari kwa matumizi.

Sehemu yote ya Pwani kama nilivyotangulia kusema, hatuna uwanja kama huu. Hivyo basi, uwanja huu hautasaidia Mombasa peke yake, lakini utasaidia Pwani nzima kwa jumla. Tumeona kwamba talanta zipo katika eneo la Pwani. Lakini, haziwezi kukua kwa sababu hatuna nafasi ya kuleta timu za kimataifa kuja pale kucheza. Hatuna nafasi ya kuwaalika wakufunzi na timu zingine kwa sababu hatuna viwanja vya kisawasawa ambavyo wakufunzi wale watasaidiana kuinua talanta katika maeneo yetu.

Kutokana na ukosefu wa uwanja ule, hali ya kandanda imeshuka katika eneo la Pwani. Tumeona vijana wengi wameingilia mihadarati na itikadi kali.

Mwaka jana, Kamati ya Seneti ya Uhasibu ilienda kutathmini. Ilizuru uwanja ule na kuona kwamba unahitaji kukamilishwa. Juzi Serikali Kuu ilimtuma Waziri wa Michezo, Sanaa na Masuala ya Vijana. Alipozuru uwanja huo, aliahidi kwamba atasaidia kuujenga.

Kuna Hazina ya Michezo, yaani *Sports Fund*, ambayo inatumika hususan kusaidia kujenga miundombinu na kununua vifaa vya michezo katika nchi yetu. Tunaomba pesa kwa sababu tunajua kuwa Serikali ni jungu kuu na ina fedha ambazo inaweza kutusaidia kumaliza ujenzi wa uwanja huo kwa haraka ili uweze kutumika na wananchi waweze kufurahia.

Kenya imepata fursa ya kuandaa michuano ya kombe la mabingwa barani Afrika mwaka 2027. Mombasa na sehemu zingine za Pwani ziliteuliwa kuandaa michuano hiyo muhimu.

Mwaka 2004, tulikuwa mbele katika ujenzi wa viwanja za michuano hiyo. Ni makosa kunyimwa fursa kama hii kwa sababu hatuna uwanja wa kimataifa ambao unaweza kutumika. Suala la viwanja sio tu la watu wa Pwani pekee, bali ni suala la kitaifa kwa sababu Mombasa ni sehemu ya Jamhuri ya Kenya. Kwa hivyo, hatufai kuachwa nyuma.

Serikali ya Jubilee iliyoondoka mamlakani ilikuwa imeahidi kujenga *stadia* nane; moja katika kila mkoa. Hakuna hata moja iliyokamilika. Wakati huo, Mhe. Rais wa sasa, alikuwa Naibu wa Raisi.

Alizungumza hadharani kwamba watajenga *stadium* moja kubwa katika kila mkoa. Hilo halikufanyika. Sisi watu wa Mombasa tunaomba atupe ruzuku ya masharti ya bilioni moja nukta saba ili tuweze kukamilisha mradi huo muhimu ambao utasaidia pakubwa nchi ya Kenya.

Timu za kimataifa ambazo wakati mwingine zinakwenda Afrika Kusini zitapata fursa ya kufanya maandalizi yao katika eneo la Mombasa ili kuona kwamba kuna biashara na michezo ya kimataifa ili tuweze kusonga mbele.

Bw. Spika wa Muda, naomba kukomea hapo na kumwalika Seneta wa Kilifi, Sen. Madzayo, kuunga mkono Hoja hii.

The Temporary Chairperson (Sen. Abdul Haji): Sen. Madzayo, you may proceed.

The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Spika wa Muda, kwa kunipa fursa hii kuchangia.

Ninaunga mkono alivyosema ndungu yangu, Sen. Faki. Ni kweli kwamba michezo ina faida yake. Michezo inawezakufanyika iwapo kuna uwanja mkubwa ama uwanja wa kimataifa.

Kaunti kama Nandi anakotoka Sen. Cherarkey kuna wakimbiaji na wachezaji wa mpira. Hawachezi mpira sana kwa sababu kazi yao ni kukimbia. Kukimbia kwao kunaleta sifa katika nchi yetu ya Kenya. Hiyo inachangiwa na kuwepo kwa miundomsingi ama viwanja vya kukimbilia ni jambo la muhimu sana.

The Temporary Speaker (Sen. Abdul Haji): Just a moment, Sen. Madzayo.

Sen. Crystal Asige, do you have a point of order or an intervention?

Sen. Crystal Asige: No, Mr. Temporary Speaker, Sir. I just came and logged in.

The Temporary Speaker (Sen. Abdul Haji): I thought you wanted to say something.

Continue, Sen. Madzayo.

The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Spika wa Muda.

Katika maeneo ya *former Western Province* kama vile Kakamega, viwanja vya mpira ni vingi kule. Hiyo ndio sababu vijana wengi kutoka *Western Province* ni wachezaji wa Harambee Stars.

Jambo la kusikitisha ni kwamba kwa miaka mingi, timu za Kenya zimekuwa zikipata wachezaji na wakiambiaji wengi kutoka Pwani. Hata hivyo, tangu utawala wa Rais hayati Moi, sehemu hiyo haijakuwa ikizingatiwa. Kwa sababu hiyo, ukiangalia timu ya Harambee Stars, hakuna hata mtu mmoja kutoka upande ule.

Ni jambo la kusikitisha kwamba sehemu iliyokuwa ikisifika sana zamani kwa kutoa wachezaji maarufu kama Ali Kajo, Sungura, Kadir Fara miongoni mwa wengine, imesahaulika. Walikuwa wachezaji katika timu ya Kenya. Kadir Farah alikuwa kiungo wa kati mzuri sana. Mwingine alikuwa Mahmoud Abbas. Ni jambo la kusikitisha kuona kuwa sehemu hiyo imewachwa nyuma kimaendeleo.

Namshukuru Sen. Faki kwa kuleta Hoja hii kwa sababu ameona kwamba hakuna nafasi ya kuweka ndugu zetu katika timu ya Harambee Stars. Ingekuwa vyema Wizara ya Michezo, Sanaa na Masuala ya Vijana inayoshughulika na mambo ya michezo, hususan kandanda, kutanabahi kuwa uwanja ukijengwa, kutakuwa na watu wanaokimia, wale wa high jump na michezo mingine mingi inayofanyika ndani ya *stadium*.

Mtu akiwa na talanta yoyote, anaweza kutumia nafasi hiyo kuendeleza talanta anayotaka. Natumai kutakuwa na wakati kama huo ambapo vijana watajihusisha na talanta kama ilivyokuwa zamani.

Bw. Spika wa Muda, naunga mkono Hoja hii. Pesa inafaa kutengwa na Wizara ya Michezo, Sanaa na Masuala ya Vijana ili viwanja vitengenezwe. Uwanja wa Michezo wa Mombasa hujatengenezwa. Ni vyema shilingi bilioni moja nukta saba itengwe ili watu wa Pwani wafaidike pia.

Naunga mkono Hoja hii.

(Question proposed)

The Temporary Speaker (Sen. Abdul Haji): Nitapatia nafasi Maseneta waweze kutupa mawazo yao kuhusu Hoja hii.

Sen. Maanzo, fursa ni yako.

Sen. Maanzo: Asante, Bw. Spika wa Muda. Ninaomba kuchangia Hoja hii muhimu. Mwaka wa 2008 hadi 2010 nilikuwa nimesimamia michezo hapa nchini. Kuna umuhimu kuwa na uwanja wa kimataifa kule Mombasa ambapo michezo inaweza kufanyika.

Tulikuwa Rwanda kwenye michezo ya Bunge za Afrika Mashariki mwaka uliopita. Michezo hii ilipokuwa hapa nchini, ilichezwa Kaunti ya Mombasa na hakukuwa na viwanja vya kutosha kwa wachezaji wote. Mwaka huu Kenya itakuwa wenyeji wa michezo hii. Nahofia kuwa tutarudi Mombasa na hatuna viwanja. Ni muhimu kuwa na uwanja wa kimataifa mjini Mombasa.

Hoja hii pia imeguzia swala la ruzuku ya masharti. Hizi ni fedha ambazo hupeanwa duniani ili kujenga viwanja vya kuchezea. Kuna aina nyingi ya michezo kama vile kandanda, netiboli na riadha.

Ni muhimu sana kabla tupate wageni wa *East Africa Community (EAC) Inter-parliamentary games* tuwe na uwanja wetu kwani sisi sote tutaelekea Mombasa. Tutaenda Kaunti ya Mombasa ijapokuwa hakuna uwanja wa kimataifa, wala viwanja vya kutosha. Michezo kadhaa itachezwa kwa mashule. Jambo hili linafaa kuzingatiwa ili viwanja vilivyo kule Mombasa vipate wafadhili ili waweze kusaidia, tuwe na viwango vizuri vya viwanja. Kaunti za Mombasa, Kilifi na Kwale zinafaa zitenge fedha kwenye bajeti zao za kutengeneza viwanja vya kuchezea.

Kuna talanta kubwa sana, hasa ya kandanda kule Mombasa. Nilipokuwa shule ya Upili ya Starehe, wachezaji bora zaidi wa mpira wa kandanda walitoka upande wa Pwani. Kulikuwa na mmoja aliyekuwa anaitwa Mohamed aliyekuwa mashuhuri sana kwa kandanda. Pwani, kuna talanta na inafaa zizingatiwe.

