

**PARLIAMENT OF KENYA****THE SENATE****THE HANSARD****Tuesday, 24<sup>th</sup> February, 2015**

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

*[The Speaker (Hon. Ethuro) in the Chair]*

**PRAYERS****PAPER LAID****SENATE CALENDAR FOR THE YEAR 2015**

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I beg to lay the following Paper on the Table:-

The Senate Calendar (Regular Sessions of the Senate) for the year 2015.

*(Sen. (Prof.) Kindiki laid the document on the Table)*

**NOTICES OF MOTIONS**

**APPROVAL OF NOMINATION OF SENATORS TO SERVE IN  
VARIOUS COMMITTEES OF THE SENATE**

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Thank you, Mr. Speaker, Sir. I beg to give notice of the following Motion:-

THAT, pursuant to Standing Order Nos.177(1) and 178, the Senate approves the nomination of the following Senators to serve in select Committees as indicated below:-

- 1) Sen. M. Kajwang, to serve in the:-
  - a. Standing Committee on Agriculture, Livestock and Fisheries;
  - b. Standing Committee on Roads and Transportation; and
  - c. Joint Committee on National Cohesion and Equal Opportunity.
- 2) Sen. (Dr.) Zani, to serve in the Standing Committee on Finance, Commerce and Budget.

APPROVAL OF THE SENATE CALENDAR  
FOR THE YEAR 2015

THAT, pursuant to Standing Order No.28(1), this House approves the Senate calendar (Regular Sessions of the Senate) for the year 2015 (February to December, 2015) laid on the Table of the House today, Tuesday, 24<sup>th</sup> February, 2015.

**The Speaker** (Hon. Ethuro): Please proceed, Sen. Mutula Kilonzo Jnr.

**Sen. Mutula Kilonzo Jnr.:** Sorry, Mr. Speaker, Sir. I must have pressed my microphone a little too early.

**Sen. Musila:** On a point of order, Mr. Speaker, Sir. I am responding to the Senate Majority Leader's notice of Motion. It is customary that documents are laid in advance so that we see them here. He says that he is giving notice of a Motion on issues we are not aware of. I know it is coming for debate at a later date, but we have not yet even seen the documents. Please, give us your direction.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Thank you, Mr. Speaker, Sir. I have looked at the Order Paper. The paper that I have just laid is not the subject matter of today's Order Paper. The Secretariat will be availing the report or the calendar. Therefore, hon. Senators will have an opportunity to scrutinize it before the matter comes for debate at an appropriate date once the Rules and Business Committee (RBC) slots the business into the Order Paper.

**The Speaker** (Hon. Ethuro): Order, Sen. (Prof.) Kindiki! You are very charitable to Sen. Musila. He laid the Paper on the Table, gave the notice and that is the end of the story for today. The Paper is available to you to look at so that when the proper Motion comes, you are seized of the matter. So, I do not know why you wanted some advance copies. There are no advance copies availed until the Paper is laid on the Table.

Next Order!

## STATEMENTS

DISBURSEMENT OF THE SOCIAL PROTECTION CASH  
TRANSFER SCHEME FOR THE ELDERLY

**Sen. Mutula Kilonzo Jnr.:** Mr. Speaker, Sir, I rise to seek a Statement from the Chairperson of the Committee on Labour and Social Welfare on the Social Protection Cash Transfer Scheme for the elderly introduced in 2007. In the Statement, the Chairperson should:-

(a) Avail the schedule of disbursement for Makueni County for the Financial Years 2013/2014 and 2014/2015.

(b) State the total allocation for the Financial Years 2013/2014 and 2014/2015 and indicate what percentage of it was allocated to Makueni County.

(c) State the number of persons who received cash payments in each of the six constituencies in Makueni County.

(d) Explain the manner in which the payments are made and state whether the national Government has put in place verification mechanisms for disbursements.

(e) State whether data on disbursement is available and accessible to interested Kenyans in the offices of the County Commissioners; and,

(f) Explain if the national Government has conducted a census or have any report on the number of persons who are entitled to this payment in all the 47 counties.

Thank you, Mr. Speaker, Sir.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, riding on the request by the distinguished Senator for Makueni, this is a matter that touches virtually on every county. May I ask that the Chairperson of the Committee, even if he takes three or four weeks, to bring to the Senate the disbursement of this safety net fund in each and every county so that Senators can interrogate and appreciate how the elderly in their counties are benefitting from a national benevolent safety net disbursement.

Mr. Speaker, Sir, you will even find that in some certain sections of the county, the people are being paid while in other sections of the same county, they are not being paid. In some counties, there are no payments at all. So, I request that we expand the request---

**The Speaker** (Hon. Ethuro): Order! Order! There is no amount of repetitiveness that will deliver the answer now. That is already what Sen. Mutula Kilonzo Jnr. actually asked.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, you have missed my point. He asked for Makueni---

**The Speaker** (Hon. Ethuro): No, you are the one who missed his point, Sen. Wetangula!

**The Senate Minority Leader** (Sen. Wetangula): I am so sorry, Mr. Speaker, Sir. But for purposes of emphasis, I must emphasize the importance of that question and why every Senator here, including my brothers from Narok, Nandi, Pokot and from everywhere should be interested in this. In fact, there might be need for a *Kamukunji* to call the relevant Cabinet Secretary to come and be interrogated on this matter.

*(Mr. Musila stood up in his place)*

**The Speaker** (Hon. Ethuro): What is it, Sen. Musila?

**Sen. Musila:** Mr. Speaker, Sir, I just want to draw your attention and that of the House---

**The Speaker** (Hon. Ethuro): Order, Sen. Musila! I was to do that on your behalf regarding your Statement of last week.

**Sen. Musila:** Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): Proceed, Sen. (Dr.) Khalwale.

**Sen. (Dr.) Khalwale:** Thank you, Mr. Speaker, Sir. Whereas that Statement is adequate, but even as you go into particular counties, you will find that certain areas have been left out and there is a lot of murmuring. So, we would like there to be sufficient time so that we not only get the disbursements per county, but we also get the disbursements per constituency, per the location and also the sub location. It is usually very painful when you go to the grassroots level and find that some locations are getting this money while others are left out and yet old men are all over the place. Could they be using the sub location as the smallest indivisible unit?

*(Sen. Wetangula spoke off record)*

**The Speaker** (Hon. Ethuro): Order, Sen. Wetangula! There is no amount of repetitions---

*(Laughter)*

Proceed, Sen. Kembi-Gitura.

**Sen. Kembi-Gitura:** Thank you, Mr. Speaker, Sir. I notice that the Chairperson of the Committee on Land and Natural Resources is here. He had promised to give me a Statement today, but I can see he is busy consulting.

**The Speaker** (Hon. Ethuro): Order, Sen. Kembi-Gitura! We are still on the labour and social welfare matter. We will come back to you.

**Sen. Kembi-Gitura:** I apologize, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): Before I invite the Chairperson to respond, I just wanted to---

*(Sen. Wetangula spoke off record)*

Order, Sen. Wetangula! I am addressing you.

**The Senate Minority Leader** (Sen. Wetangula): Okay, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): Actually, Sen. Musila had requested a specific Statement for Kitui last week on the same issue and when I looked at Sen. Mutula Kilonzo Jnr.'s Statement, it was similar but covering the whole nation. That is why I allowed him to do it today. So, I really do not think the Floor should be used for over emphasis, knowing that our Standing Orders do not allow for being repetitive.

Proceed, Chairperson.

**Sen. Madzayo:** Mr. Speaker, Sir, I appreciate the interest that the Members have on this issue. I need one month to come up with a comprehensive response.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): It is so ordered.

Hon. Senators, if you look at your Order Paper, Order No.8 is a Committee of the Whole.

*(Sen. Wetangula spoke off record)*

I know; that is why I am emphasizing. Sen. Wetangula, I think you are even more privileged than most of the Members in knowing why I may be going there, because we discussed this matter at the Rules and Business Committee (RBC). We have adequate numbers of delegations to vote and in your *Kamukunji* last week, we emphasized that we should expedite certain businesses. I would like us to go straight to Order No.8. After the voting, we will still go back to Order No.7.

Thank you for your indulgence. With that, we now go to Order No.8, Committee of the Whole.

**COMMITTEE OF THE WHOLE**

*(Order for Committee Read)*

*[The Speaker (Hon. Ethuro) left the Chair]*

**IN THE COMMITTEE**

*[The Temporary Chairperson (Sen. (Dr.) Machage)  
took the Chair]*

**COMMUNICATION FROM THE CHAIR****VISITING DELEGATION OF STUDENTS FROM ST. PAUL  
SECONDARY SCHOOL, KITUI COUNTY**

**The Temporary Chairperson** (Sen. (Dr.) Machage): Order, Members! I wish to recognize the presence of the pupils and teachers from St. Paul Secondary School from Kitui County, in the House, seated at the public gallery. As you all know, Hon. Senators, the tradition of receiving and welcoming visitors to Parliament is a long time tradition and one which we shall continue. On behalf of the Senate and on my own behalf, I extend a warm welcome to the pupils and teachers of St. Paul Secondary School, Kitui.

*(Applause)*

**THE NATIONAL POLICE SERVICE (AMENDMENT) BILL  
(SENATE BILL NO.29 OF 2014)**

Hon. Senators, I call your attention to Order No. 8, Committee of the Whole on the National Police Service (Amendment) Bill, otherwise known as the Senate Bill No.29, of 2014. Please, I request that Members should not move out, it will take us less than 10 minutes to execute this Bill. May I request that we do not reduce the number of delegates because I am worried already?

I want to bring to your attention what we had done before. We had actually finished discussing this Bill: all that was left was voting. Of course, you remember that Clause 2 was to be amended and Clause 3 was to be deleted. So that is where we are; we are at the voting stage.

I can see that the prerequisite numbers are a bit less, can we have the Division Bell rung for five minutes?

*(The Division Bell was rung)*

Close the door and draw the Bar.

*(The doors were closed and the bar drawn)*

*Clause 2*

*(Question that Clause 2 be amended as  
Proposed by Sen. Haji)*

**The Temporary Chairperson** (Sen. (Dr.) Machage): Hon. Senators, what we did on 4<sup>th</sup> is that we did everything including making the proposals and only the voting was left. So, that is where we will start.

**The Senate Minority Leader** (Sen. Wetangula): That is a violation of the Standing Orders.

**The Temporary Chairperson** (Sen. (Dr.) Machage): I am sure you know them.

**Sen. Billow:** Mr. Temporary Chairman, Sir, I propose that Clause 2(a)(I)(d) be amended by---

**The Temporary Chairperson** (Sen. (Dr.) Machage): Sen. Billow, you are one of the patriots in this House and unless you had made your proposal in writing and you are not the Mover of the Motion, you cannot amend a clause on the Floor of this House. So, you are completely out of order and you know it.

I am sorry, those are the rules and you are one of the signatories to our Standing Orders.

**Sen. Haji:** Mr. Temporary Chairman, Sir, on request by a majority of Senators, I beg to withdraw part (a) (I) (d) – have the ability to read and write.

*(Part (d) of proposed amendment by  
Sen. Haji withdrawn)*

**The Senate Minority Leader** (Sen. Wetangula): Mr. Temporary Chairperson, Sir, this matter came to the Committee chaired by the distinguished Senator who has moved the amendment. We debated at length and we said that we are simply looking for persons who are functionally literate. A person who can just even go and sign for his stipend if he is being paid a stipend; we cannot have at this day and age people going to use fingerprints. There is no place in this country where you cannot get people who have not been to Standard One or Two. It is not anybody and everybody who is going to be a police reservist; it is people who qualify and part of the qualification - we have not even said that you must have reached Standard Four – is being functionally literate. Just to be able to read and write. We are not asking for any certificate.

**Sen. Abdirahman:** Mr. Temporary Chairman, Sir, there is a misconception by many people, including scholars that reading and writing necessarily means secular education. I stand to be challenged, but I say that literacy even in Arabic language is just literacy. If you get it in the concept of the actual meaning of literacy meaning able to read and write, not necessarily for secular, then we do not mind having it the way it is. If it is in that concept we have no objection.