Isikuwe tu wakati tunaomba kura; wakati wa siasa ndio tunaenda Pwani, Lakini wakati wa kugawa raslimali ya Kenya wakaaji wa Pwani wanakosa vitu muhimu kama uwanja wa mchezo. Inafaa tuwe na uwanja huu ili michezo mikubwa kama ambayo inatarajiwa ya kandanda 2027 mchuano mmoja ufanyike Mombasa.

Wakenya wamezoea hali ya anga ya Mombasa ila wachezaji wageni wangepata ile joto wakicheza, kwani siyo nchi nyingi zina joto kama Mombasa. Pwani kuna bahari ambapo wageni wengi huzuru. Ili utalii uimarike nchini, ingekuwa vyema kwa watalii ambao wanapenda michezo wakizuru Pwani wanafanya mazoezi ya kukimbia, kandanda na mazoezi mengine kwenye uwanja huu.

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Naunga Hoja hii muhimu mkono. Ningeomba Serikali izingatie masuala ya Pwani. Siyo tu wakati wa kuomba kura pekee, ambapo wapwani wanawapa kura zao na wakati wa maendeleo wanaachwa nyuma.

Mwenye Hoja hii, Seneta wa Mombasa, amesema kuwa wakati *Standard Gauge Railway (SGR)* ilitengenezwa, biashara nyingi zilianguka. Hii ni njia moja ya kurudisha biashara na wageni Mombasa na kuhakikisha ya kwamba uchumi wa Mombasa unaimarika. Pia talanta zilizo Pwani zimenaswa na Wakenya wengi wamejitokeza kushiriki kwenye Olimpiki na michezo ya kandanda ya kimataifa.

Asante, Bw. Spika wa Muda. Ninaunga mkono.

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

Sen. Cherarkey: Thank you, Mr. Speaker, Sir. I support this Motion.

Hon. Senators: Kiswahili! Kiswahili!

The Temporary Speaker (Sen. Abdul Haji): Order, Senators! He has the right to respond in either Kiswahili or English, whichever language he chooses is in order.

Sen. Cherarkey, proceed.

Sen. Cherarkey: Bw. Spika wa Muda, sina uzoefu wa lugha ya Kiswahili lakini ninaunga mkono Hoja iliyoletwa na Seneta wa Mombasa, Sen. Faki.

Viwanja vya michezo hapa nchini vipewe kipau mbele kwa ajili ya vijana. Ninaunga mkono sehemu moja ya Hoja alivyosema kuwa viwanja vitakavyotengenezwa katika sehemu mbalimbali za kaunti zetu zitasaidia vijana wapate mahali pa kufanya mazoezi ili wasitumie mihadarati na kufanya mambo ambayo siyo ya kistaarabu nchini.

Kiongozi wa Walio Wachache katika Seneti ambaye ni hakim mstaafu amesema kuwa Kaunti ya Nandi inajivunia kwa sababu ya kuwa na wanariadha walioboea. Mwanariadha kama Kipchoge Keino na wale wengine wametoka Kaunti ya Nandi lakini hatuna viwanja vya michezo vya mazoezi. Ukiamka macheo utapata vijana wengine barabarani kule mashinani wakifanya mazoezi ya riadha. Jioni saa kumi na moja, ukiendesha gari ama kutembea kule mashambani utapata vijana wengine wanacheza voliboli. Hawana sehemu ama viwanja maalum ambavyo vimetengwa.

Nashukuru Mhe. Rais William Ruto na Serikali yake kwa sababu mwaka jana, baada ya kuona kudhoofika na kuumia kwetu alitoa agizo kwa Wizara ya Masuala ya Vijana, Uchumi bunifu na Michezo wajenge uwanja mpya mjini Kapsabet. Uwanja unaojengwa na serikali ya kaunti umejengwa zaidi ya miaka 14 kama vile jengo jipya la Bunge. Bajeti ya uwanja ule inaendelea kuongezeka.

Ni aibu sana kuwa uwanja kwenye mji wa Kapsabet haujakamilika baada ya kutumia mabilioni ya pesa. Kwenye mji wa Nandi Hills, hakuna uwanja. Kukinyesha tu uwanja ulioko unaloo maji, vijana wanakosa nafasi ya kucheza. Uwanja huu unapaswa kujengwa na Serikali ya Kaunti ya Nandi lakini wamezembea.

Kaunti ya Nandi imebarikiwa. Usiutazame mwili wangu huu, kwani nilikuwa mwanariadha shupavu. Karibu nishinde medali kwenye enzi zile zangu. Kaunti ya Nandi imebarikiwa na wanamichezo na wanariadha lakini hatuna uwanja uliotayari ili kuwapatia wanariadha na wanamichezo nafasi ya kufanya mazoezi.

Gavana wa Kaunti ya Nandi alikuwa kwenye Kamati ya Seneti ya Uhasibu wa Fedha za Umma katika Kaunti.

Bw. Spika wa Muda, ni aibu sana kwa sababu kama Kaunti ya Nandi, tunajivunia kuwa na wanariadha na hatuna uwanja wa kimataifa. Kama ujuavyo, wanariadha walioboea, Bw. Eliud Kipchoge na Bw. Kipchoge Keino wanatoka katika Kaunti ya Nandi. Bw. Henry Rono ambaye tulimuzika majuzi na tunaendelea kuiombea familia, pia anatoka katika Kaunti ya Nandi. Pamela Jelimo na Janet Jepkosgei ambaye watu wengi wamempa jina la utani, Eldoret Express, pia wanatoka katika Kaunti ya Nandi.

Hata hivyo, ni aibu kwa Kaunti ya Nandi na serikali za ugatuzi kwa sababu zimezembea. Wameshindwa hata kujenga kiwanja cha mbuzi ambako wanaweza fanya mazoezi. Mimi kama Seneta wa Kaunti ya Nandi naona aibu kwamba tunaipigania hapa. Nimekumbushwa kwamba kamati yetu ya masuala ya fedha inaangalia bajeti na tunaendelea kupigania pesa.

Bw. Spika wa Muda, niko na sheria ambayo najaribu kuongeza asilimia ambayo inaenda katika kaunti, kutoka asilimia 15 mpaka 40. Ni aibu sana kuwa bilioni za pesa zimeenda katika Kaunti ya Nandi.

Hata hivyo, Gavana wangu alipata muhula wa pili. Akiwa kule mashinani, alisema kwamba yeye hakushinda lakini alitumia mpira wa mkono ili apate muhula wa pili. Hiyo ndiyo sababu hatujaweza kuona maendeleo yeyote, hasa katika Kaunti ya Nandi.

Nimeona Maseneta kama vile Sen. Abass na viongozi wa Walio Wengi na Walio Wachache Bungeni wakitaja Nandi. Kiongozi wa Walio Wachache amesema Nandi imejaa wanariadha. Lakini, hatuna viwanja vya michezo ambazo zinaweza tumika kuhakisha wanariadha wanafanya mazoezi ya kutosha.

Ukienda katika Kaunti ya Uasin Gishu, utaona kiwanja cha 64 ambacho hakijakamilika. Ukienda katika Kaunti ya Elgeyo Markwet kuna uwanja wa mchezo unaoitwa Kamariny na kule Bomet kuna Bomet Green Stadium.

Ninataka kumshukuru Mhe. Rais William Ruto na Serikali yake kwa sababu wakati tulisema Kericho Green Stadium ibadilishwe, imebadilishwa na kupewa jina la Kiburuku Chuma Wilson, ambaye alikuwa mwanariadha aliyeboea katika enzi zake.

Ukienda katika Kaunti jirani ya Vihiga, Kisumu na sehemu za magharibi, tuko na wanariadha na wachezaji wa kandanda wengi walioheshimika. Kwa mfano, mchezaji maarufu Kadenge.

Ndugu yangu Sen. (Dr.) Khalwale anatoka katika eneo la magharibu. Ni afadhali Kakamega wako na uwanja ambao wanaweza kutumia kufanya mazoezi. Hata hivyo, ulitengenezwa na Gavana aliyetoka.

Kama Bunge la Seneti ni lazima tuchukuwe msimamo kidete na kuhakikisha kaunti zetu zimeweze kujua kwamba masuala ya michezo yamegatuliwa. Wachukuwe hatua kabambe na wahakikishe kwamba zile pesa ambazo wanaweka zinatumika kukuza talanta pale mashinani.

Talanta Hela ilikuja na tunataka tujue inatumika vipi ili kuhakikisha vile viwanja ambavyo vinatakikana kujengwa katika taifa letu la Kenya vimejengwa.

Tunapojitayarisha kwa dimba linalo kuja, najua Kaunti ya Mombasa, kaunti za kule magharibi kama vile Kakamega, Eldoret na nchi ya Uganda na Tanzania wanaweza

kupewa nafasi ya kushiriki katika hilo dimba la mpira ambalo. Ni lazima tuwe tayari ikiwa dimba hilo litafulu.

Bw. Spika wa Muda, mara nyingi Naibu wa Rais, Mhe. Rigathi Gachagua anapambana na mambo ya madawa ya kulevya na miharadati katika taifa letu la Kenya. Tukitaka kuangamiza janga hilo ni lazima tihakikishe viwanja na kumbi za michezo zimetengenezwa ili vijana wapate mahali pakupata uraibu wa michezo mbalimbali katika taifa letu la Kenya.

Nilikuwa na hoja tatu. Tunapoeleka katika michezo ya Olimpiki mwaka huu kule Paris, Ufaransa, nataka kuwaomba Wakenya tupeane ufadhili ambao tukonao ili kuhakikisha wanariadha ambao wanaelekea huko wamepata ufadhili wa kutosha ndio waweze kutuletea medali.

Wakati wa wikendi, mwana riadha aliyebobea, Peris Chepchirchir, aliweza kuvunja rekodi mpya kule London. Hii ndio maana ninataka tuwape changamoto kwa kuwapa viwanja nafasi ya kutosha kufanya mazozzi katika viwanja vyetu.

Wakati tunaelekea muda wa michezo wa mwaka huu, wanariadha hawastahili kuwa na shida zozote. Tuliona yule murusha mkuki, Bw. Yego, alikuwa ameanza kuombaomba katika mitandao ya kijamii. Hiyo ni aibu sana ikizingatiwa tuko na kikapu maalumu ya mambo ya michezo katika taifa letu la Kenya. Nataka kumwambia Waziri wa Michezo kuwa tunamtegemea kuhakikisha zile pesa za kusaidia hawa wanamichezo zinatumika vilivyo.

Jambo lingine ni kuhakikisha tumefanya uchaguzi ya wale wanaosimamia riadha, voliboli na michezo mingine. Nimefurahi kuwa wakati kuliwa na mchezo wa 'mashemeji', ndugu yetu kinara wa Azimio alienda kuangalia mchezo huo ingawa hakuenda mazishini.

Hata hivyo, tulikuwa tumeambiwa na ndugu yake kuwa alikuwa hajisikii vizuri. Nimefurahi kwa sababu walikusanya zaidi ya shilingi milioni nne nukta tano. Ikiwa tunataka tuweke viwanja vya mchezo, pesa zinazochukuliwa zinaweza kutosha.

Bw. Spika wa Muda, naunga mkiondo Hoja hii. Ninataka niwahakikishie wananchi wa Kenya na wanariadha kwa jumla, kuwa kama Bunge la Seneti tutafanya kazi pamoja.

Nikimalizia kwa zile dakika chache ambazo zimebaki, nimemuona Seneta wa Narok. Jana nimeona katika mitandao kwamba kuna wale waakilishi wadi ambao wanapigwa katika mahafu pale mashinani wakati wanajaribu kuuliza maswali.

Niliona mwakilishi wadi wa Mara ambaye anaitwa Kipng'eno Simba, akizabwa makofi. Hii si mara ya kwanza. Nilikuwa ninaona Gavana Tunai aliyetoka alikuwa na heshima kwa maswali. Gavana ole Ntutu ameanza kuwa mtukutu na hauwezi kumuuliza swali.

Kwani Kaunti ya Narok iko Kenya ama inaendeshwa na wabeberu au wafedhuli? Lazima nimuulize Seneta wa Kaunti ya Narok alete Hoja hapa Seneti, kwa sababu hiyo ndiyo inaweza kuwa njia moja ya mtu kubanduliwa ofisini.

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, nataka nikupe onyo kwamba umetoka nje ya mada ambayo tunaongelelea hapa. Ningependa ubaki katika Hoja ile tunaongelelea. Wacha kutoka nje ya Hoja.

Sen. Cherarkey: Ninakupata, Bw. Spika wa Muda. Hata hivyo, ukiangalia katika sehemu ya Katiba 96, Bunge la Seneti liko na jukumu la kuchunga na kulinda mambo ya ugatuzi.

Bw. Spika wa Muda, ingawa na zingatia onyo lako, tukiona ugatuzi unaangamizwa katika kaunti yoyote, kama Bunge ni vyema kuitaja ndio kupitia ofisi yako na ya Seneta wa Kaunti ya Narok afuatilie. Hii ni kwa sababu tumepigania haki ya demokrasia katika ----

The Temporary Speaker (Sen. Abdul Haji): Seneta ninachosema ni kwamba umetoka nje ya mada ya Hoja hii. Ungemaliza kwa sababu ulikuwa umeanza vizuri. Malizia na ubaki kwa Hoja ambayo tunajadili.

Sen. Cherarkey: Bw. Spika wa Muda, ninakubaliana na wewe. Lakini kupitia ofisi yako na kiti chako, kwa heshima kubwa, ni muhimu Seneta wa Narok na Bunge hili walivalie njuga suala hilo, hasa Kamati ya masuala ya Ugatuzi ndio tuweze kujua kinacho endelea kule katika Kaunti ya Narok.

Kwa heshima, naunga mkono Hoja hii. Tuko na jukumu kama taifa. Kenya inajulikana sana kwa kuboea kwa wanamchezo na wanariadha ambao wametajika. Nataka kumuunga mkono Seneta wa Mombasa kwa hii Hoja.

Asante, Bw. Spika wa Muda.

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

Proceed, Sen. Crystal Asige.

Sen. Crystal Asige: Mr. Temporary Speaker, Sir, you are calling me, but I have not pressed.

The Temporary Speaker (Sen. Abdul Haji): You have queued.

Sen. Crystal Asige: Something is wrong with the system. I am Sorry.

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

(Loud consultations)

Sen. Olekina: Bw. Spika wa Muda, nakushukuru kwa kunipa nafasi hii ili nichangie Hoja hii itakayotuwezesha kuzingatia umuhimu wa talanta ya vijana wetu, ambao wengi wao katika Kaunti ya Mombasa, hujipata wameenda baharini. Kama kungekuwa na *Stadium* ambayo wangeenda kukimbia, pengine tungepata wakimbijaji wengine kutoka Mombasa.

Wakati Mhe. Faki aliponiuliza nichangie Hoja hii, kuna jambo fulani nililolifikiria. Ni kweli kabisa kwamba tuna kaunti 47 na tuko na talanta nyingi katika Kenya hii. Je, wakati mwengine inatubidi tuangalie kaunti zote za Kenya tuone ni gani haina hivi viwanja vya michezo?

Bw, Spika wa Muda, utaniwia radhi kwa sababu Kiswahili ni lugha geni kwangu, lakini nitajaribu tu.

Hon. Senators: Uko sawa.

Sen. Olekina: Niko sawa. Nashukuru sana.

Bw. Spika wa Muda, tunajua ya kwamba, mara kwa mara, Kenya huwa inaenda kutafuta nafasi ya kucheza michezo ya kiafrika. Watu husema viwanja tulivyo navyo

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Kenya hii ni vichache. Wengi husema viwanja vyote viko Nairobi na wengine husema pengine kuna kimoja Eldoret na Kisumu.

Hoja iliyoletwa na mwenzetu, inatakiwa sote tuiingalie kwa manufaa ya biashara, “*economic impact*”, kama vile wazungu wanavyosema. Tukiwa na kiwanja kikubwa, ambacho michezo ile ya kimataifa inaweza kufanyika---

(*Sen. Madzayo stood up in his place*)

Bw. Spika wa Muda, tulikubaliana na Kiongozi wa Walio Wachache kwamba, nikiwa nazungumza hapa ananisikiliza ili nikipotea ananisaidia. Lakini sasa ameanza kuzungumza na Sen. Wambua. Hii ni shida kubwa sana.

Naunga mkono Hoja hii ya kuweka fedha za kujenga *stadia*. Lakini jambo ambalo lazima tulitilie maanani ni, je, wakati tumetenga fedha kadhaa, jukumu la kaunti litakuwa lipi, ili kuhakikisha hizi *stadia* hazitakuwa zile watu wanasema, “*white elephant project?*”. Ni lazima tutenga fedha za kujenga kiwanja, isikuwe “ndovu mweupe” ama ile nyumba kubwa ambayo imejengwa tu.

Naunga mkono tutafute pesa za kujenga *stadia*, lakini tukiweka hizo pesa, ni lazima kila mwaka tuchangie pesa zingine za kuhifadhi zile *stadia*. Hii ni kwa sababu tunaweza kufurahi na kuchanga pesa na tuweke hata bilioni mbili. Lakini, tukishafanya hivyo, sisi kama Wakenya tunajua ile shida hutokea. Mara *contractor* hajamaliza hiyo *project*. Mradi ambao ni wa bilioni mbili, unaishia kuhitaji bilioni sita.

Hoja hii iliyoletwa na Sen. Faki inafaa kuhakikisha kwamba hakuna uufisadi. Seneti ikishapitisha zile pesa ambazo zitatengwa kujengea ile *stadium* katika Kaunti ya Mombasa, ule mda uliodhamiriwa kuhakikisha ya kwamba *project* hiyo imemalizika, umetiliwa maanani.

(*Loud consultations*)

Bw, Spika wa Muda, tafadhali---

The Temporary Speaker (Sen. Abdul Haji): Maseneta, tafadhali tumsikilize. Tuwe kimya tafadhali.

Endelea Seneta.

Sen. Olekina: Bw. Spika wa Muda, nilikuwa nimeandika taarifa ndogo iweze kunisaidia kuchangia kwa Hoja hii, lakini kuna mambo utaniruhusu kuongea kwa lugha ya Kiingereza ndio iweze kueleweka. Mtanieleza inafaa kuwa nini kwa lugha ya Kiswahili.

Wakati wowote tunapotenga pesa za Wakenya, *public funds*, ni lazima tuzingatie vitu viwili. Wazungu wanaviita, *cost benefit analysis* na *long-term sustainability*. Hilo ndilo jambo nililolizungumzia, kwamba, kama Maseneta wa kaunti zote 47 ni lazima tujiulize zile pesa tunazotenga za kujenga kama hospitali---Tusipate shida tena kama *Kakamega County*. Ni vizuri Kiranja wa walio Wengi yuko hapa. Kuna hospitali iliyojengwa na haijawahi kamilika. Imekuwa vile mwenzangu kutoka Nyandarua anaita, “ndovu mweupe” mkubwa, “*White Elephant Project*”.