**The Temporary Chairperson** (Sen. (Dr.) Machage): Let me guide the House. Once the Mover of the Motion has withdrawn, my hands are tied and that is what the Standing Orders say and so you have no *modus operandi* to begin opposing.

Let me remind you what was done: Part (a) was withdrawn, part (c) was withdrawn and part (d) which you are contesting about was withdrawn on that day and so there is really nothing I can do.

**The Senate Minority Leader** (Sen. Wetangula): On a point of order, Mr. Temporary Chairman, Sir. On a more fundamental point, if a Committee sits and agrees on amendments and the Chairperson of the Committee comes to the Floor of the House as an agent of the Committee, does he have authority to unilaterally withdraw any of those amendments on his own? I am not assaulting Sen. Haji, I am talking on a matter of principle.

**Sen. Haji:** Mr. Temporary Chairman, Sir, yes, I am an agent of the Committee, but the wishes of the House even dictate the Chairman. I know if you put it to the vote, it is going to be defeated. Therefore, there is no point beating my chest and saying that it should be the way I want it to be. I agree with him that we had public hearings and this was the request of the public. There was even a bigger demand, but we toned it down.

**The Temporary Chairperson** (Sen. (Dr.) Machage): Sen. Haji, further, this Chair is not privy to what you discussed in your Committee. This Chair is only aware of what the Mover did on the Floor of the House and that was to withdraw. I am tied by that. If you do not want to vote on that, you have your own discretion as Senators to make that decision.

**Sen. (Prof.) Lonyangapuo:** On a point of order, Mr. Temporary Chairman, Sir. When you are putting the Question, you are actually saying that Clause 2 should be amended as suggested by the Mover, but you will note that after he has withdrawn part (d) there are two more ahead (b), (c) and (d). This means that the whole purpose for which I had brought that amendment is now lost. I wonder why I was not consulted because I am seeing it here for the first time.

**The Temporary Chairperson** (Sen. (Dr.) Machage): Order! Sen. (Prof.) Lonyangapuo, really that is not for me to know why you were not consulted. If you so desire to vote against it, that is your mandate as the Senator. However, as far as I am concerned, the Mover made amendments which the Standing Orders allow him.

Let me bring everybody to be where we are. There were proposals by Sen. Haji and he later amended them by withdrawing some of them. He withdrew parts (b) and (c). He left part (d) which is the area of contention. Now what he has done today is to withdraw part (d).

**Sen. Billow:** Mr. Temporary Chairman, Sir, this amendment is not about parts (a), (b), and (c) which are there. It is what is on the main Bill and what he is amending; for example, when he says delete (b), which says the Commission will provide reserve police officers with training, uniforms and firearms. So, we are actually going to delete that. That is what it is. Then (c) will mean securing---

**The Temporary Chairperson** (Sen. (Dr.) Machage): Order, Sen. Billow! That was withdrawn.

**Sen. Haji:** On a point of order, Mr. Temporary Chairman, Sir. In view of the confusion that I see, I would like to withdraw the amendments totally and we go by the original.

*(Proposed amendments by Sen. Haji withdrawn)*

**The Temporary Chairperson** (Sen. (Dr.) Machage): This raises a technical issue. So, we are going to put the Question without any amendments. I can see everybody nodding his head and happy. That makes my work easier.

What we have just done is that there is no amendment to this Bill. So, we are voting for that.

*(Question, that Clauses 2, 3, 4, Title and Clause 1  
be part of the Bill, proposed)*

There is a technical problem. The results may not be displayed, but we will see them from the table. You have to trust us because we will announce the right results.

*(Question put and the Senate proceeded  
to vote by County Delegations)*

*(There was a technical hitch with the  
Electronic Voting System)*

**The Temporary Chairperson** (Sen. (Dr.) Machage: Hon. Senators, technology seems to have failed us terribly. We will have to go the conventional way, the roll call way because we are wasting a lot of time.

Let us have tellers. Who is the teller for majority side. Sen. Emma, you have been chosen to be our teller here. On the minority side, Sen. Nabwala, you are a teller. Please, come forward.

Sen. Sang, be our teller here. The Senator has a flight to catch. I will order the Bar to be opened for a half a minute. Now close the Bars.

Let it be on the HANSARD that we are doubting the efficiency of this system or the operators.

I now put the Question.

## DIVISION

### ROLL CALL VOTING

*(Question, that Clauses 2, 3, 4, Title and  
Clause 1 be part of the Bill put and the  
Senate proceeded to vote by County Delegations)*

**AYES:** Sen. Adan, Isiolo County; Sen. Billow, Mandera County; Sen. Gwendo, Nairobi County; Sen. Haji, Garissa County; Sen. Hargura, Marsabit County; Sen. Kanainza, Kakamega County; Sen. Karaba, Kirinyaga County; Sen. Kembu-Gitura, Murang'a County; Sen. Khaniri, Vihiga County; Sen. (Prof.) Lesan, Bomet County; Sen. Leshore, Samburu County; Sen. (Prof.) Lonyangapuo, West Pokot; Sen. M. Kajwang', Homa Bay County; Sen. (Dr.) Machage, Migori County; Sen. Madzayo, Kilifi County; Sen. Mohamud, Wajir County; Sen. Mositet, Kajiado; Sen. Munyes, Turkana County; Sen. Murungi, Meru County; Sen. Musila, Kitui County; Sen. Muthama, Machakos County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Mwakulegwa, Taita-Taveta; Sen. Ndiema, Trans Nzoia County; Sen. Ntutu, Narok County; Sen. Okong'o, Nyamira



County; Sen. Orengo, Siaya County; Sen. Sang, Nandi County and, Sen. Wetangula, Bungoma County.

**Teller of Ayes:** Sen. Sang

**NOES:** Nil

**Teller of the Noes:** Sen. Nabwala

**The Temporary Speaker** (Sen. (Dr.) Machage): Hon. Senators, the results of the Division are as follows:-

**AYES:** 29

**NOES:** Nil

**ABSENTIONS:** Nil

The "Ayes" have it.

*(Question carried by 29 votes to nil)*

*(Clauses 2, 3, 4, Title and Clause I agreed to)*

*(Sen. (Dr.) Khalwale stood up in his place)*

**The Temporary Chairperson** (Sen. (Dr.) Machage): What is it, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Temporary Chairman. Before you close the voting, are you satisfied that the Senator for Meru County has actually voted? I see he is in the House.

**Hon. Senators:** He voted! He voted!

**Sen. (Dr.) Khalwale:** This is because he whispered in hiding and that is against the Standing Orders.

**The Temporary Chairperson** (Sen. (Dr.) Machage): You are completely out of order because the Senator for Meru County voted in a voice that the Chairman could hear. I may only recommend that you see an oculist to check on your hearing ability.

*(Laughter)*

Sen. Lonyangapuo, come to the dispatch box, please.

*(Sen. (Prof.) Lonyangapuo moved to the Dispatch Box)*

Can you draw the Bar and open the Doors?

*(The Bar was withdrawn and the Doors opened)*

Hon. Senators, I request that you do not leave the House because we still have another voting exercise. I have only done that because the Speaker has to move in.

**The Temporary Chairperson** (Sen. (Dr.) Machage): Okay, Mover; proceed.

**Sen. (Prof.) Lonyangapuo:** Hon. Chairman, I beg to move that the Committee report to the Senate its consideration of the National Police Service (Amendment) Bill, 2014, and its approval thereof without amendment.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Deputy Speaker (Sen. Kembi-Gitura in the Chair)]*

### **REPORT AND THIRD READING**

#### **THE NATIONAL POLICE SERVICE (AMENDMENT) BILL (SENATE BILL NO.29 OF 2014)**

**The Deputy Speaker** (Sen. Kembi-Gitura): Chairperson, you may give your report.

**Sen. (Dr.) Machage:** Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the National Police Service Amendment Bill, 2014, and its approval thereof without amendments.

**The Deputy Speaker** (Sen. Kembi-Gitura): Where is the Mover?

**Sen. (Prof.) Lonyangapuo:** Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee on the said Report. I request Sen. Haji to second.

**Sen. Haji** Seconded.

**The Deputy Speaker** (Sen. Kembi-Gitura): Hon. Members, I will propose the question. This is not a county matter. This is not a county matter so, it will be by acclamation.

*(Question proposed)*

*(Question put and agreed to)*

The Mover, please, proceed.

**Sen. (Prof.) Lonyangapuo:** Mr. Deputy Speaker, Sir, I beg to move, that the National Police Service (Amendment) Bill, 2014, be now read a Third Time. I request Sen. Haji to second.

**Sen. Haji** Seconded

**The Deputy Speaker** (Sen. Kembi-Gitura): Hon. Members, I will propose the question.

*(Question proposed)*

*(Several hon. Senators stood up in their places)*

I have no record that anybody wants to speak. You cannot blame me for that, can you?

Proceed, Sen. Wetangula

**The Senate Minority Leader** (Sen. Wetangula): Thank you, Mr. Deputy Speaker, Sir. I congratulate the distinguished Senator for West Pokot County for bringing this Bill. I congratulate him. Coming from the Jubilee side, I believe he is fully aware of the miserable failure of his Government in matters police. That is why he has brought the Bill to augment the failings in the police force by strengthening the capacity of the police reservists. We urge that this Bill be quickly forwarded to the National Assembly and we hope that the National Assembly will act in concurrence with what we have passed here.

Mr. Deputy Speaker, Sir, we also hope that in the subsequent passage and assent to the Bill by the President, the Government will operate the Police Reservist Unit free of corruption, free of the usual vestiges that we have seen in dispensing public facilities and even in other areas. I am sure that the distinguished Senator was informed by the challenges in his County and in his neighbouring counties that have had serious security challenges.

Mr. Deputy Speaker, Sir, you will be shocked to learn that yesterday we received a delegation from Baringo. The delegation appearing before our Committee asked the Chairman of the Committee whether Parliament was going to be able to facilitate their fare back. These are senior Government officers, including a county commissioner, if they are stranded from coming from Baringo to Nairobi you can imagine how stranded they are in doing their basic duties on the ground. We hope, as I finish because this is not debate time, that once this is done, police reservist services will be extended to every part of the country not to the traditionally Arid and Semi-Arid Lands (ASAL) areas where we have had serious challenges and we continue to have them. Even in the so called high potential areas, the security challenges are even worse. We hope that this law will help, in some small way to improve the security services offered to the people of this country.

Once again I congratulate the distinguished Senator.

**Sen. (Dr.) Kuti:** Mr. Deputy Speaker, Sir, I would like to join my colleague in congratulating Sen. (Prof.) Lonyangapuo for this very important Bill. The existence of reservists has been there since Independence. I am surprised that my colleague, Sen. Wetangula, thinks it is something new. They have been there and they are doing a commendable job. In fact, they are in the last mile where the services of any Government official ends, if I could be protected –

*(Sen. Wetangula consulted loudly)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Order Sen. Wetangula, you were listened to in silence. I expect you to accord the same courtesy.

**Sen. (Dr.) Kuti:** Mr. Deputy Speaker, Sir, I congratulate Sen. (Prof.) Lonyangapuo, that this unit is now institutionalized and that they do a very exceptional job in areas that are quite unreachable. They are the first response in any matters security in the last mile. So, we really appreciate the services of these very important Kenyans. We are very grateful that this matter has now been brought to have a legal framework. I would urge that this matter be fast-tracked so that the welfare of these people will be taken care of and they be formally included in the service, recognized and remunerated.

**Sen. Haji:** Mr. Deputy Speaker, Sir, just like the other speakers have said, of course there are challenges and for that matter---

**Sen. Khaniri:** On a point of order, Mr. Deputy Speaker, Sir. It is on procedure. To the best of my knowledge, Sen Haji seconded this Motion. You cannot second a Motion and then contribute again. If he wanted to stay anything on the Motion, he should have said at the stage of seconding.

*(Loud Consultations)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Order! The question has been raised, we are going to give it an answer, so let us not be speculative.

Sen. Khaniri may I please refer you to Standing Order No. 97. It states that:-

“Upon a Motion, other than a Motion by way of amendment to a question proposed by the Speaker, a Senator may Second by rising in his or her place and signifying acquiescence by bowing the head without speaking and such Senator shall, thereby, reserve the rights of speech as the Senator would have had if some other Senator had seconded such Motion”

So, Sen. Haji, you may proceed.