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(Laughter)

Bw. Spika wa Muda, mngenikubalia niongee Kiingereza kwa hii Hoja, ningechangia mpaka mjue ukweli ya kwamba ni lazima tufanye kazi tukiketi hapa. Tujiulize kama kiwanja kinachojengwa kitadumu na kama zile pesa tunazotenga zimefanyiwa utafiti ili kujuwa kama zinatoshwa kwa uchumi wa sasa. Gunia la simiti sasa ni shilingi mia tisa. Mbali na zile pesa tunazotenga ili tujenge viwanja, ni vizuri pia tutenge kiwango fulani ili tuhifadhi viwanja vile.

Nakumbuka wakati ambao *County Governments* zipobuniwa, kuna kaunti ambazo hazikuwa na makao makuu, ambazo Seneti hii ilitenga pesa ndio zijengwe. Ukiangalia hizo zote, ni chache sana zilizomalizwa. Kuna zengine ambazo bado hizo *projects* hazijawahi kukamilika. Ni lazima tutilie hayo maanani.

Bw. Spika wa Muda, Kiswahili ni kigumu. Wacha nimalizie hapo. Mungu awabariki.

(Laughter)

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Khalwale, endelea.

Sen. (Dr.) Khalwale: Asante, Bw. Spika wa Muda. Naomba kuchangia Hoja hii. Kabla sijatoa maoni yangu, namshukuru ndugu yangu, Sen. Faki na aliyemuunga mkono, Sen. Madzayo.

Haya maneno ya Mombasa Stadium sio ya kufanyia mchezo. Ujenzi wa uwanja huo ulianza kabla tupate Uhuru katika nchi yetu ya Kenya. Ni jambo la kusikitisha sana kuwa *successive governments* zimekataa kufadhili ili kuboresha uwanja huu wa kitaifa.

Bw. Spika wa Muda, siwezi kulaumu Serikali ya Kitaifa pekee. Serikali ya Kaunti ya Mombasa pia imechangia haya. Ndugu zangu wengine hawakuwa hapa. Mimi nilikuwa katika hii Seneti nilipomuona aliyekuwa Gavana, Mhe. Joho, akichukua hundi la milioni mia tano ya kujenga hiyo *stadium*.

Bejeti hiyo ilipitishwa. Leo hii, watu wa pwani, hasa kutoka Mombasa, ambao wananisikiza wanafaa kumuuliza Mhe. Joho kule pesa hizo zilienda. Tunaweza kutaka *national Government* itenge pesa na pengine kitakuwa chombo kingine cha kuwapa nafasi wanaume kula pesa---

Sen. Cherarkey: Na wanawake pia.

Sen. (Dr.) Khalwale: Wanawake sio wezi wa pesa sana.

(Laughter)

The Temporary Speaker (Sen. Abdul Haji): Sen. Wambua, hoja yako ya nidhamu ni ipi?

Sen. Wambua: Bw. Spika wa Muda, nashukuru kwa kunipa nafasi kusimama kwenye hoja la nidhamu. Nimemsikia Seneta wa Kakamega akidai kuwa alimuona kinara

wa chama cha Azimio la Umoja-One Kenya Coalition ambaye alikuwa Gavana wa Mombasa akiwa amebeba kitita cha shilingi milioni mia tano.

Sen. Kinyua: Alisema hundi.

The Temporary Speaker (Sen. Abdul Haji): Maseneta wenzangu, mruhusu aseme hoja yake ya nidhamu.

Sen. Wambua: Bw. Spika wa Muda, hapo mbeleni, Sen. Kinyua alikuwa akifikiria ni yeye pekee anaweza kuongea Kiswahili. Sisi pia *tunakimanya*.

Sen. (Dr.) Khalwale alimuona wapi Gavana Joho akibeba kitita cha milioni mia tano? Akizungumza hapa, pia alisema kuwa ana uhakika kuwa ufisadi umekita mizizi kwa wanaume lakini hauko katika upande wa wanawake sana.

Kuzingatia Kanuni za Kudumu za Seneti Nambari 105, anafaa kutueleza anavyoyajua maneno hayo.

Sen. (Dr.) Khalwale: Asante sana, Bw. Spika wa Muda.

The Temporary Speaker (Sen. Abdul Haji): Sen. (Dr.) Khalwale, subiri kidogo kwa sababu kuna hoja nyingine ya nidhamu.

Sen. (Dr.) Khalwale: Nyingine tena? Mnataka kunimaliza!

The Temporary Speaker (Sen. Abdul Haji): Endelea, Sen. Madzayo.

The Senate Minority Leader (Sen. Madzayo): Bw. Spika wa Muda, Kanuni za Kudumu za Seneti zinasema kuwa huwezi kumtaja mtu ambaye hayuko ndani ya Bunge hili kwa sababu hawezi kujitetea. Vile vile, hufai kumtaja mtu ambaye hakupewa taarifa kuwa anahitajika kujitetea.

Seneta alisema kwamba Bw. Joho alionekana akibeba kitita na kuwa pesa zile hazikutumika vizuri. Je, ni sawa Seneta ambaye ninaenzi sana, ambaye pia ni Kiranja wa Walio Wengi, kusema kuwa aliona Bw. Hassan Joho akiwa amebeba kitita, ilhali hayuko hapa wala hakuulizwa aje hapa ili ajitetea?

The Temporary Speaker (Sen. Abdul Haji): Maseneta, nadhani Sen. (Dr.) Khalwale alikuwa anajaribu kueleza kuwa aliyekuwa Gavana wa Mombasa alitenga pesa. Hakumaanisha kuwa pesa zilitengwa na aliyekuwa Gavana wa Mombasa. Sen. (Dr.) Khalwale, ni vyema uthibitisha maneno hayo katika kikao kitakachofuata.

Sen. (Dr.) Khalwale: Bw. Spika wa Muda, naomba wenzangu wanisikize. Endapo mtu ana maoni tofauti, anisahihisha katika mchango wake. Kulingana na sheria za Bunge hili, kuna uhuru wa kuzungumza. Ikiwa tutaua uhuru wa kuzungumza, basi tutaogopa kusema ni nani anayeiba mbolea wakati huu.

Wacha niwaambie, mkiua uhuru wa kuzungumza katika Bunge hili---

The Temporary Speaker (Sen. Abdul Haji): Kuniradhi, Sen. (Dr.) Khalwale. Kuna hoja nyingine ya nidhamu kutoka kwa Sen. Methu.

Sen. Methu: Bw. Spika wa Muda, nimekusikiza ulipokuwa ukitoa mwelekeo wako. Kabla Sen. (Dr.) Khalwale aseme ikiwa atakuja kueleza au la, nafikiri ni vyema mimi pamoja na Naibu Mwenyekiti wa Kamati ya Uhasibu wa Pesa za Umma, almaarufu, County Public Accounts Committee (CPAC), tueleze jinsi Sen. (Dr.) Khalwale alivyosema.

Tulipoenda kule Mombasa kama wanakamati, kama alivyosema, milioni mia tano zilikuwa tayari zimewekwa katika akaunti. Hii ni taarifa iliyo katika kumbukumbu zetu hapa za Bunge. Kwa hivyo, mtu hafai hata kumwuliza Sen. (Dr.) Khalwale.

Bw. Spika wa Muda, nipe nafasi nimalize---

The Temporary Speaker (Sen. Abdul Haji): Nitakupa nafasi Seneta, lakini ulisimama kwa hoja ya nidhamu na sasa unapatiana maelezo.

Sen. Methu: Niko kwenye hoja ya nidhamu. Niruhusu niendeleo ili ubaini ikiwa ni maelezo au hoja ya nidhamu.

The Temporary Speaker (Sen. Abdul Haji): Yanakaa kama maelezo. Ungeomba Sen. (Dr.) Khalwale nafasi ya kumueleza.

Sen. Methu: Ni hoja ya nidhamu. Kiongozi wa Wachache, Jaji mstaafu, Sen. Madzayo, aliyatumia maneno haya haya kwamba ni sawa maneno haya yathibitishwe. Hicho ndicho nilitaka kueleza kwenye hoja yangu ya nidhamu.

Basi ningependa kumfahamisha, Sen. (Dr.) Khalwale.

Sen. (Dr.) Khalwale: Nimekubali

(Laughter)

Sen. Methu: Bw. Spika wa Muda, ili kumfahamisha Seneta, wakati tulienda Mombasa, sababu ilikuwa kuwa Mkaguzi Mkuu wa Hesabu, almaarufu, *Auditor-General*, alisema kuwa milioni mia tano zilikuwa zimetumika kwa uwanja huo ambao Sen. Faki ameomba uongezwe bilioni moja nukta saba.

Tulipofika kule, tulipata hakuna kitu. Naibu wa Mwenyekiti anaweza kuthibitisha kuwa tulipoenda kule, hatukupata kitu kilichofanana na milioni mia tano. Ndio maana Sen. (Dr.) Khalwale amesema ni lazima mambo haya yaelezwe. Najua amepata taarifa sasa.

Sen. (Dr.) Khalwale: Asante sana.

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, hoja yako ya nidhamu ni gani?

Sen. Cherarkey: Bw. Spika wa Muda, ningependa kumweleza ndugu yangu kiongozi ambaye anapambana na “Bullfighter” kuwa kama Naibu wa Mwenyekiti wa Kamati ya Pesa za Umma, niliongoza jeshi la Maseneta kuzuru Kaunti ya Mombasa. Tulipofika huko, tulipata kuwa ule uwanja wa michezo ulikuwa umebadilika na kuwa mahali pa wanyama kuishi.

Kuna “majisimba” na “majizimu” katika uwanja huo ilihali, katika bajeti na hesabu za ukaguzi, kuna zile stakabadhi zote za kuonyesha kwamba, wakati Mhe. Joho alikuwa Gavana katika kaunti ya Mombasa, aliweka zaidi ya shilingi milioni mia tano.

The Temporary Speaker (Sen. Abdul Haji): Kaa chini, Seneta.

Sen. Cherarkey: Nataka kumueleza---

The Temporary Speaker (Sen. Abdul Haji): Seneta, tutaendelea na Hoja hii baadaye. Kuna maelekezo ya kwamba, ikifika saa kumi na moja unusu, Sen. Kavindu ana Hoja ya kusoma katika hii Seneti.

Sen. Kavindu, nafasi ni yako sasa.

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**MOTION OF ADJOURNMENT UNDER
STANDING ORDER NO. 37**

DELAYS IN RELEASE OF DISASTER MANAGEMENT
FUNDS TO FLOODS VICTIMS

Sen. Kavindu Muthama: Thank you, Mr. Temporary Speaker, Sir. Lately, we have experienced extremely heavy downpours of rains in various parts of our country. This rainfall ---

The Temporary Speaker (Sen. Abdul Haji): Senator, you need to move the Motion exactly as it appears on your paper. You have 10 minutes to move your Motion.

Sen. Kavindu Muthama: Thank you, Mr. Temporary Speaker, Sir.

I beg to move the following Motion-

THAT pursuant to Standing Order No. 37, the Senate do now adjourn to discuss a definite matter of urgent national importance namely - the delay of the release of the disaster management funds to flood victims arising from the prevailing heavy rains and subsequent flooding in many parts of the country.

Thank you.

Now, I move with my notes. Mr. Temporary Speaker, Sir---

The Temporary Speaker (Sen. Abdul Haji): Just hold on.

(The Clerk-at-the-Table consulted the Chair)

Proceed, Sen. Kavindu.

Sen. Kavindu Muthama: Let Sen. Wambua second me.

The Temporary Speaker (Sen. Abdul Haji): Sen. Kavindu, after moving your Motion, you can debate on it. You have 10 minutes and then you can call the seconder.

Sen. Kavindu Muthama: Mr. Temporary Speaker, Sir, lately, we have experienced extremely heavy downpour in various parts of the country which has resulted to floods.

The number of people impacted by the March-May long rains continue to rise, with an estimated 103,485 people (20,697 households) affected, including 40,265 people (8,053 households) displaced; 32 deaths, and 15 injured across the country, as of 18th April, according to the Kenya Red Cross Society (KRCS).

Mr. Temporary Speaker, Sir, the heavy rains causing floods have also resulted in loss of livelihoods, including livestock, cropland and destruction of small businesses. Damage to schools, water sources, and major roads have also been reported.

In Machakos County, where I come from, several households have been affected. Farms and homes have been submerged while roads, bridges and animals have been swept away because of the waters that are coming down.

Mr. Temporary Speaker, Sir, schools, hospitals, areas of common amenities, like churches and mosques, none of these places have been spared. We have lost lives in the

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last few days to the continuous heavy rains that have hit the nation. The County Government of Machakos has made an effort to find a solution.

Mr. Temporary Speaker, Sir, the sub counties of Mavoko, Matungulu and Kangundo are mostly affected. Further, there are areas such as Joska, Nguluni, Kyeleni, Ndulya, Ndivu, Oldonyo Sabuk, Mavoko and Muthwani, Kasoito, Kinanie and Nyaani, where floods have caused havoc resulting in loss of livelihoods and no supplies going to those areas.

Mr. Temporary Speaker, Sir, it is on record that in December, 2023 the national Government disbursed Kshs20 billion to the 39 counties that had been affected by the floods. Also, early this year, the Government in support of the World Bank stated that there were plans to disburse Kshs1.154 billion through the expansion of the Hunger Safety Net Programme (HNSP) which gives cash to drought victims that include households affected by other climate-induced shocks such as floods.

In conclusion, I am calling upon the national Government to include Machakos County and any other County under this programme and urgently release the funds to mitigate the effects of flooding and also the rehabilitation of infrastructure; the roads and the schools damaged by the floods.

Mr. Temporary Speaker, Sir, I ask Sen. Enock Kiio to second. Thank you.

(The Temporary Speaker (Sen. Abdul Haji) left the Chair)

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

The Temporary Speaker (Sen. Veronica Maina): Sen. Kiio Wambua.

Sen. Wambua: Thank you, Madam Temporary Speaker. I take this opportunity to second the adjournment Motion brought by Sen. Kavindu on the disastrous effects of flooding in Machakos County and beyond.

It is clear to everyone in this country now that the El Nino phenomenon is still active. The resultant effects of this phenomenon are manifesting in heavy downpours followed by floods, loss of livelihoods and loss of lives.

Madam Temporary Speaker, beyond Machakos, the Seven Forks Dams, including Masinga, Kamburu, Kiambere, Mutonga and Kindaruma are filling up at a very fast rate. It is just a matter of days before we begin to experience serious flooding downstream across several counties, including Kitui. The real impact of this flooding will be felt in the county of my neighbours, the Tana River County.

A few days ago, on Sunday, I drove through Machakos and Athi River which flows across the county, near Athi River Town, had seriously burst its banks. There were serious catastrophic effects of the flooding, including loss of lives. Houses had been washed away.

Madam Temporary Speaker, I thought I would find solace and safety on the expressway. So, I joined the expressway at Mlolongo, but suffered the same fate I was suffering on the normal road.

While speaking about the effects of this flooding in this country, you begin to ask yourself, what is it with our road engineers? Why is it that we do not seem to get many things right? Somebody would have thought that because the expressway is a modern piece of infrastructure, designed and implemented just the other day, somebody would have put thoughts into a drainage system that works. There is nothing as scary as driving upstairs, as it were, on the rooftop, on a flooded road.

Madam Temporary Speaker, as we deal with this issue of flooding, there is a reason that we must begin to ask questions irrespective of who brought this project to us and the government that implemented what project. At the end of the day, this is public utility constructed, implemented and run using public funds.

We were all here in December/November last year when county governments were falling over each other to allocate billions of shillings to disaster management fearing that El Nino was coming and things were going to go wrong. The question that we should be asking these counties--- I am seeing the clock doing funny things.

The Temporary Speaker (Sen. Veronica Maina): The time is up. I will give you one minute to second.

Sen. Wambua: Madam Temporary Speaker, the last time I checked ---

(Loud consultations)

The Temporary Speaker (Sen. Veronica Maina): Senators, please let him say it for himself.

Sen. Wambua: Last time I checked, Sen. Kinyua only acted in that position for a few weeks. He is not the Speaker of the House.

Madam Temporary Speaker, I take orders from the Speaker and you have ordered me to second.

Through your orders and not any other orders, I second.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Wambua.

Sen. Kinyua, you can use your opportunity now instead of trying to---

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

Sen. Kinyua, you realise that your noise is also confusing the Chair. So, you should reduce it so that we can make proper proceedings for the House.

(Question proposed)

So, each Senator will have five minutes to contribute to this debate. I will now invite Sen. Kinyua to take the Floor.

Sen. Kinyua: Asante, Bi. Spika wa Muda. Nachukua fursa hii kwanza kabisa kutuma risala za rambirambi kwa wale wameathirika na haya mafuriko.

Kwanza kabisa nimpongeza Seneta wa Machakos, Sen. Kavindu Muthama, kwa Hoja hii. Niseme ni kweli kabisa, barabara, daraja, mimea na vikingi vya simu zimebebwa na maji. Kila mahali, haya mafuriko yameleta mahangaiko.

Kile ambacho ni cha kuvunja moyo sana ni kwamba kulikuwa na tetesi ya kwamba kaunti zetu zimejikimu vilivyo baada ya kuambiwa na watabiri wa hali ya anga ya kwamba kutakuwa na haya mafuriko. Walisema wamejiandaa vilivyo.

Lakini kile tumeona ni watu wetu wakiumia. Shule na barabara zetu zinabebwa na maji. Kisa na maana, hakuna jambo lolote linaonyesha watu walikuwa wamejitayarisha. Mitaro imejaa maji na ilhali tulikuwa tumeambiwa na gatuji zetu ya kwamba wamejiandaa. Mitaro imetengenzwa na hakutakuwa na shida kama hii.

Swali ninalo jiuliza na linanisumbua sana ni katika vyo vikiu vyetu tunafundisha wahandisi. Sijui ni kazi gani wanafanya kwa sababu hata mahali ambapo huwezi ukapata maji yamejaa, barabara zetu tayari zinabebwa na maji.

Sio hilo tu. Ningependa Serikali kuu ichukue jukumu na kufanya jambo hili liwe la dharura. Baada ya haya mafuriko, kutakuwa na shida nyingi kama ukosefu wa chakula kwa sababu mimea yetu tayari imebebwa na maji. Utapata shida katika shule zetu. Magonjwa yataanza. Utasikia kuna ugonjwa wa Cholera na magonjwa mengi ambayo yataletwa na hali ya kutokuwa na usafi kwa sababu ya maji ya gharika.

Jambo la kuvunja moyo sana ni kuwa kila wakati kuna haya mafuriko, ni jambo linalojirudia. Inaonyesha kwamba sisi katika Seneti kazi yetu ni kugawa pesa ilhali hazitumiki jinsi zinapaswa kutumika na gatuji zetu.