*(Sen. Haji spoke off record)*

Please, put on your microphone.

**Sen. Haji:** Mr. Deputy Speaker, Sir, as I was saying, there are lapses and also challenges in our security generally. As Sen. (Dr.) Kuti said, home guards or KPRs have been there since Independence. They have done extremely well in complementing the security forces. If there are heroes who should be recognized here, it is the KPRs. In most vulnerable areas they sacrifice themselves without any pay or recognition. This Bill addresses recognition of these gallant officers giving them the necessary facilities that are required. I want to congratulate my friend Professor for having thought of this law and bringing it to this august House.

I beg to support.

**Sen. (Dr.) Khalwale:** Mr. Deputy Speaker, Sir. As I congratulate Sen (Prof.) Lonyangapuo, because this is a matter that touches on “*haki ya mnyonge*” could he allow me to remove one feather from my hat---

**The Deputy Speaker** (Sen. Kembi-Gitura): Hon. Members, please remember that we are going to vote may I request that you do not leave the precincts.

**Sen. (Dr.) Khalwale:** Mr. Deputy Speaker, Sir, as I was saying could he allow me to remove one feather from my hat, as *mtetezi wa wanyonge*, and give it to him. This is because these are lowly placed members of society, but who contribute immensely to the security of our people. As they say, all politics is local; may be it needed a local leader from the local community to appreciate the challenges that these Kenyans go through.

As I congratulate him, I want to also condemn the Jubilee Government for the way they exercise selective justice. We all remember that last year, the High Court scrapped the recruitment of thousands of youth who were to join the police service because of corruption. Punitive action has been taken against those youth, but nothing to date has been taken against those police officers who received bribes.

The centres where bribes were actually given were tabulated and Kenyans gave complains, including parents from Malava and Lukuyani sub-counties in Kakamega

County. The officers who were recruiting at such centres have not been arrested so as to surrender that money at the very least to go back to those parents, it is very pathetic. It speaks of a Government that abets corruption and does not care when the rich steal from the poor.

My final contribution is to pay tribute to junior Police officer fresh recruits who upon finishing training were deployed to Kapedo and they lost their lives. In the same vein of not caring about *mtu mdogo*, the Government has not up to date taken any action against the senior police officer who chose to deploy newly qualified recruits into harsh terrains to face hardcore criminals.

With those few remarks, I beg to support

**Sen. Murungi:** Mr. Deputy Speaker, Sir, first, let me congratulate my colleague, Sen. (Prof.) Lonyangapuo, for bringing this important Bill to the House.

I believe that when the Government does wrong, it should be criticized. But when it does right it should also be congratulated and supported. The Senate should congratulate the Jubilee Government, especially, since Maj-Gen. Nkaisserry was appointed to the security docket, security in this country has seriously improved. That should not go unnoticed.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Deputy Speaker, Sir. Is the Senator for Meru in order to mislead the House that the Jubilee Government deserves credit for the good industry of Maj-Gen. Nkaisserry, when he knows very well that he is from the Opposition; ODM? He is not from Jubilee. Therefore, credit should go to the voters of this country who identified the best leaders to be those who are in CORD.

**Sen. Abdirahman:** On a point of order, Mr. Deputy Speaker, Sir. With due respect to the King of Meru, Sen. Murungi, I would want to point out the information that relates to the fact there seems to be some semblance of peace. It is not backed by figures and facts. This could be a period of lull and we do not know whether there are impending attacks or killings. Is he in order to actually give information that is not backed by figures and facts at this stage?

**The Deputy Speaker** (Sen. Kembi-Gitura): Is Sen. Kiraitu not entitled to his opinion?

What is it, Sen. Wetangula?

**The Senate Minority Leader** (Sen. Wetangula): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the distinguished Senator for Meru, who doubles as a King and has had a distinguished career as a person who speaks the truth, to stand on this Floor and mislead the House and country that security has improved in the country upon the appointment of Maj-Gen. Nkaisserry as Cabinet Secretary for the Ministry of Interior and Coordination of National Government, when immediately after his appointment even one of us was gunned down in cold blood with his security men and driver? It is within that same period that we saw very ugly riots in Narok, resulting in the arrest and detention of five Members of Parliament. It is also within that period that we saw children teargassed on Lang'ata Road.

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Sen. Wetangula. You are on a point of order. You will get a chance to contribute.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Deputy Speaker, Sir, we are not passing judgement on Maj-Gen. Nkaisserry, but he is in order to mislead the House and country?

**Sen. Murungi:** Mr. Deputy Speaker, Sir, there have been several points of order, some of which contradict one another. First, the Jubilee Government should also be congratulated for identifying even good people from the Opposition and appointing them into the Government.

Mr. Deputy Speaker, Sir, I really do not want to debate these issues with my colleagues, because those who have eyes will see. However, there are those with eyes and refuse to see. We will continue praying for them.

We are talking about the National Police Reserve to supplement the National Police Service. Therefore, we are talking about a national institution. My request is that this service be spread in all the counties, because there has been a traditional and historical imbalance which only gives police reservists to pastoralist and border areas. We appreciate that they may need the service a bit more, but there is also a lot of insecurity in other counties like Meru County. When this is implemented we would not like to be discriminated against in the appointments and distribution of the police reservists. As people who represent the counties, it is in our own interest to have police reservists well spread in all the counties in this country.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): I have a lot of requests for the Floor. Obviously, everybody has a right to speak, but we must recognize that this is not really debate time. We are in the Third Reading. I hope that you will be as brief as your colleagues who have already spoken. I can see a request from Sen. (Prof.) Anyang'-Nyong'o, but I do not see him in the House. I do not know how that is happening.

**Sen. Orengo:** Mr. Deputy Speaker, Sir, he may be having a clone or a double.

I will make very brief remarks. I also want to join my colleagues in congratulating our colleague, Sen. (Prof.) Lonyangapuo for showing his industry. This is not the first Bill that he has brought. I urge him to continue doing the good work. This is one of the occasions when Parliament gives the Executive the tools with which to prevent or fight crime. Hopefully, now that Sen. (Prof.) Lonyangapuo and the Senate have made it possible – if this Bill becomes an Act of Parliament – to give incentives and recognition of the services of the KPRs by some form of payment, I hope that the recruitment and deployment of police reservists should be done entirely on merit and basis anticipated or contemplated by the Bill that the Senate has brought.

This is because sometimes you provide these mechanisms and tools to the Government in power and they are misused. For example, there was a time when the Artur brothers were members of the KPRs. One was an Assistant Commissioner of Police and the other a Deputy Commissioner of Police. I just hope that I will not find one day that the King of Meru is also, a part-time Superintendent of Police, although I have no doubt that if you give him any job, he will do it in the appropriate fashion.

**Sen. Murungi:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Senator for Siaya, who is, in fact, a Senior Counsel, to imagine that a king can be police reservist?

*(Laughter)*

**Sen. Orengo:** Mr. Deputy Speaker, Sir, you know that the law regarding the recruitment of the Inspector-General has been changed and the President can recruit

directly. I know that if Sen. Kiraitu is appointed by the President, he is not likely to say “no”.

Having been to some areas like Mandera, I am urging the Government to make sure that this tool is properly used. For example, in Mandera, we found situations where some of the positions which should go to the local people are occupied by people from other parts of the country, who would not understand the language and how people live in any particular community. I hope that in recruiting the police reservists, we will get the local people with the knowledge and tools to help us deal with insecurity in the country as a whole.

If you look at those who are police reservists in Nairobi – sometimes I meet friends who are police reservist carrying guns – they are people who actually should not be free. So, I hope that Sen. (Prof.) Lonyangapuo’s noble idea will not be misused by getting the wrong people on the right job. That can equally be disastrous.

Finally, in the judgement that the five Judges gave yesterday, they said that it is not really the absence of laws that is bringing insecurity in the country. It is the lack of the will and use of the appropriate tools without corruption and serving with dedication. I hope that the Jubilee Government will now wake up to this fact; that there is insecurity in the country.

I am looking at the face of a man I admire, Sen. G.G Kariuki, whom I sit with in the Committee on National Security and Foreign Relations. The bottom line is the sense of patriotism and selfishness in the security forces that can take us where we belong. Sitting in that Committee, the Government has to review how we use our security forces and the kind of equipment we give them. The worst case that we found in Mandera is that in order for one to get petrol or to service a motor vehicle, one has to drive a car from Mandera to Garissa or somewhere in Elwak which is about 400 kilometers away. By the time one comes back, it obviously cannot deal with situations where there is danger.

Mr. Deputy Speaker, Sir, the other thing that I want to point out is that; sometimes, putting the right people in the right job, at the right place and in the right time may make a big difference. In Mandera, we found out that an officer who had been deployed about three months earlier, as opposed to the officer who was there previously, made a tremendous change in the security situation in there. What the Jubilee Government needs to do when making political appointments is to, probably, have a basis of looking at certain regions. However, when you are deploying public officers, please, look at the entire nation as a whole and know that the people from Kakamega are just as good as the people from Kiambu.

Thank you, Mr. Deputy Speaker, Sir.

**Sen. Hargura:** Thank you, Mr. Deputy Speaker, Sir. I would like to congratulate Sen. (Prof.) Lonyangapuo for coming up with these amendments to the National Police Service Act. As him, I come from an area where that is the only known law; maintenance of the system that we have. With this kind of an improvement, where the KPRs are trained, uniformed and have some incentive in terms of remuneration, I think that people in those areas will have better security.

Right now, the main issue has been that the Government system has not streamlined the sector of the KPRs. For a long time, whoever is capable would get the gun for their private use. There was no organization. However, in this case, if it is legislated that they have to be trained, uniformed and remunerated, then we are going to

have better service in those areas. As it has been said by other Members, it will be better if it is expanded to other parts of the country where they will be useful

**Sen. Karaba:** Thank you, Mr. Deputy, Speaker, Sir. It is important to note that the Bill was well done by my friend, Sen. (Prof.) Lonyangapuo. It has captured very important points and areas that we need to address, particularly, the areas bordering various territories. So, as we think about how to equip this force, it is important to know that it is supposed to be a very experienced force that has had a lot of combat exercises. It should be seen like it can man problems arising from terrorism to nomadic practices. It is, therefore, important that they are equipped properly with modern machines, so that they are able to follow and record the movements of our enemies.

It is also important to note that much as we talk about these reservists, we are supposed to be careful with the way we recruit the police. It has been noted that most of these people are recruited at the age of 27. My advice is; if they were to be recruited from school level, we would be capturing people with good morals, discipline and who can form a better police force, in future. It is important to also recognise that these are the people who have served the country for a long time. We should take care of their welfare and provide them with good amenities like the canteens, the same way we provide for the Armed Forces through Afco and so on.

Mr. Deputy, Speaker, Sir, I beg to support.

**The Deputy Speaker** (Sen. Kembi-Gitura): We are on the Third Reading stage and most of you had already contributed in the main debate. May I request that we reduce the talking time to a maximum of two minutes because I have so many requests? At this rate, we shall not finish at 6.30 p.m.

Proceed, Sen. Mutula Kilonzo Jnr.

**Sen. Mutula Kilonzo Jnr.:** Thank you, Mr. Deputy Speaker, Sir. I just want to remind this House that the last time that we debated this Bill was the last time---

*(Loud Consultations)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Senators! Can you, please, consult in low tones so that we can get some business going?

**Sen. Mutula Kilonzo Jnr.:** Thank you, Mr. Deputy Speaker, Sir. The last time we contributed to this Bill is the last time the late Sen. Otieno Kajwang was in the House and he contributed in great detail to this Bill. Therefore, in passing it, it is in a way to honour him.

I am still a little bit uncomfortable with the part where we have left the question of how the expenses will be defrayed in respect of implementing this particular section that we have amended. This is because the word “gifts”, “grants” and “donations” still appear there. We know how the police have acted in the past. They have the worst record in terms of corruption. So, that gives me some level of discomfort. Otherwise, it is good that we have deleted the words “18 years”. It is also good that we have included for purposes of security, because the National Government on this score has failed miserably; that these people will also secure the country’s borders, because the Government has sent our military to go and do other things other than guard our country.