Itakuwa ni mazoea. Baada ya mafuriko kuisha, hakuna jambo lingine litakaloenda. Shughuli itakuwa ni kutafuta pesa za dharura ili kuleta uadilifu kwenye barabara za magatuji yetu. Sio hilo tu bali pia hata shule zetu za chekechea na barabara ambazo sisi tunazishughulikia katika Seneti.

Hii iwe funzo. Kama alivyosema Sen. Wambua, hata Barabara ya Expressway ilikuwa imejaa maji. Hilo halikufanyika katika nchi ya Kenya pekee. Ilifanyika pia kule Dubai. Uwanja wa ndege ulikuwa umejaa maji. Nilidhani kuwa kule wameendelea lakini nikakumbuka kuwa pahali pasipopangwa panaweza kujaa maji.

Leo asubuhi niliambiwa na ndugu yangu kwamba kuna vitu viwili ambavyo havisahau. Ndovu anapopita mahali, huwa hasahau. Maji vile vile hayasahau mkondo wake. Jambo hili linanifurahisha.

Sen. Methu na kamati yake huwa wanashughulika sana na watu wanaouza mashamba. Huu ndio wakati mzuri mtu kuangalia mahali alipouziwa. Katika lugha ya kina Sen. Methu, wanasema *magutamaguta*. Sijui iwapo hivyo ni kusema mafutamafuta.

Unapoangalia mahali ploti kama hizo ziko, utaona vikingu tu kwa sababu ploti ambazo wananchi wa Kenya wamekuwa wakiuziwa zimejaa maji. Ni wakati ambapo sisi kama Seneti tunapaswa kuleta mabadiliko na kuangalia vizuri---

(Sen. Kinyua's microphone was switched off)

The Temporary Speaker (Sen. Veronica Maina): Your time is up. Sen. Beth Syengo, you have the Floor.

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Sen. Beth Syengo: Thank you, Madam Temporary Speaker, for giving me this opportunity. I want to thank Sen. Kavindu Muthama for bringing this Motion which is key. Right now, Kenyans are suffering because of floods and lots of water. Bridges have been washed, roads have been destroyed, homes have been flooded and people are drowning. It is real suffering for Kenyans.

The current administration must learn to care for Kenyans. If funds have been set aside to address this issue, the money should not be diverted. The funds should not be taken elsewhere, but instead used for the proper purpose the money was set aside for.

The Senator for Machakos County has counted areas affected by floods. I would say the effect of flooding is being felt all over the country. Just a few days ago, I stood in this House to seek a Statement on the completion of Ensiu River Bridge that has not been attended to yet the Government had committed to complete the bridge since 2021 after a tragic incident that happened.

It is so disheartening to watch in the news every time people in Nyando, Budalang'i and other places crying because they have no houses and food. In Baringo, people are crying. They have moved from their homes and are now living in tents, yet they are in this independent country called Kenya.

Proper mechanisms must be put in place to ensure that we are prepared. Why is it that in Kenya, we do not learn? Mistakes are repeated. The last time we had floods, people suffered the same. The Government promised to do something to save Kenyans, but nothing has been done since. We are crying during these long rains and Kenyans are suffering. I bet that next year and next year but one, floods will come and people will suffer. Why do we, as a country, not learn and the Government does not take decisive measures to ensure that the issue of floods and drought is addressed once and for all?

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

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

Sen. Cherarkey: Madam Temporary Speaker, if I heard Sen. Beth Syengo, the incoming women representative of Kitui right, pursuant to Standing Order No.105, did she mean to state that the Government should stop rain? She is saying that the Government should stop the rains and the floods. Rains and floods are acts of God.

The Temporary Speaker (Sen. Veronica Maina): Sen. Beth Syengo, clarify whether what you said is to mean that the Government should stop the rains and floods.

Sen. Beth Syengo: Thank you, Madam Temporary Speaker. I would request my friend to listen carefully. I heard him indicating that "Baba" did not attend the burial. I did not see him either. This is because the river nearest to his home was flooded that day and he could not cross over to attend the burial. What I meant is that the Government must mitigate.

The Temporary Speaker (Sen. Veronica Maina): Sen. Beth Syengo, please respond to the issue the Speaker has directed you to. Do not respond to other issues to countermand the point of order.

Sen. Beth Syengo: Madam Temporary Speaker, I was only indicating that ---

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, hold your peace as she clarifies.

Sen. Beth Syengo: Sen. Cherarkey, you are consuming my time. You are my friend from Nandi. The river near your home was flooded on Sunday, so you could not leave. The Government must mitigate---

(Sen. Cherarkey consulted loudly)

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, maintain silence. Sen. Beth Syengo, you have been specifically requested to respond to whether you have said the Government should stop floods and rains. Respond to that.

Sen. Beth Syengo: Thank you, Madam Temporary Speaker. I meant to say that the Government should mitigate the challenges of flooding when it rains. Sen. Cherarkey, I know your home. I have been there severally.

(Laughter)

The Temporary Speaker (Sen. Veronica Maina): Sen. Beth Syengo, your time is up. Resume your seat.

Sen. Beth Syengo: Thank you, Madam Temporary Speaker. I support.

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, all issues have been clarified, including that Sen. Beth Syengo knows where your home is. Sen. Orwoba, proceed.

Sen. Orwoba: Thank you, Madam Temporary Speaker. I beg to be protected and my time preserved for my contribution. I have heard the Senators in the House reference the national Government and what it should be. We are here because of the introduction of devolution. The National Disaster Response Fund was devolved to counties. Even if we are talking about delays in the disbursement of monies from the Exchequer to counties, why are we not addressing the fact that the same counties, some of which received the same fund for disaster management, cannot account for it? Why are we not talking about the OSR? We were legislating on the taxes we collect on infrastructure on commercial buildings.

I think it was Sen. Cheruiyot's Bill that tried to frame the levies that are put on commercial buildings and real estate. No one is asking the hard questions. For instance, all the money that is being collected by Nairobi City County led by our Govevor Sakaja, where it goes because Nairobi has become a swimming pool. How difficult is it for you to clear the drainages? How expensive is it for you to ensure that the drainages that we have in Nairobi are not filled up with all the trash that is there?

Madam Temporary Speaker, sometimes I think that we take the conversations to the wrong side. We can literally stand here and say, it is the President's or the national Government's work. However, if we keep reverting to the national Government, are we also saying that devolution is not working?

We cannot stand here and ask questions to the governors who have been given the powers, resources and funds. We do not direct the questions to them. I would like to know as a resident of both Kisii and Nairobi City County, why we are swimming in Nairobi yet we pay the highest taxes.

Nairobi is a county that collects the highest OSR. However, when these questions are being tabled, we are now going back to say, it is the President. Where is Governor Sakaja? We need to know or is he also stuck somewhere in the floods? We want to know whether he is using the roads that we are using to come to Parliament. Perhaps he is forever in a chopper.

I also want to direct these questions that we are directing to the national Government to the Senators in this House because they each come from a county. We have 47 delegations. Let them stand and tell us, for instance, in Machakos County, my governor has done A, B, C and D. Since, they are also receiving disaster management funds.

The other question that we are not asking is that they are always wanting funds. Do they have the capacity to deal with resiliency plans? Do they even have resiliency plans?

We have been given a tool by the national Government through the Ministry of Interior and National Administration called the Kenya Initial Rapid Assessment (KIRA). This tool is supposed to give capacity to county governments to be able to anticipate and deal with disasters.

Yesterday, I heard some of the county officials in Nairobi City County on a television station talking about their plans for disaster management. They were not referencing tools or resiliency plan. Therefore, we cannot keep pushing for money when we cannot even ask the hard questions of where it is going to?

Madam Temporary Speaker, the only question I want to ask specifically to Governor Sakaja, how difficult is it to clear the drainages on our roads? How expensive is it because you cannot have Ole Dume, all the areas of Kilimani and Kileleshwa flooding? Where is the money going to?

Let us ask the difficult question and let us hold the people responsible, particularly the governors because this is a devolved function.

I thank you.

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

Proceed, Sen. Maanzo.

Sen. Maanzo: Thank you, Madam Temporary Speaker. I rise to support this very important Motion.

I want to begin with Nairobi City County and its management who are seized to the fact that there are quite a number of homes built on the riparian parts. I remember when the late Minister, Hon. Michuki was alive. He managed very well the issue of riparian ownership. Currently, the situation is very bad such that people have built homes on waterways or rivers.

After a long time when the rains come, then you find the homes or flats flooded. Innocent buyers, those who have leased the property or renting lose their property yet somebody would have avoided building on a riparian land.

One time, there was a river which flooded in Nairobi because a building had been built along Mbagathi Way and had blocked the Nairobi River. The Government ordered that building to be brought down yet it had been approved by Nairobi City County officers. Therefore, riparian ownership must be respected.

Before you cross River Athi on your way to Machakos, you will see a very big estate which has been built at the left. They have attempted to build a wall to River Athi to prevent the river from crossing over to these very expensive houses. I tell the developers and the people who approved that, that in my history, I have seen River Athi flood very badly around that area, including soaking all the warehouses, which are there. Therefore, the people who are innocently buying those houses must think twice.

The Government is responsible for making sure riparian land is respected and the river is allowed to flow on its pathway. The moment you try to block it, it is like the biblical person who built on sand and waited for the rains to wash their house.

I am encouraging the residents and people who are buying houses and properties, to please make sure they buy a house which is built on the rock and is not likely to be swept away by the rivers.

When you go down to Makueni County, just a few days ago, eight people were washed by a river, where as leadership, we had always proposed a bridge to be built. Budget would be made, but the bridge would never be built. This place is called Kavuthu, somewhere near Emali.