Thank you Mr. Deputy Speaker, Sir.



**Sen. G.G Kariuki:** Thank you, Mr. Speaker, Sir. I would like to thank Sen. (Prof.) Lonyangapuo for bringing this Motion on the Floor of the House. I am sure that quite a number of Members here understand about KPRs. In areas where stock theft continues to persist, we need these kinds of officers to supplement the national police force. However, in some areas, they are more important than even the police force, because they understand the terrain and the topography of the area.

My concern is when you have 1,000 KPRs to serve Baringo, maybe less than 1,000 to Samburu and another more than 1,000 KPRs or less in Isiolo while there is none in Laikipia, you wonder what kind of system we are using. You have some people who have no access to self defense while we have people who are supplemented by the Government to defend themselves. It is such a shameful situation that we are living in.

It is such a shameful situation we are living in. I am happy the other day the Government agreed to serve Laikipia with about 51 KPRs and I will not complain because that number is better than nothing. But our neighbours have more than 1,500 KPRs when we do not have as much. So, all the guys---

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Sen. G.G. Kariuki! Your time is up.

Proceed, Sen. ole Ndiema.

**Sen. Ndiema:** Mr. Deputy Speaker, Sir, I want to thank my neighbour, Sen. (Prof.) Lonyangapuo, for this Bill. Indeed, it is the KPRs who have kept the peace that we are enjoying on the border between Trans Nzoia and West Pokot. I would only want to add that when it comes to recruitment, priority should be given to those who are already performing the duty for free so that it is not just a free for all; the existing ones should be given priority.

Mr. Deputy Speaker, Sir, in most cases, these KPRs have been working with the chiefs. I hope that by taking them to the police to be under the police, the chiefs will not be stripped of this service. I say so because police stations are far and if the Officer Commanding Stations (OCSs) are going to take them to the police stations and leave locations without security, then we shall not have achieved what we want. These KPRs should work with the chiefs.

Mr. Deputy Speaker, Sir, the OCSs should also not use the KPRs for purposes of rent seeking. These are Kenyans who should be serving all Kenyans regardless of their status. So, they should not be inducted into certain malpractices that sometimes are evident elsewhere amongst the police. They should be trained, they should be of high integrity and they should not be influenced in any way.

Mr. Deputy Speaker, Sir, perhaps, consideration should also be given to ensure that---

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Sen. Tiole Ndiema! Your time is up.

Proceed, Sen. Khaniri.

**Sen. Khaniri:** Mr. Deputy Speaker, Sir, I want to thank you for the opportunity. Let me add my voice to my colleagues who have spoken earlier in thanking and congratulating Sen. (Prof.) Lonyangapuo for the wonderful and well thought out idea. This idea could not have come at a better time; it is very timely. What we, as a House, are doing is trying to give the Government the necessary strength and to reinforce it in the fight against crime in the country.

Mr. Deputy Speaker, Sir, as I have always stated on the Floor of this House, the first and foremost responsibility of any Government is to ensure security of its citizens and their property. This is one area where this particular Government has failed miserably. We should not just sit on the fence and condemn it. As the Legislature, which is one arm of the Government, we should try to ensure that security in our country is restored.

Mr. Deputy Speaker, Sir, I just have one or two things to say. First, the recruitment of these particular reservists should not only be distributed evenly, but the recruitment itself should also be fair so that all counties benefit from this recruitment. As it stands now, we know that there are those who are already serving in that capacity as KPRs. There are areas which are totally disadvantaged like in the county I come from. Therefore, when we start doing this recruitment, we must make sure that we make up for those counties and make sure that the recruitment is evenly distributed in all the counties.

Mr. Deputy Speaker, Sir, there were very good amendments that were made to this---

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Sen. Khaniri! Your time is up. Proceed, Sen. Mong'are.

**Sen. Okong'o:** Thank you, Mr. Deputy Speaker, Sir. First of all, let me congratulate the proponent of this Bill, Sen. (Prof.) Lonyangapuo. My plea to the national Government when this Act is operationalized would be that we include, especially the teachers who are serving in terror-prone or insecure areas like Mandera, Moyale and even Wajir. This is a very important Bill when we pass it and the Teachers Service Commission (TSC) should not be threatening teachers left, right and centre. Give them the facilities; let them be trained so that when they are deployed in those areas, they will be safer.

On the issue of insecurity of the teachers, the Government may just have fears that if they transferred those teachers, they would have acknowledged that they have failed to secure them. So, my take is that this Bill has come at the right time and I support it.

Thank you, Mr. Deputy Speaker, Sir.

**Sen. Madzayo:** Asante, Bw. Naibu Spika. Pia mimi nataka kujiunga na ndugu zangu, Maseneta kumpatia heko Sen. (Prof.) Lonyangapuo kwa kuleta Mswada huu.

Jambo la kwanza, ningetaka sheria hii ichukue mkondo kila mahali katika nchi hii. Hili likifanyika mimi, kama mkaazi wa Kilifi, nina imani kwamba hawa KPRs wataweza kutekeleza amani pale ambapo askari wetu wa kawaida huwa wanazembea. Hivi majuzi, tumempoteza askari wetu mmoja huko Kaloleni kwa sababu ya upungufu wa maaskari. Kwa hivyo, tukiwapata maaskari wa KPR, huenda ikawa jambo nzuri zaidi.

Bw. Naibu Spika, natumai kwamba hakutakuwa na ubaguzi katika wale wataochukuliwa kama maaskari wa KPRs ili wale watu wanaotoka katika eneo lile wapewe nafasi hiyo. Si polisi wote ambao ni wabaya, hasa kule Kilifi.

*(Senate. Murkomen consulted loudly)*

Can I be protected, Mr. Deputy Speaker, Sir?

**The Deputy Speaker** (Sen. Kembi-Gitura): From whom?

**Sen. Madzayo:** From Sen. Murkomen. He is walking around and talking loudly as if it is a market place.

(Laughter)

Mr. Deputy Speaker, Sir, I hope my time is saved.

Bw. Naibu Spika, askari wengi, haswa upande wa Pwani, wanaona kwamba wakiitwa katika operesheni, huwa kuna shida ya mashamba na wanaitwa kwenda kuwafukuza maskwota. Ama kabla ya hapo---

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Sen. Madzayo! Your time is up.

**Sen. Nabwala:** Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): You do not look sure---

**Sen. Nabwala:** It is I, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): Okay. Can you go on, please, Senator?

**Sen. Nabwala:** Mr. Deputy Speaker, Sir, I would like to also join my colleagues in commending Sen. (Prof.) Lonyangapuo for bringing this Bill to the Floor of this House. This Bill seeks to recognize the efforts of police reservists in maintaining security, law and order. We are aware that police reservists play a key role in our country because they complement the work of the police. They also protect life and property; they apprehend offenders, prevent crime and yet, they still work under volunteer terms, as stated in the original Act.

The National Police Service (Amendment) Bill 2014, is good because it states that the police reservists can now earn a salary as they will be remunerated for the good work that they do. Some of these police reservists have been dying in the course of their duties. For example, in my county at one time, we lost a very good police reservist, Mr. Masika, and his family was not compensated. Even at his burial, we had to hold a *harambee* to facilitate it and also assist the family.

This Bill is good and I urge the national Government to put the Bill into action so that it can become operational. Just like other security officers, their families should be compensated even for those who lost their lives before this Bill comes into force. An audit should be done in the counties so that we can identify those police reservists who have already lost their ---

**The Deputy Speaker** (Sen. Kembi-Gitura): Your time is up, Sen. Nabwala! Proceed, Sen. Munyes.

**Sen. Munyes:** Thank you very much, Mr. Deputy Speaker, Sir. I want to start by thanking Sen. (Prof.) Lonyangapuo, my neighbour, for coming up with such a nice reform Bill. This Bill will surely change the lives of people along Turkana-West Pokot-Baringo borders. The force should be a rapid force that should help us in securing our international borders and, at the same time, secure our county borders. We look at them in Turkana and West Pokot as a regional reserve force; but this should be a national force. The Pokot National Police Reservist (NPR) should not kill a Turkana NPR.

As we state now, the current status is that they kill each other if they find themselves in the conflict area. So, we are forming a national police reserve force that is not going to be inducted the way we see policemen now. There is fear in the police force; nobody wants to work. We want people who can secure our borders, we have disputes in all our county boundaries and we want an impartial force that will support either

community. Our efforts have been paying for some of us, I have been a reservist for such a long time and this Bill has institutionalized the force. I have served myself and where I come from, I border international borders and at night it is you and your weapon. This is something that will change our lives. It is the best force!

**The Deputy Speaker** (Sen. Kembi-Gitura): Your time is up, Senator!

Proceed, Sen. Mohamud. You have two minutes.

**Sen. Mohamud:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to air my views. From the outset, let me take this opportunity to congratulate my colleague and brother, Sen. (Prof.) Lonyangapuo, for bringing this Bill. We commend the effort that the reservists are doing, especially in the pastoralist areas. I can confidently report that they are doing a marvelous job and without them, things would not be okay. According to the Bill, it is good to report that they can now earn a little money and allowances, and that will be a relief to those families. I also join Sen. Ndiema, who said that we must retain those who have been serving because we know that they have really suffered. We must motivate them by making them those who will be given the first priority.

Thank you, Mr. Deputy Speaker, Sir.

**Sen. Sijeny:** Thank you, Mr. Deputy Speaker, Sir. This is a good Bill and it gives the country an opportunity to strengthen its security which has been wanting and has been under attack, especially by the bad people called terrorists. This Bill will go a great deal in trying to control terrorism.

I would urge the government to give women priority in recruitment of police reservists because women are within the vulnerable groups and I will explain why. Within the pastoralist society you find that when men have gone to herd cattle, women are left and they are vulnerable. They know what is happening within the society. When they go to fetch firewood, when they go to---

**Sen. Haji:** On a point of order, Mr. Deputy Speaker, Sir. Sen. Sijeny is talking about women being enrolled in the KPRs, will they be cooking for them or what are they going to do because the terrain there is very difficult?

*(Laughter)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Let me get this right, Sen. Sijeny. By saying that women should be given priority, do you mean in recruitment? Do you mean that there should be the one-third gender rule in the recruitment of the Police reservists? I want to understand. Is that what you are saying?

**Sen. Sijeny:** Mr. Deputy Speaker, Sir, as a reservist what a man can do a woman can do better. I am of the considered opinion that if trained, it depends on which area, they can still do the duty. We have seen many areas where the population is high – even if someone is whispering here that the terrains are difficult, they still go up and down - so they can assist. Why not give them an opportunity? That is why I am saying “what the men can do, the women can do better.” It will make a difference.

*(Applause)*

The only important thing is that there should be proper ways of monitoring and evaluating so that these issues are not abused and corruption does not take over. Women can protect themselves, even when they have gone to fetch firewood or to the river, there is a lot of intelligence to collect there. These are areas that you neglect and these are things which can help. When we are in the market; Gikomba or everywhere, there are many women there, and as reservists they will do a good job. Who is this who is challenging women to take up these jobs?

*(Applause)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Senators! Order, Sen. Munyes. I have only two more requests. These will be the final ones; Sen. (Prof.) Lesan and Sen. Abdirahman, in that order.

**Sen. (Prof.) Lesan:** Thank you, Mr. Deputy Speaker, Sir. Let me also take the opportunity to thank my colleague Sen. (Prof.) Lonyangapuo for bringing this Bill. He is an experienced person who has experienced the situation on the ground.

Police reservists are actually men who are going to be at the site of possible crime at an instant at the time the crime is being committed. These police reservists are going to do a good job because they will be there first hand and they will deal with the problem quickly.

Mr. Deputy Speaker, Sir, from the selection of these individuals, I note that some of the individuals are 60 years old. It is important that we protect them as well from the effects of their age and duty. If we are going to remunerate them, some of the remuneration that should be given to them would be in the form of a medical scheme. In case they get any injuries or are hurt in the course of duty, they will be taken care of. They are likely to go through injury because of their age and susceptibility.

Mr. Deputy Speaker, Sir, it is also important that when these reservists are given arms; these arms as well are likely to fall into the wrong arms within the same community and this can be used against the population. So, it is very important that the selection is thorough; we should vet the individuals who are going to have these arms, lest these arms which are within the population injure the population. Otherwise, the idea of police reservists is an excellent tool to be used to preserve security within communities that are distant from organized government forces.

**Sen. Abdirahman:** Mr. Deputy Speaker, Sir, I want to add my voice to those of my colleagues who supported this particular Bill by Sen. (Prof.) Lonyangapuo, and I stand to make two comments.

First, the Kenya Police Reservists have suffered in the past as a result of the failure by the Ministry of Interior and National Coordination to make a clear policy in terms of remuneration, command structure and deployment. On several occasions, deployment has been questioned in a number of areas particularly in the ASAL areas where these people have served and communities continued pointing at each other. I think as a result of trying to standardize their deployment and operation structure, we will get rid of those suspicions that were leveled against one community. I also feel that this will boost the police capacity as they are already strained and they are not able to do what they are expected to do. This will bridge the gap and they will benefit from better training and also management.

Finally, the KPR are the people who normally have a grassroots touch and this will help in terms of intelligence gathering. I think we stand to benefit as a country if we put the Kenya Police Reservists programmes in order.

I support.

**Sen. (Prof.) Lonyangapuo:** On a point of order, Mr. Deputy Speaker, Sir. Pursuant to Standing Order No.54(3), I want to request that the we defer the putting of the question to the following day, because if I look at the numbers of the leaders of delegations in the House, they are not sufficient because this is a matter that touches on counties.

**The Deputy Speaker** (Sen. Kembi-Gitura): Sen. (Prof.) Lonyangapuo, I want to assume that you rose under Standing Order No.54 (3) because you are assuming there is no quorum and that makes a lot of sense. Why do you not allow us to ring the Division Bell and then we determine whether we are going to vote or not after determining the threshold?

This is a Bill that affects counties and we are now going to Division. The Division Bell is going to be rung for two minutes and then we shall proceed from that point.

*(The Division Bell was rung)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Senators! I am informed that we now have the threshold for voting and so I will now put the question. I do not know whether we shall vote manually or not because I do not know whether the electronic voting system is now working.

*(The Senators participated in roll call voting)*

**Sen. Khaniri:** On a point of order, Mr. Speaker, Sir. I bring to your attention that the Senator voting on behalf of Nakuru County has breached Standing Order No. 77(5). It is very clear and explicit on how Members should vote when it is a roll call vote. I seek your opinion.

**The Deputy Speaker** (Sen. Kembi-Gitura): Can you vote correctly, Senator.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Speaker, Sir. I stand under Standing Order No. 77(5), and wish your guidance. Are you persuaded that the Senator for Busia County has voted according to the provisions of that Standing Order?

**The Deputy Speaker** (Sen. Kembi-Gitura): Hon. Members, let us finish the roll call, then I will deal with that issue.

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Speaker, Sir. Are you persuaded that the Senator for Bungoma County has voted in view of the provisions of the Standing Order No. 77(5)?

**The Deputy Speaker** (Sen. Kembi-Gitura): For me to answer that question, can you please put me up to speed? What did the Senator for Busia County do or did not do?

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, allow me to start with the Senator for Busia. He said that: "Busia votes Yes." The Senator for Bungoma County said: "The entire delegation of Bungoma votes Yes." That is contrary to the provisions of Standing Order No. 77(5).

**Sen. (Dr.) Machage:** On a point of order, Mr. Speaker, Sir, I rise on standing order 110(b), for the last few minutes, we have been entertained by Sen. Khalwale by rising with unnecessary points of order. I was here and I saw Sen. Wako; he rose as he voted, including the Senator for Homa Bay County. Please, can you rule him out of order?

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Senators.

You can say that Sen. (Dr.) Khalwale is persisting but he is not because the point he is raising is not frivolous at all. In fact, it is in our Standing Orders and Sen. Khaniri also raised it. I think it is important for Members to acquaint themselves with the issue of voting. This is a very important issue. It is one of the foundations of us being here; voting as delegations.

Standing Order No.77(5) says:-

“When called out, each Senator shall, thereupon rise in his or her place and declare assent or dissent to the question in the following manner: “I vote Yes” or “I vote No” or: “I abstain” or use appropriate Kenyan Sign Language.”

Sen. (Dr.) Khalwale is making a very important point and I have had occasion to raise it in the past. Voting is a very serious issue. If you say that the entire Bungoma delegation votes YES and we know very well that there is only one person from there, there is strictly no delegation but for Kisii and Nairobi, we have more than one person in that delegation. I do not believe that the correct word is that the entire delegation votes. The assumption is that you are voting on the authority of your delegation and therefore it is either Busia Votes Yes or No or Abstains. For the future when we are voting manually like this, you will remember that Standing Order No.77(5) provides a mandatory way of voting. It is important because it goes on HANSARD.

**Sen. Wako:** On a point of order, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): Sen. Wako, do you have your card?

**Sen. Wako:** No but---

**The Deputy Speaker** (Sen. Kembi-Gitura): I have not given you the Floor, Sen. Wako.

**The Senate Minority Leader** (Sen. Wetangula): On a point of order, Mr. Deputy Speaker, Sir. I am not challenging the provisions of Standing Order No.77(5), but we also know that when we vote on matters affecting counties, we vote as delegations and not as individuals. That is why when the name of Sen. Mike Sonko is called, it is Beth Mugo who stands up to vote because she has a proxy to vote. When Kisii is called, it is Sen. Obure, but Sen. Ong’era stands up to vote on behalf of the delegation. So, we must not isolate Standing Orders and read them away from the Constitution. I have the liberty to say “my entire delegation”. I represent people. I am here in plural terms.

**The Deputy Speaker** (Sen. Kembi-Gitura): I do not want to appear to altercate with you but what is an entire Bungoma delegation? It is you and who? It is important that we respect rules. If you say Bungoma or Busia votes, I respect that and accept it.

**Sen. Orenge:** On a point of order, Mr. Deputy Speaker, Sir. The point being made by Sen. (Dr.) Khalwale is very important. Although the Constitution recognizes that voting is by delegations but when it comes to voting, Article 123(4)(b) says that “the person who votes on behalf of the delegation”. It is that person to put it on record whether he is voting yes or no. I believe that the Standing Orders have been made on the strength of the Constitution.

If somebody comes and says “Busia votes yes”, who do you account that vote to? Is it the whole of Busia County or Sen. Wako? It is Sen. Wako to take personal responsibility for the vote. As you put it, voting is a serious matter and we should take account when people one day want to know what happened. As you know, the membership of the Senate, at any one time, is prescribed under the Constitution. Posterity would want to know that when the Senator for Busia rose, did he vote Yes or No. It is not the county or the delegation voting; it is one person who stands and must take responsibility for that vote. I believe that Standing Order No.77(5) is on the foundation of Article 123(4)(b).

**The Deputy Speaker** (Sen. Kembi-Gitura): I am not going to allow any more points of order. I have made a ruling on this matter. Sen. (Dr.) Khalwale has said it correctly and that has been reiterated by Sen. Orenge. That closes the matter.

*(Loud consultations)*

Order! Can I make this clear? I have made a ruling on the issue of delegation and I have sustained the contention of Sen. (Dr.) Khalwale that on voting, it is either you vote Yes, No or Abstain. Sen. Orenge has reiterated it with a foundation on the relevant articles of the Constitution. So, there is no issue as far as I am concerned.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Deputy Speaker, Sir---

**The Deputy Speaker** (Sen. Kembi-Gitura): Sen. Wetangula, if you want to raise issues with me, you can but I have made a ruling on that issue. I have actually done it in the past. It is just a reiteration that you are either going to vote Yes, No or Abstain. This is provided for very clearly in the Standing Orders.

Now shall we get to the voting?

**Sen. Wako:** On a point of order, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): Order! Sen. Wako, you are out of order.

**Sen. Wako:** I may be out of order---

**The Deputy Speaker** (Sen. Kembi-Gitura): Order! Sen. Wako, you are out of order.

*(Sen. Wako spoke off record)*

*(The Senators continued to vote)*

## DIVISION

### ROLL CALL VOTING

*(Question, that the National Police Service (Amendment)  
Bill be now read a Third Time put and the Senate  
proceeded to vote by County Delegations)*

**AYES:** Sen. Abdirahman, Wajir County; Sen. Billow, Mandera County; Sen. Mugo, Nairobi County; Sen. Haji, Garissa County; Sen. Hargura, Marsabit County; Sen.



Kajwang M, Homa Bay County; Sen. G.G. Kariuki, Laikipia County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Khaniri, Vihiga County; Sen. Kembi-Gitura, Murang'a County; Sen. (Dr.) Kuti, Isiolo County; Sen. (Prof.) Lesan; Bomet County; Sen. (Prof.) Lonyangapuo, West Pokot County; Sen. (Dr.) Machage; Migori County; Sen. Madzayo, Kilifi County; Sen. Mositet, Kajiado County; Sen. Murkomen, Elgeyo-Marakwet County; Sen. Mungai, Nakuru County; Sen. Munyes; Turkana County; Sen. Mutula Kilonzo Jnr., Makueni County; Sen. Ndiema, Trans Nzoia County; Sen. Ndiema, Trans Nzoia County; Sen. Obure, Kisii County; Sen. Okong'o, Nyamira County; Sen. Orenge, Siaya County; Sen. Wako, Busia County and Sen. Wetangula, Bungoma County.

**NOES:** Nil

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Senators! The vote is in and the results are as follows:-

**AYES:** 26

**NOES:** 0

**ABSTENTIONS:** 0

The "Ayes" have it.

*(Question carried by 26 votes to nil)*

*(The Bill was accordingly read the Third Time and passed)*

**The Deputy Speaker** (Sen. Kembi-Gitura): Order, Members! As you are aware, we are now done with Order No.8. The vote has ended. The Speaker had ruled that after this business, we shall go back to Statements. I do not know whether we should move to Statements at 5.00 p.m. because we thought we would end with that matter much sooner. We will move on to the next Order. The outstanding Statements will be dealt with tomorrow afternoon.

Next Order!

## **BILL**

### *Second Reading*

#### THE POTATO PRODUCE AND MARKETING BILL (SENATE BILL NO. 22 OF 2014)

*(Sen. (Eng.) Muriuki on 4.12.2014)*

*(Resumption of Debate interrupted on 11.2.2014)*

**The Deputy Speaker** (Sen. Kembi-Gitura) Hon. Senators, we are resuming debate on The Potato Produce and Marketing Bill (Senate Bill No.22 of 2014). The last Senator to speak on this Bill was Sen. G.G. Kariuki and he concluded his contribution. The Floor is open.

Sen. Chelule, do you want to contribute to the debate?

**Sen. Chelule:** I have a point of order, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): Proceed, you have the Floor.

**Sen. Chelule:** On a point of order, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kembi-Gitura): What is the point of order?

*(Loud consultations)*

Order, Senators! Let us observe some decorum in the House, please.

Proceed, Sen. Chelule.

**Sen. Chelule:** Mr. Deputy Speaker, Sir, my point of order is about my voting card. I have been mandated by the Senator for Nakuru County to vote on his behalf when he is not around. But I hope you are aware that I have been coming to the front to vote because I am not able to use my card. I want to know why.

**The Deputy Speaker** (Sen. Kembi-Gitura): Sen. Chelule, that cannot be a point of order. That is an administrative matter which you need to sort out with the relevant office. It is not an issue I am able to deal with at this point in time. If you walk outside, you will find the people sitting out there who should be able to help you on the issue of your card.

Sen. Ndiema, you can proceed.

**Sen. Ndiema:** Mr. Deputy Speaker, Sir, first, I would like to thank the Senator for Nyandarua County for coming up with this Bill that seeks to regulate and develop the potato industry. The potato is a very important food crop. As I speak, it is the number two staple food for Kenyans. Unlike the other crops which are of less importance, the potato industry, for a long time, has not had a regulatory framework. Opportunities in this area have not, therefore, been exploited to the full. By coming up with a Bill that seeks to regulate the industry, we shall be standing in a better state to ensure that this crop gets the attention it deserves. Apart from being a food crop, the potato also has other industrial uses. It can be fed to cattle, pigs or processed for starch to be used in the medical industry. It is also used to make disposable utensils like plates. It is better than plastic because it is biodegradable.