When these people were attempting to cross, despite a lot of warnings of floods and sometimes, you could see the raging rivers and it could be dangerous as an individual, to walk into water. Forget about people getting surprised in their houses by flooding waters at night.

This issue was so bad that four of these people have never been seen up to today. The Government did very little to help them, although they were coming from a Government's function. Up to date, four people have never been traced and the families are suffering. We have lobbied the Government to build this bridge so that people would avoid going long places or taking risks to get to their homes

The issue of floods is a very serious matter. No one can control nature, but nature and God do not respect corruption. When you build on riparian ownership, whether it is after 100 or 20 years, one day, there will be unusual water and trouble for whoever has built in water paths or near rivers.

Going to the international scene, you have seen what has happened in many other parts of the world. Many developed places like America get to flood once in a while. We have seen floods in Europe, Arabia and even in deserts where no one ever expected floods.

I challenge our Government to prepare for flooding. We have allocated enough money. Let them clear the pathways and the blockages. I am yet to see what has been done by the Nairobi City County Government. The emergency funds that Nairobi City

County Government and national Government's have, should make sure that parts of Nairobi are not full of water and we are not swimming as has been alluded on the roads, especially the expressway. It is such a huge danger when the water---

(Sen. Maanzo's microphone went off)

The Temporary Speaker (Sen. Veronica Maina): Your time is up, Senator.

Sen. Joe Nyutu, proceed.

Sen. Joe Nyutu: Thank you, Madam Temporary Speaker, for the opportunity. I also rise to support this Motion by the Senator for Machakos County, my good friend, Sen. Kavindu Muthama.

For the last few days, rains have pounded this country in a big way. This have resulted into many problems, including flooding and, in some cases, landslides.

As I speak, in my county, Murang'a, we have had some landslides affecting the road between Murang'a and Kiriaini town, which is in Township Ward of Kiharu Constituency. We also have a bridge in Kigumo Constituency that is Muthithi Ward, the bridge that connects Kiahiti to Muthithi. As I stand here, I am also one of the people whose counties have been affected by these floods.

Madam Temporary Speaker, these issues need to be addressed at the earliest possible opportunity. I stand with other colleagues who have submitted that we should not be quick to blame the national Government. Funds have been disbursed to county governments. They have the emergency fund, but nothing is happening on the ground.

Counties should move with speed and also take preventive measures. They should prevent some of the occurrences such as landslides from happening. Gabions were common during President Moi's time. That is something that counties can do with locally available materials because they have the fund.

Madam Temporary Speaker, I urge Murang'a County Government to address the landslides affecting the Murang'a-Kiria-ini Road, Kiahiti Bridge between Muthithi and the other side of Kiahiti and see that mitigative measures have been put in place.

Even as we say this – I am happy that one of my colleagues has also talked about it – we must see to it that waterways are not blocked by anything. This is where the physical planning departments of the various counties come in. They should not allow any developments or buildings to be put up on waterways or riparian lands. These are things that are within the capacity of the counties.

I also support that we should harvest the water. We have floods now. However, after some time, people in some areas will start crying that they have no water. Counties may not be able to construct big dams, but they can do water pans to harvest the water. If we harvest it, it will not damage our roads and other facilities.

We need to be disaster prepared. Every county should have a disaster preparedness plan, so that we do not only come in when disasters have occurred. We will prevent disasters from happening because we are prepared.

We must also urge people living in low areas that may be affected by floods to move to upper grounds. For those affected and those who may suspect that there could be landslides near where they live, as a House, we should ask them to move to safer places.

Madam Temporary Speaker, with that, I submit and support the Motion by Sen. Kavindu Muthama.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Proceed, Sen. Crystal Asige.

Sen. Crystal Asige: Madam Temporary Speaker, I rise to support the Motion moved here this evening. This is clearly climate change in action. It is a wonder to me why we are not taking disaster management funding more seriously and, in fact, increasing its allocation the more we are experiencing climate change and its effects on our country.

Climate change-related crises have a direct impact to PWDs when it destroys accessible buildings, damages transport infrastructure and deteriorates our existing medical conditions, significantly reduces our economic participation and impacts our livelihoods, and makes it impossible for us to access essential services making us even more vulnerable to human rights abuses.

Madam Temporary Speaker, you see why I was shocked as a Kenyan and Parliamentarian upon learning that there are no substantive conversations being had around us forging a path to disability inclusive disaster management, especially amidst our current weather patterns.

Madam Temporary Speaker, we have experienced El Nino rains since October last year until February, 2024. Now, we have the long rains which have killed over 174 people in Kenya, including 133 adults and 41 children. It has also forced 530,000 people from 105,824 households to be evacuated.

These extremes did not and have not spared PWDs in our households. We have heard from the Mover of this Motion that, so far, 32 people have died, 15 have been injured and over 103,000 people have been displaced in just the rains of a couple of weeks.

Without critical budgets for disability inclusive adaptation, emergency relief, loss and damage being intentionally allocated and protected for during these climate crises to safeguard disability community, we are overlooked.

Our allocations too are prioritised elsewhere and our needs are swept away with the rains. As a climate activist from Bangladesh said, disability is not a key priority and when the cuts come, they often come through disability.

I wish that when we will be passing the Division of Revenue Act (DORA) and County allocation of Revenue Act (CARA), which are coming up soon in this House, we think very keenly about what we are doing if we chose to go beyond or differ what will be proposed by the Standing Committee on Finance and Budget. This is because every single penny and cent of these funds is important, especially for vulnerable groups such as PWDs in this country.

Madam Temporary Speaker, non-disabled people can run from rains and save themselves in one way or another. However, a wheel chair user, a blind woman or man cannot run.

So far, in the last couple of weeks, I have been given reports by parents and caregivers of children with disabilities to say that over 50 children with disabilities have died. Compound that with the doctors' strike, the crisis therein and the stronghold going on between Government and doctors. You can now see how PWDs and children with disabilities are suffering. They are absolutely dying in front of our faces and we are doing nothing about it.

Madam Temporary Speaker, this is a problem that really goes beyond just what we are talking about here today. I hope that other Senators will understand the importance of disability inclusive---

The Temporary Speaker (Sen. Veronica Maina): Sen. Asige, you have one minute.

Sen. Crystal Asige: We will understand the importance of disability- inclusive climate action and disaster management funding. It is really appalling to see children with disabilities, the most vulnerable of us, dying and we are doing nothing about it.

I thank you.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Sen. Asige. Sen. John Methu.

Sen. Methu: Thank you, Madam Temporary Speaker,

The Temporary Speaker (Sen. Veronica Maina): Sen. Cherarkey, you should be paying more attention even though it is the end of the day.

Sen. Methu: Thank you, Madam Temporary Speaker, for giving me this opportunity to support this Motion. As I support it, I believe that the intent and spirit in asking for timely disbursement of funds from the Government is that the government being spoken about is the county government.

I derive my assertion from the Fourth Schedule of the Constitution of the Republic of Kenya, Part II, on the functions and powers of county Governments. Function No. 12 is fire fighting services and disaster management. That is a preserve of the county government. Part 11(a) on storm water management is also a preserve of the county government.

Madam Temporary Speaker, as I speak today, I am sure most of you watched in the news yesterday that Nyandarua County is one of those counties that have been badly affected. Just yesterday, River Karoroha in Nyandarua broke its banks and the residence of Engineer and Gathara wards have suffered very serious and dire consequences of this particular disaster of the heavy rains.

Yesterday, one farmer lost a herd of seven cattle which were swept away by the raging waters. We thank God that there were no fatalities, but economic destruction has happened. Nyandarua is an agricultural County and our farms and crops have been swept away. We are staring at a dangerous thing in the coming days.

Madam Temporary Speaker, I have always held the position that since we have a working meteorological department that gives an almost accurate data of what shall

happen in the coming one month or two weeks, it was, therefore, expected that yesterday, there would be very heavy rains in Nyandarua. Even as I speak about disaster and response to disaster, we must also speak about averting disasters.

If we do open up waterways, if our drainages are not working and if we do not open the routes where water takes its natural course in readiness for coming rains that will be very heavy, then we will always find ourselves in these kinds of situations. Even as we respond to that disaster, there is a way we can try to stop the same disaster.

Madam Temporary Speaker, we cannot absolve the county governments of this responsibility. Sen. Cherarkey and I sit in the County Public Accounts Committee (CPAC) and we are now interrogating the money that was used by county governments in 2019/2020 and 2020/2021 financial years. If you look at the prudence in the money that was used to respond to the COVID-19 disaster, you will understand that we cannot let counties off from this matter.

At that time, you would hear that a mask that was retailing for Kshs20 in local retail shops, was being bought at Kshs200 by the county governments. Therefore, we cannot absolve the county governments from this issue.

In Nyandarua specifically because I am the Senator for that county, if the county is not deliberate in ensuring that they open the waterways to avert the danger from the water that makes the rivers break their banks, then next year, we shall find ourselves having the same problem. Even in two years, we shall have the same problems.

Madam Temporary Speaker, we must be very ready and have an elaborate disaster management programme in our devolved unites so as to ensure that our people are safe, our crops and animals are safe and, ultimately, take advantage of these waters that can be used in future.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator. Yes, your time is over.

Sen. Osotsi.

Sen. Osotsi: Thank you, Madam Temporary Speaker, for the opportunity to also weigh in and support this Motion by Sen. Agnes Kavindu of Machakos. This Motion is timely because it is trying to question why the Government of Kenya and county governments have not addressed or mitigate the ongoing flooding problem that we have in the country.