When you look at the potato industry, we have been having a lot of challenges right from seeds for planting. Farmers have been replanting and recycling the same potatoes year after year. The yields have been going down because the potato plant is susceptible to diseases. If you plant a tuber that is already infected, the resultant yields will definitely be lower. Sometimes the farmers lose everything. Farmers have been at risk whereby sometimes they lose all their seasonal crop. I am happy that this Bill seeks to ensure that the potato farmer gets certified seed, just like we have certified seeds for maize, cotton and so on. This is very important because when the farmer goes to procure seeds, he will know that the seeds are certified, having been checked and certified by a competent authority like the board this Bill seeks to establish.

Mr. Deputy Speaker, Sir, there has also been a problem in marketing of the produce. There was a time we had very reliable marketing structures that ensured that at the time of planting, the farmers would know what they would reap in terms of income. Over time, policy makers, in the name of free enterprise, have jeopardized food production by bringing uncertainty to the farmers as to what they will produce. This also affects maize production.

If I may talk about grain, any country that seeks to have food security must ensure that the farmers know the price well in advance. Unfortunately, in this country, farmers plant, we promise them heaven, we do extension services, sometimes we provide fertilizer and at the end of the day the farmers sell at a loss. We are just too happy to go globally looking for food yet farmers in this country are capable of feeding its people, we have the maize that we can feed on.

*[The Deputy Speaker (Sen. Kembi-Gitura) left the Chair]*

*[The Temporary Speaker (Sen. Mositet) took the Chair]*

We can grow enough wheat and rice to feed our population provided we have structures and prices that guarantee at least some minimum returns to the farmer. The same goes for potatoes. As we all know, potatoes get ready at a particular time of the year and when the season is on for harvesting, there is over supply of potato produce which is a perishable commodity. This means when the farmers go to the market, they are likely to incur a loss because they will be offered the least prices.

This Bill seeks to regulate the marketing of potatoes. For instance, farmers in their quest to sell their potato produce, sometime are blackmailed by brokers and dealers to package it in double and sometimes triple bags because there is no standard and farmers have ended up being exploited. Potato is a bulky material: people who grow potato in my county, in the Cherang'ani Hills and Mt. Elgon, transport potato by donkeys and when they reach the market in the lower areas and they do not get the right price, the temptation is to sell at any price rather than take it back because going back up the hill is an impossible task and they have to dispose it with a lot of suffering to the farmer. Potato is consumed by the well to do in this country but the producer of potato is the most impoverished. These are contradictions that our system should really look at and I am glad that in this Bill, this Board will be authorized or certain standards of packaging have been set such that potatoes will now be sold only in 50 kilogramme bags.

This is not only proper for the dealer, buyer and the seller because they know the definite quantity they are buying but also for our youth and the workers who package and load these heavy materials on trucks. The young people who load potatoes to lorries and trucks have been suffering; some have ended up with life threatening ailments because of the weight of the bags they carry. You recall recently that maize is now being sold in 50 kilogramme bags. I was at the National Cereal and Produce Board (NCPB) depot in Kitale and I noticed that for the first time, anybody could load the trucks; even ladies were also able to get employment to load the trucks.

Similarly, ladies producing the potatoes will easily load the potatoes into the trucks and take them to the market. In the past, attempts have been made to standardize the packaging of potatoes and this has been at the discretion of the Cabinet Secretary or the Permanent Secretary through subsidiary legislation or policy statements which have not been effectively dealt with whereby they make regulations which are reversed within no time. This is the first time that this requirement is being entrenched in legislation. Therefore, implementation or enforcement will certainly come into fruition.

The board that is envisaged here is very important. I am aware that the Government is trying to reduce boards in the agricultural sector for purposes of economy

but I think since this is a new board, perhaps it should be allowed to run first until systems have been set in place, then consideration can be given later, perhaps a few years down the line, to revert or merge the functions of this Board with those of the authority that has been formed to cater for the entire agricultural sector.

Mr. Temporary Speaker, Sir, I am also aware that agriculture is devolved and it is very important. I am aware that the Committee Stage will come up with provisions to ensure that representation from the counties is catered for in terms of membership in the board or even establishing branches out there in the counties.

With those few remarks, I want to say thank you, to Sen. (Eng.) Muriuki, for this worthwhile Bill that is going to assist this country in its effort to attain food security and self-sufficiency in food.

**Sen. (Prof.) Lonyangapuo:** Mr. Temporary Speaker, Sir. I want to also join my colleagues in thanking Sen. (Eng.) Muriuki for taking time to identify a crop which is like a niche product in his county. He has worked on a Bill that is going to address the challenges facing potato farming in the country. Potato is a cash crop as well as a food crop and there were times when in the early 1990s and late 1980s, potato was synonymous with Molo. There were two products that were very key- those of us studying in Egerton University would talk of two Molo products, that is, the potato and lamb to the extent that they even obtained a trademark to be sold outside the country. I am surprised that the potato we were talking about never had any attention to the extent that it is now that we are remembering to draft a Bill that can address the production of this crop.

Nyandarua County is the main producer of food that is consumed here in Nairobi City and the neighbouring counties. For that reason, we need to identify the main produce that comes from every county. Today we are talking about potato production. When I was a Permanent Secretary we visited a region in Japan. We found out that the Mayor of that region was working with the Governor of that region to come up with a product. They agreed that everybody in that county had to grow and process grapes. They agreed to create employment and come up with a product that they can market in the whole of Japan and anywhere in the world. The proceeds from the sale of the product would be used to take everybody from the county for a holiday to the best destination. It looked innocent but after a while, countries like Kenya had to go and benchmark. What came out was a slogan called "one village, one product."

Mr. Temporary Speaker, Sir, when I read this Bill, it reminded me about the slogan that was introduced here in Kenya in 2008. Now that we have gone into counties, every county must come up with a product that can sell that county. Further, every ward must distinguish itself by dealing in one product. We have so many youths who are idling in the streets, small towns and markets. Some have now become experts in playing a game called Pool. They waste their brains from dawn to dusk playing a game which cannot help them in anyway. But here is a product that we can concentrate in.

I am happy that the people of Nyandarua are really thinking about this product and ways of marketing and making it better. However, this crop is not only grown in Nyandarua. I have seen in the First Schedule which talks about the list of major potato producing counties. I am surprised that some counties have been forgotten. During the Committee Stage, I will introduce an amendment to include other counties that grow potatoes. I am surprised that Sen. Karue thinks that Nyandarua is the only county that

produces a lot of potatoes. Let him visit Lelan Hills which we share between West Pokot and Elgeyo-Marakwet. A lot of potatoes are grown 14,000 feet above sea level. There was a common joke shared among the highland people who grow a lot of potatoes. They would tell their neighbours that they wanted to go to Kapenguria or Kitale Town to eat chips because they were tired of eating potatoes. They do not know that they can make maximum use of their produce.

Mr. Temporary Speaker, Sir, this Bill proposes the formation of a National Potato Council that can address the production of this crop. It is surprising that we are introducing this Bill now when we are in the process of “killing” other boards that deal with other crops very fast. One of them is the Cotton Development Authority, which is being thrown out. Where are people who used to depend on cotton in Siaya, Baringo, West Pokot and Elgeyo-Marakwet? We are trying to address one crop when we actually should disband the committee that is moving around and doing away with other specialized boards that should make Kenya very strong. They have recommended that the Pyrethrum Board of Kenya must go. They have been enjoined in a huge board. When I saw the composition of the people who are recommending the disbandment of those boards, some come from Mandera where cotton and pyrethrum is not grown. How can you entrust somebody who has never seen a crop to be in a charge of it? He will only think about what he knows better.

We should rethink the decision to abolish legislation that addresses one particular crop. Nyandarua depends on potatoes and milk. So, do not tell the people of Nyandarua that they should abandon their dairy cows and work on some other product. Coconut is found in the coastal region and we are now disbanding some parastatals. We will regret it later on. I am speaking passionately about potatoes and in the process, waking up all the other sectors that are dying.

Early last year, some Senators visited the Senate of Belgium. In the process, we visited the farms. We should never be cheated because other countries are developing their own niche products, yet they advise countries in Africa to destroy their products. I mentioned this the other day when we met the Cabinet Secretary for Treasury. I said that maize farming is now collapsing in Kenya. This is because the fertilizer that we are now getting is subsidized, but it has serious effects. After harvesting your maize, a new weed that is very resistant grows. Some of the fertilizers that come into the country as donations come with other effects. They mess up with the soil and the production goes down every year.

As we look at the Potato Produce and Marketing Bill, we need to advise the Governors and everybody to identify crops that can thrive in their regions. In my county and Turkana County, for example, we have cows. But can the Government together with the county government assist us to make those regions disease-free and eradicate cattle rustling? People from Kakamega are known to buy bulls from our place. They then use them to attract tourists through bullfighting that happens every weekend. However, we can concentrate on beef production. When it comes to fish production, we can benchmark with counties that produce fish. Turkana County has oil but it does not have maize which is grown in plenty in Trans Nzoia and Uasin Gishu counties. Therefore, it is time we revisited the laws that were enacted in the 1960s and 1970s. I would like to see cotton production being revived.

Out of the 24 factories that we had, we now have four that are functioning. We are importing clothes. The people who told us to kill our industries are now clapping their hands. The people that make our clothes are in China and India. The other day we had a challenge in our county. We have 150,000 children in primary schools and all the uniforms are imported. You can just make a phone call to China and they make them overnight and then deliver them. We can also do it right here. KICOMI collapsed in Kisumu. How many people were employed by KICOMI? Sen. Orenge, you know that you could not go to Kisumu in the morning because the road was full of people walking to the factory. Now, they are not there even in the evening. We have lost what we are supposed to address.

As Sen. (Eng.) Muriuki is fighting for potatoes, what are you fighting for? Sen. Ntutu is here and knows that the wheat that comes from Narok County is sufficient to feed the people of Kenya and beyond.

**Sen. Hassan:** On a point of order, Mr. Temporary Speaker, Sir. I reasonably have an image of how Sen. Ntutu looks like; his towering figure and usual position in the Senate. I just tried to say that he is not in the House now. However, the Senator for West Pokot, Sen. (Prof.) Lonyangapuo, insists that Sen. Ntutu is in this House. Can he please point to us who among the Members seated here is Sen. Ntutu? Is he in order to say that Sen. Ntutu is in the House when he could be in Muthaiga Police Station?

**The Temporary Speaker** (Sen. Mositot): Sen. Hassan, I think it was very clear that there is a product from Sen. Ntutu's county, which Sen. (Prof.) Lonyangapuo wanted to tell the House. He even went ahead to say that it is wheat.

**Sen. (Prof.) Lonyangapuo:** Mr. Temporary Speaker, Sir, Sen. Hassan only wants to remind us that he was my student and a very good student leader. So, he wanted me as his principal to recognise that fact.

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

**Sen. (Dr.) Khalwale:** Thank you, Mr. Temporary Speaker, Sir. As I support this Motion, I have asked myself two questions; the first one is, the appetite my daughter, at the age of five years, has for chips. Like many children who grow up in Nairobi and other urban areas, when you ask them where milk comes from, they will tell you that it comes from the fridge. Little do they know how the poor of this country in the rural areas have to toil hours upon hours to create milk before it finds its way eventually in the fridge. Similarly, my daughter, like many other age-mates that she has in the county, does not know the amount of industry that is involved by our peasant farmers in the rural areas, to ensure that people eat chips here in Nairobi, Mombasa and other areas.

The second question I asked myself is; Supposing farmers went the "*Animal Farm*" way where animals boycotted production, and potato farmers boycotted supplying to Nairobi? What would people eat? Serious businesses would collapse. The fish, chicken and chips shops that we have in Nairobi would collapse. Five star hotels and supermarkets would be affected.

Mr. Temporary Speaker, Sir, therefore, as we contemplate on these two questions, we should be asking ourselves: What are we doing as the fathers of equity in this country to ensure that the astronomical profits that owners of five star hotels make, can trickle down to the farmers? When you go to a five star hotel and ask for a plate of chips plus a few additional items that include garlic and green vegetables, you are told to pay Kshs5,600 for that plate. The farmer who produced a whole bag that has made many of

such plates that the five star hotel has sold at a whooping Kshs5,600 gets nothing. We have to move in as the fathers, mothers, grandmothers, daughters and sisters of equity to ensure that, that benefit is passed over to the farmers.