This Sunday, I was stuck on the road between Majengo and Luanda for one hour. We had a big gully just around Kima and the Ministry of Roads and Transport blocked the road. People were unable to pass yet, this road connects to Kisumu, Siaya and even Busia Counties.

Madam Temporary Speaker, we are having challenges with our road networks because of this flooding problem. I know the Government through the Kenya Rural Roads Authority (KeRRA) has made arrangements to send about Kshs3.5 billion to the counties. However, I was perturbed that the distribution of those funds is skewed. There is no proper criteria that was used to distribute those funds. Out of the 47 counties that received Kshs3.58 billion, four counties received nothing. These counties include my own county, Vihiga, Samburu, Lamu and Garissa.

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Madam Temporary Speaker, Lamu, Samburu and Garissa have one thing in common. They are arid areas, but Vihiga is not. Why would KeRRA or the Ministry of Roads led by one Murkomen who was a Senator in this House discriminate against Vihiga County where the number three of this country comes?

We need an explanation and I will be bringing a statement in this House to question the criteria that was used. If Vihiga is a small county, why allocate Embu County Kshs245 million and have nothing for Vihiga County? We need this money so that our roads are in conditions that can be used. Right now, all our roads have been swept away. They are impassible and they cannot be repaired because KeRRA has not allocated money.

Madam Temporary Speaker, I had to say this because we are being told that our county is in Kenya Kwanza Government. We cannot say we are in Government when we are receiving nothing. It saddens us that one of us who has an opportunity to become a member of the executive, who was fighting for equitable allocation of resources to counties is the one involved in discriminating against other counties.

Waziri Murkomen, I hope you are hearing me today. You were in this House. I remember you were the leader of Team Kenya that demanded equitable distribution of resources to the counties. Now you are a Cabinet Secretary and discriminating against other counties like Vihiga, Samburu, Garissa and Lamu County. We cannot have a situation where 43 counties receive funds and only four do not receive any in this period when we are having flooding problems.

Madam Temporary Speaker, as I wind up, I also want to talk about the issue of riparian lands. We are having floods in this city and others because of a lack of proper planning and corruption. We have a scenario where people have built houses on the riparian land. A river will always find its way.

The Temporary Speaker (Sen. Veronica Maina): The time is up.

Hon. Senators, due to the importance of this Motion and what is happening in the nation, under Standing Order No.34(2)(a), I will exercise the discretion to give an extra time for debating of this Motion to enable about two or three Senators to share a period of not more than 15 minutes so that we close it out.

I will ask Sen. Cherarkey to proceed. You do not have to spend the 5 minutes so that we share the time.

Sen. Cherarkey: Madam Temporary Speaker, I support the Motion. I empathise with many Kenyans who have lost their lives or property due to ongoing flooding. We prayed for this rain. We must be responsible for what happens.

Number two is that as the Vice Chair of the County Public Accounts Committee (CPAC), counties normally allocate two per cent of their budget to disaster management. The question we should ask ourselves as Senate is where are the counties in all this conversation? They have enough resources to mitigate the disaster of flooding we are facing in this country. Therefore, counties cannot escape responsibility and abdicate it to national Government.

Finally, there is a problem in this country called land “grabiosis”.

Most of the floods are happening around riparian areas where buildings have diverted rivers. Nature is unforgiving. If you build on riparian land and a waterway, the moment it rains, even after 20, 70 years those waters will come. If it is objected on the way, it will always bring a disaster like what happened in Dubai.

Madam Temporary Speaker, I call upon all Kenyans to be careful, especially during the rainy season. Please let us always be careful while driving.

With those many remarks, I support the Motion.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator, for keeping it short.

Senator Beatrice Ogola?

Sen. Ogola: Madam Temporary Speaker, I want to support the wise Motion by the Senior Senator, Sen. Agnes Muthama.

This country cannot move from floods to drought and *vice versa*. We are now crying about floods and a few months ago we were crying about drought. This brings me to reflect on our settlement plan as a country. Counties and the national Government should be talking about and implementing spatial plans.

In our settlement, there must be marked areas for human settlement and the general environment. Just as other speakers have mentioned, nature is not a respecter of anybody. When rains come and you stand on the path of water, there will be massive floods.

With the floods, we have displacement, loss of life and property, and an education that has been disrupted. We also have health services that our people cannot get because of the displacement.

Flooding is not only limited to Machakos County, as brought by my senior colleague, Senator Muthama. In Homa Bay County, where I come from, in almost two sub-counties, and to be specific in the Rachuonyo Sub-county, we have women and children who are suffering because they are sleeping in the cold. This is because our governments are not consistently following their plans in the preparedness of our people.

Rains were foreseen. It is not an occurrence that just came about. The Meteorological Department had talked about it. Our people knew that the rains would come, but what did the two levels of government do? We only wait to see our people displaced, and to say we allocate funds to mitigate this. I want to support this and insist that rather than allocating funds to mitigate, the two levels of government must now venture into promoting preventative measures that must be put in place in time.

In our earlier years, we saw the Ministry of Public Works then prepare communities for the coming rains and floods. In my language, we used to call them *joapida*. People knew before the rains came, they would come and prepare the roads and prepare people. What has happened with the devolution? Devolution was supposed to enhance some of these activities.

So, I want to support, but I also want to say that as a Government, we must enhance our activities in saving the environment. When you destroy the environment, you call for floods, drought, loss of food, and disruption of activities. So, with the rains and the floods that are here, I support that funds must be brought in to save our people.

However, in our urban centres, the planners in the county governments, overseen by the national Government, must see the standards are adhered to when we are building houses.

I support.

The Temporary Speaker (Sen. Veronica Maina): Thank you, Senator. Sen. Mariam Omar, I hope you will share the remaining time with Sen. Thang'wa.

Sen. Mariam Omar: Madam Temporary Speaker, I rise to support the Motion brought by my area Senator. I am saying my area Senator because every morning I come from Syokimau.

I was wondering this morning. Schools will be opened next week by 30th of this month. How will our children go to school? We have rough roads and there are floods everywhere.

Flooding is a disaster that we can manage. When we talk of road infrastructure being washed away by floods, it means that the quality of roads matters. When we give contracts, the Cabinet Secretary concerned, the governor and the relevant department must be concerned about the quality of roads being constructed because it is crucial.

I am saying this because in Mandera County, there is a road from Garissa to Wajir. The bridge was washed away by floods last year in November. Up to now, it has not been repaired.

I want to plead with road users, especially our drivers. They have to be careful when driving on flowing water. I am saying this because there is a 60-seater bus from Nairobi that goes to Mandera. I do not know what was wrong with the driver because he just drove on flowing water. The vehicle does not carry language, but human beings. So, drivers need to be careful.

When it rains, we complain about too much rain. After some time, we complain of drought. We need to think about how to harvest rainwater so that when there is drought, we can use rainwater.

The Temporary Speaker (Sen. Veronica Maina): Proceed Sen. Thang'wa.

Sen. Thang'wa: Thank you, Madam Temporary Speaker, for the opportunity to also weigh in on this weighty matter.

We pray for the rain and it is a blessing, but we are unable to manage the blessing. We are unable to manage it because, first, we cannot store the water. After a few months, we start crying because of drought.

Secondly, when we have rain, some water sips into the ground, so that we can plant. However, the overflow will always find its way to the rivers. If these waters do not find a way, they will always make a way. If they do not find drainages that are well cleared, they will always cause floods which cause havoc.

Sometimes we blame the national Government, yet as the Senate, pursuant to Article 96 of the Constitution of Kenya, our role is to protect the interests of counties and county governments. A county government comprise the executive and the assembly and a county represents people. So, we have to protect interests of the people.

Every county has an emergency fund. These are monies that are used to cater for unforeseen scenarios or damages.

I wish the Senator for Makueni was here. It was only yesterday in the County Investments and Special Funds Committee (CPIC) when we had the Governor of Makueni County, Hon. Mutula Kilonzo Jnr., who came to defend the audit report of the previous governor, Hon. Kivutha Kibwana.

We could see that the emergency fund that was supposed to deal with these issues was used to build classes and buy water pumps. A water pump for the water company should be budgeted for. Since the water pump is broken, someone indicates that it is unforeseeable; nobody would foresee that it would break. They bought the water pump for Kshs6 million. We have rains now, and the water pump cannot be used while they have no money to help people in flooded areas.

We need to put the governors to task. Previously, when we had floods, the governors led by the Chairperson of the Council of Governors (CoG) had a press conference to state that the national Government had not released money for disaster management. The current governors have joined the chorus to indicate that the national Government is not doing anything yet, but they have money in the emergency fund. They are using this fund to campaign in places and things that do not qualify to be an emergency.

I caution Kenyans that they should take care of themselves before they ask where the Government is. You cannot argue or negotiate with water. When you see the place you are in has overflowing waters, or if it was flooding last year, it will also flood this time.

The former President, His Excellency Hon. Mwai Kibaki, issued the same caution. In Budalangi, a certain lady said '*serikali saidia*' every year while waiting for the Government. The President wondered how she was waiting for a year to ask the same question. I caution Kenya to take care of themselves as we mitigate the effects of the floods.

ADJOURNMENT

The Temporary Speaker (Sen. Veronica Maina): Hon. Senators, it is now 6.42 p.m. Having concluded the business for which I extended the hours of sitting pursuant to Standing Order No.34(2)(a), the Senate stands adjourned until tomorrow, Wednesday, 24th April, 2024 at 9.30 a.m.

The Senate rose at 6.42 p.m.