There are three cardinal *wanyonges* in the potato industry. The first one is the farmer, the second one is the hawker and the third one is the loader. These people are seriously exploited. I was born on the western part of the country and have had the privilege to work across the whole Republic all the way to the Coast. I have passed for decades driving between the Coast, and central Kenya to my home. Every time I pass while driving; I always remember to load my boot with potatoes. I ask myself, for a period of over 30 years that I have driven on this road and bought these things, how come, it has not occurred to the Government that you cannot wish away those young and middle aged women who hawk potatoes. Why would a patriotic Government that cares for her people not put up sheds? When it rains, these *mamas* run after us. When there is sunlight, these *mamas* are there being scorched by the sun. The Government should rise and we are the catalyst to force it to rise to the cry of the poor.

Mr. Temporary Speaker, Sir, we have made the people who feed us to be beasts of burden. I say no. As if that is not enough, they also pay taxes. You will find people from county governments these days with receipts collecting taxes from these *mamas*. As soon as they pay the taxes, it does not end up in the coffers of the county government. That money, these days just lines the pockets of Governors and their officers; revenue collected from source. Members of the County Public Accounts and Investments Committee are waiting to tell this House how we have stumbled onto shocking statistics.

The revenue that used to be collected by the former defunct local authorities that were very inefficient is a thousand times better than what the Governors are collecting today. Nairobi County collects over Kshs18 billion per month at source and nobody talks about it. Instead, we are kept very busy talking about the Kshs11 billion that the national Treasury sends as devolved funds. Unless we address these issues, we will go round in vicious circles and we will never eradicate poverty in this country. Our children will one day ask us “how can we be so poor after all these years of our leaders presiding over the common wealth of this country, which is one of the richest countries in the world?”

I want to tell you, my colleagues; today, if you just lifted the 49 million Kenyans and exchanged them with the millions of whites who live – for arguments’ sake – in Denmark; and you bring the people of Denmark to Kenya so that they become Kenyans and all of us become Danish citizens; if you go back after 15 years, you will find that the Kenyans who are living in the new Denmark will be receiving donor aid from the Danes who will be living in the new Kenya. Why? It is because we either look the other side, we do not care or we abet corruption. That is the problem! In fact, having been with Sen. Orenge – and he is the one who introduced me to politics; I would never have left my profession of medicine – all these years and having fought for democracy; having come this far, I am starting to think that, maybe, the best President will not necessarily be the one who will be most democratic.

The best President might very well be the one who will believe that there will be no corruption. The *mama* who feeds us in Nairobi has no way of being corrupt; corruption is only at the Office of the President and the other high offices. The problems we are seeing now at the County Public Accounts and Investments Committee (CPAIC), which I have chaired for five years – and for your information, I am the longest serving

Chairperson of the National Assembly Public Accounts Committee (PAC) in the history of Kenya – the things I am reading about what is happening in the PAC of the National Assembly, I challenge the leadership of political parties in this country to ensure that men and women of character are taken to watchdog committees.

Mr. Temporary Speaker, Sir, so that I do not digress, the farmers who grow potatoes are exploited by blokes called middlemen. It is only the Government that can protect them. Farmers are not supported by their Government. Today, because of the importance of the potato industry, the Government should be having a special research institute that will look for the best seeds; faster growing seeds and seeds that produce bigger potatoes for better weight; but the Government has not done this. The Government should protect the loaders, especially during the wet season. It should protect the farmers so that they can do their work without exposing themselves to diseases like pneumonia and so on, and so forth.

Mr. Temporary Speaker, Sir, I want to conclude – I can see that my time is up – by speaking to the important issue raised by the Senator for West Pokot, Sen. (Prof.) Lonyangapuo, about this useless Act that was passed without reference to this Senate called the Agricultural Food and Fish Act, The AFFA; it is a terrible Act! It has dissolved all boards to the extent that the only board that was having billions of shillings in its accounts, called the Kenya Sugar Board (KSB), has now been merged so that farmers – who are actually the ones who contributed the money in the kitty of the KSB – money is now exposed. Today, the economy of the entire western Kenya; all the counties of the former Nyanza Region and all the counties of the former Western Province are now coming to their knees because Mumias Sugar Company, Chemelil, Awendo, Sony Sugar Company and many others, have come to their knees because KSB is not there to address the issues.

Mr. Temporary Speaker, Sir, because there was this useless law, the head of the former KSB, Mrs. Rosemary Mkok, is helpless under the new Act. Mumias Sugar Company is collapsing while the blokes who looted it are today big men and women, speaking “fat” English in Nairobi when the children of the farmers whose cash they looted are unable to go to school.

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

**Sen. (Dr.) Khalwale:** Kindly, hold my time, Mr. Temporary Speaker, Sir.

**Sen. Hassan:** Mr. Temporary Speaker, Sir, I have sat here for about two or three minutes, but my conscience would not rest particularly because of this statement that came from Sen. (Dr.) Khalwale:- “maybe we might not need a President who is democratic.” That is a dangerous statement coming from Sen. (Dr.) Khalwale, because we do need a President who is democratic. So, is he in order to suggest that a country which the preamble of its Constitution states that this is a democratic country, say that type of a thing? I have tried not to raise it but my conscience would not rest.

**Sen. (Dr.) Khalwale:** Thank you.

Mr. Temporary Speaker, Sir, I only came into contact with English because it was the medium of learning. Ordinarily, I would only be speaking Kiluhya and Kiswahili. What I really meant was that over and above being a democratic President, the greater character might be the one who fights corruption. I believe in democracy and we have paid high prices for democracy.

Thank you, Sen. Hassan.



*(Applause)*

So, Mr. Temporary Speaker, Sir, these blokes who have impoverished our farmers in the sugar industry, especially Mumias Sugar Company are big men and women, walking around in Nairobi, speaking in boardrooms; speaking “fat” English; they are useless!

Mr. Temporary Speaker, Sir, I want to use this Floor today to say that I support Sen. Mbuvi in what he is doing in the County Government of Nairobi because the same cartels that Governor Kidero used to loot Mumias Sugar Company have followed him; now they are busy looting the County Government of Nairobi. The time will come when we shall unravel these things.

Mr. Temporary Speaker, Sir, because the KSB has been made incapable of performing, we now have petty wars between Butali Sugar Company and West Kenya Sugar Company. There is nobody to arbitrate and they are now being forced to go to court. The courts do not have time because they are too busy so that a simple trade matter that could have been sorted out by the KSB is awaiting arbitration by the courts. The resultant effect being that West Kenya Sugar Company and Butali Sugar Company, that were the most efficient, are now taking advantage to the extent that the price of sugarcane has dropped from a whopping Kshs4,200 per tonne when the competition was at its peak during the days of KSB to now a paltry Kshs2,600 per tonne.

Mr. Temporary Speaker, Sir, since I am the Senator of the sugar cane farmers, I feel the same pain that the Senator for Nyandarua, our brother Sen. (Eng.) Karue, feels for potato farmers. I want to plead with my brothers and sisters in this House that we come back with an urgent amendment Bill so that we reverse that unreasonable law if, for nothing else, but that we say that the AFF Act was not allowed to go through this Senate because the Amendment Bill that amended it was a Bill concerning counties.

Mr. Temporary Speaker, Sir, I beg to support and I thank you for the opportunity to contribute.

**The Temporary Speaker** (Sen. Mositet): Sen. Ongoro, I believe you are using Temporary Card 2?

**Sen. Ongoro:** Thank you very much, Mr. Temporary Speaker, Sir.

*(Sen. (Dr.) Khalwale consulted in high tones)*

Mr. Temporary Speaker, Sir, can you save me from the loud consultations of Sen. (Dr.) Khalwale?

**The Temporary Speaker** (Sen. Mositet): Order, Sen. (Dr.) Khalwale! Please, consult in low tones.

**Sen. Ongoro:** Thank you, Mr. Temporary Speaker, Sir. I will not belabor my points. I am in support of this Bill. It has been said before and I think everybody knows that apart from maize in this country, potatoes are ranked number two as a staple food. In terms of the consumption rates, this crop has the capacity to not only make us food sufficient by feeding the nation, but also in creating wealth as a cash crop.

However, it is really sad that the growing and the marketing of this crop – especially the marketing – and the prices of potatoes have been left in the hands of middlemen. That obtaining scenario means that the farmers on the one hand, who are the

producers, are suffering and the consumers on the other hand are also suffering. This scenario also means that the middlemen can hoard potatoes at will when they want to raise the prices and they sell at a price determined by themselves. This is a scenario that eventually discourages potato farming because the farmers are not getting value for their efforts. Therefore, I support the creation of a National Council, which should be directly charged with the responsibility of ensuring production, storage, marketing and even the quality of the potatoes that will reach the markets.

Mr. Temporary Speaker, Sir, I do not wish to repeat all the points that have been raised. While I am in support, I would like to encourage us, as a nation, not to be a retrogressive society. I support the creation of boards very much because they deal directly with their mandate, which in this case, like the Potato Board, will be to ensure increased production of a high quality potato yield and ensure that farmers and consumers alike get value for their money and efforts. But we cannot be creating boards on one hand and killing other boards with the other hand. Before those boards were created, we debated on them and thought carefully about them. But while some of the reasons for killing of certain boards have been raised as lack of performance, I would like anybody to present a scenario where a board that has not been facilitated can still be expected to perform. It does not make any sense, for example, to create this Potato Board if we do not have any good intentions and political good will to give it the resources and facilities that it needs to implement its mandate.

Mr. Temporary Speaker, Sir, over 200 boards are now being done away with and in this same House, we have passed Motions and Bills in support of facilitating those same boards. Instead of the Government acting on Motions and Bills passed in this Senate to do the necessary, just last year, we passed a Bill that supported the creation or the facilitation of the board that is charged with the responsibility of ensuring that the coconut tree and coconut farmer is facilitated and given resources to ensure that, that crop and all its byproducts are well marketed. Instead of acting on that Motion and all the issues that were raised by the Senators, the Government went ahead to do the extreme by actually now not just facilitating – at least we were talking about facilitation when it was in existence – now it is completely being done away. I want to reiterate the point that was raised by Sen. (Prof.) Lonyangapuo – where is the cotton crop in this country? What happened to it? The soils remain the same, the market was really ripe; it was put in good use; it was creating employment and wealth for this nation. What was the reason for the lack of support and facilitation that led to its collapse and, by extension, the collapse of all other institutions and opportunities that were related to it?

So, Mr. Temporary Speaker, Sir, while I support this Bill, I would want us not to have double standards in creating institutions and killing other institutions on the other hand. Let us not be retrogressive, let us support these institutions and also put to task the national Government to give an explanation as to why Motions and Bills that are passed in the Senate are not acted upon.

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

*(Applause)*

**Sen. Chelule:** Thank you, Mr. Temporary Speaker, Sir, for giving me an opportunity to also contribute to the same Bill. Before I do so, I really want to thank the

able Sen. (Eng.) Muriuki for bringing this Bill to the Floor. I have a few reasons why I am supporting this Potato Produce and Marketing Bill. My first reason is about production. I know that farmers will be empowered and they will have quality planting seeds. The second reason is about storage; I know that once this Bill is passed, farmers will benefit from the stores because I know that most farmers from potato growing areas will be encouraged to put up a very big store – twice as big as this House – and I know this will enable them to store and market their produce at an opportune time. So, this will address the marketing problems that they are facing right now. But as I am talking today, just to represent these farmers, they are suffering in the hands of middlemen because farmers cannot sell their produce at the right prices because they do not have a strategic store where they can store and maybe package their produce.

Mr. Temporary Speaker, Sir, as I am talking today on this Bill, I am one of those farmers growing potatoes and I know the problems that these farmers are facing. I want to call upon the county governments to look into the issues of these farmers. They have been suffering and I want to request the county governments to assist them by setting aside funds to facilitate the construction of a very big store where these potatoes will be stored. We shall have people who will be responsible for production, marketing and even the kind of supervision that is needed in the management of these products.

Mr. Temporary Speaker, Sir, potatoes are both a food crop and a cash crop. We are facing problems in the agricultural sector. Maize farmers are facing problems because of diseases and this is the only crop that farmers are surviving on, helping them to pay school fees for their children. So, it is very important for the national Government to take into consideration the formation of the National Potato Council to look into the issues facing the farmers. It is high time that both the national and county governments took into consideration the issues facing the farmers because they are the majority, considering that agriculture is the backbone of this country. We, as a country, cannot stand without food or if do not empower farmers.

So, Mr. Temporary Speaker, Sir, I fully support this Bill. I know that we are currently having a problem on the issue of packaging of potatoes. We are so happy as leaders and as Senators representing farmers and Kenyans that after this Bill is passed, the package will be 50 kilogramme. This will be of benefit to the farmers and they will be able to practice what we call *kilimo biashara*. Besides that, there will be value addition. At the moment, the farmers of this country are losing a lot of money because they do not add value to their produce. I know that the moment this Bill is passed, farmers will be able to come up with very big stores in every sub-county to store their produce in a central place and package them the way they want. I hope that the Government will come in handy in order to assist them to have a standard package of bags so that the farmers will not be exploited.

I fully support this Bill and call upon fellow Senators that at the time of voting for the Bill, I kindly, in advance, request them to pass it because it will benefit potato farmers.

Thank you.

**Sen. Karaba:** Thank you, Mr. Temporary Speaker, Sir, for giving me this chance to talk about this very important product which comes from the highland region. It also comes from heavy rainfall regions with deep rich volcanic soils. There is nothing else that can grow in this environment apart from potatoes. We are therefore talking about a

selective crop which is dominant in particular regions and which has competed with many other crops and has survived the bad weather all the years. It is this crop which has also dominated the highland conditions and the volcanic soils more than any other crop from the region.

As you know, Kenya as a country has very few areas which are arable. More than 75 per cent of Kenya is either arid or semi-arid. It is only about 20 to 25 per cent which can be termed to be arable. Going by the population of Kenya of about 40 million to be adequately fed, is one of the wonders of the world. Going by what I know about the levels of hunger, poverty and population increase, it is supposed to be coupled with an increase in food production. That is why we are taking potato farming as a very important food culture.

Mr. Temporary Speaker, Sir, potatoes can only grow in some selected areas. We note that potatoes mainly grow in the former Central Province, the highland region, parts of Kakamega and a few selected areas along the coast region. Not all people in this country live where potatoes are grown. If you have to carefully study where potatoes grow, you will find that those people who live in potato growing areas also suffer just like the potato crop suffers as it grows. They thrive in areas which are very cold, windy and with very high torrential rainfall. In most cases, they suffer from air related diseases like pneumonia, common cold and asthma. This crop does not grow in warm areas, it grows in cold environments. This crop does best in areas which can also competitively do well in pyrethrum growing.

Mr. Temporary Speaker, Sir, we are dealing with a selective crop because it grows in areas which are wet and the terrain is difficult. It is difficult to come up with good roads in those areas. What amazes me is that these areas where potatoes are grown have very poor road communication network, the rail is not there and even to get to a farm that is producing potatoes is very hard. So, somebody has to use either donkeys or humankind to ferry bags to lorries in order to take the produce to the market at a cost. Thanks to the Government which has come up with the approved weight of 50 kilogrammes per bag. This has saved the farmers and this is a positive effort by the Government.

A lot of research has been done towards the growing of this crop. There are different potato varieties. For example, the potatoes from Meru are considered the best for frying chips. For *Irio*, there are potatoes which come from Molo. People know which potato is suitable for which food they want to eat. We have research stations which have been developed by the Kenya Agricultural Research Institute (KARI) and the information I have is KARI has some of the best research stations in the world. The scientists we have in Kenya have also gained a lot of credit worldwide and they have come up with proper varieties for different regions. That is why we are talking about the Meru, Embu and Molo potatoes because they grow in different environmental regions which cannot grow any other crop to compete with the potato.

Potatoes are grown in areas which receive heavy rainfall as I had stated earlier. The production of this crop is such that it is a heavy yielding crop. It produces tubers and two to three can fill a bag or a *debe*. When those tubers are harvested and packed for consumption in the market, be they near or distant markets, there is a problem of perishability. They rot very fast if they are not properly aerated. It, therefore, means that the Government has to understand the problems facing farmers because it is not of their

own making. These problems emanate from either weather or climatic conditions, the terrain or the topography. For example, areas which are on the leeward side will not grow as much potatoes as those which are on the windward side. When we have such high production coming in place and you realize that it is the only season until the following year to grow potatoes but the problem is that you might produce highly that year and that is all. The farmers cannot grow anything else in that area; they cannot grow maize, fruits or tea. They can keep dairy animals but on a limited scale.

In other words, the yields are abnormally very high meaning that the produce must be taken care of by researchers to make sure that it is transported to the market quickly before it rots because they are perishable. They are also bulky and need big storage. Since transport must be quick, good roads are needed, like a railway line or a tarmac road linking distant markets like Mombasa and Nairobi. For us to achieve this, we shall incur an extra cost. So, why do we allow farmers to suffer while knowing too well that if the same produce is preserved, it can feed Kenyans for a long time.

Mr. Temporary Speaker, Sir, we need to be careful about rewarding people who work very hard and provide an alternative food crop for them. We have heard how a plate of chips in Kenyan hotels can go as high as Kshs2,000 while a bag of potatoes can come down to Kshs100 or Kshs200 due to over-yielding and over-production. Where the crop is over-produced, the Government should come up with measures on how they can preserve the same and how they can quickly transport it to distant markets. If this is not done, the people will remain poor even if they are great producers of potatoes. That is what this Bill is talking about. The spirit of the Bill is to make sure that the farmers who grow potatoes should be seen as a group providing a great solution to hunger, that is, food security and should be rewarded for working hard. When they are not producing potatoes, the rest of the time, they should be compensated for the time they are not growing the crop as it is done in the United States of America (USA) for cotton farmers when the crop fails due to boll weevil infestation or weather and climate problems.

Mr. Temporary Speaker, Sir, as we support this Bill, we should think about ways of preserving the crop once it is harvested. We should do research and come with a variety which lasts long. We have developed a variety of tomatoes which can last for about three months after it has been harvested. We need to come up with recent research methods where the potato crop can last longer after it has been harvested so that it can reach the market in good condition.

Mr. Temporary Speaker, Sir, it is also important to note that every area has its crop culture. We have areas producing wheat. It is true that there is an area where wheat is grown which is not good for potatoes. There are areas where maize is grown where maybe wheat or even beans cannot do well. There are other areas which produce coconut or palm trees and they cannot produce other crops. There is competition in the environment. Therefore, where we have natural selection of, for example, potato and maybe other crops, the Government should identify through their own agricultural research stations and come up with a way they can support the crop.

With those remarks, I beg to support.

**Sen. Madzayo:** Asante sana, Bw. Spika wa Muda, kwa kunipatia nafasi hii. Nataka kuchangia Hoja hii ya mmea wa viazi, ambao ni mmea wa ajabu. Kwanza, mmea wa viazi umeondoa njaa katika maeneo yote nchini Kenya. Pili, mmea huu umeweza kuondoa---

(Sen. Kittony stood up in her place)

**The Temporary Speaker** (Sen. Mositet): Order, Senator! Sen. Kittony, you have not requested a chance to speak. The system is not showing that you have made the request.

**Sen. Madzayo:** I hope my time is checked.

Bw. Spika wa Muda, tunaona ya kwamba wanaofaidika katika mmea wa viazi hasa ni wakulima. Nilipokuwa Mwenyekiti wa Shirika kuu la Agricultural Society of Kenya (ASK), tuliona ya kwamba wakulima hawapewi kipaumbele. Wakulima wanawekwa nyuma kwa sababu hawapewi nafasi ya kuona ya kwamba mimea yao imewapatia faida. Kitu ambacho kinatutia moyo zaidi ni kwamba mmea wa viazi pia umeweza kufaidisha wanabiashara na kuondoa umaskini. Kwa hivyo, huu ni mmea ambao Serikali inastahili kuutilia kipaumbele.

Huko Pwani, kuna mmea wa korosho ambao umetuondolea umaskini. Hii ni kwa sababu miaka miwili au mitatu baada ya kuupanda mmea huu, wakulima wamepata faida tele. Mmea huu umeweza kuwasomeshea watoto na mimi mwenyewe ni kielelezo; nilisomeshwa kutokana mapato kutoka kwa korosho.

Nakumbuka zaidi, tulipokuwa vijana huko Pwani, Kaunti ya Kilifi pamoja na ya Kwale ndizo ziko na mimea ya korosho. Huu ndio mkadirio wa wakulima wa Pwani. Mmea huu umetuletea faida ya kifedha na kuimarisha uchumi wetu. Ukiangalia maisha ya watu wa Kaunti ya Kilifi, wakati mmea huo ulikuwa unapandwa na kuleta faida, watu wa Kilifi waliboreshea uchumi wao katika miaka ya 1960 na 1970. Lakini la kusikitisha, Bw. Spika wa Muda, ni kwamba katika miaka ya mwisho wa 1980, kuingilia 1990, mabwenyenye wengi waliingilia kiwanda cha korosho na kuiba mali na kuona kwamba mtambo huu hautalipa ridhaa za wale wakulima waliopeleka korosho zao kwenye kiwanda hicho ili wapate faida na kusomesha watoto wao.

Ni jambo la kusikitisha ya kwamba hakuna hata hatua moja iliyochukuliwa kwa mabwenyenye hawa kuwashtaki. Hawa ni wakenya, wakurugenzi wa *Kenya Cashewnut Company Limited (KCCL)* ambayo ilikuwa huko kilifi, waliochukua pesa, wengine walichukua mikopo kutoka kwa benki lakini pesa hizo hazikuregeshwa. Hatimaye waliweza kukibwaga kiwanda hicho. Serikali lazima ichukue hatua kuona kwamba wale walioangusha KCCL wameshikwa na kuulizwa ni kwa sababu gani walifanya makosa kama hayo na hatimaye washtakiwe kortini. Ikiwa itawezekana mali yao yote ambayo walikuwa nayo iregeshwe.

Tuko na vipengele vinavyosema kwamba kama ulichukua mali ya haramu utaregesha. Kwa hivyo, wale ambao walipata mali kupitia kiwanda hicho na hatimaye wakakiua wachukuliwe hatua. Sisi tunasema kwamba katika hizi serikali zetu zilizokuwako, hasa serikali yetu ya pili, hii ni serikali ambayo ilikuwa imeruhusu watu hao watende kitendo kama hicho. Tuliweza kuuliza serikali ya tatu ya kwamba waregeshe kiwanda hicho na wakasema wataregesha lakini hatimaye haikuwezekana. Hivi sasa tunajua serikali iliyoko ni serikali ya Jubilee na inajua historia hii yote. Lazima hatua ichukuliwe sasa na tunataka Serikali hii kuhakikisha kwamba kiwanda hicho kimeregeshwa kwa wananchi.

Hivi sasa walioko ni watu wanaofanya biashara ndogo ndogo ambao wameondoa mtambo na kila kitu kilichobaki pale ni gofu tu ama sinema, hakuna chochote

kinachoendelea kwenye mtambo. Sisi tunasema ya kwamba, Serikali ina uwezo wa kuchukua hatua ili mtambo ule uregeshwe katika mikono ya watu wa Kaunti ya Kilifi. Ikiwa tutaweza kushughulika zaidi, kuona ya kwamba huu mmea wa viazi umeweza kusaidia watu wa Laikipia ama watu wa Kenya kuondoa baa la njaa na kuinua uchumi, pia sisi tunasema ya kwamba mtambo ule na mmea huu wa korosho uzingatiwe zaidi na Serikali ili kuona ya kwamba ule mtambo umeregeshwa na Serikali ya Jubilee kwa mikono ya watu wa Kaunti ya Kilifi

Asante, Bw. Spika.

**The Temporary Speaker** (Sen. Mositet): Sen. Kittony, you still wanted to talk? For your information, the system is not even showing your name, so do not think that I was overlooking you. May be there is a technical problem.

**Sen. Kittony:** Mr. Temporary Speaker, Sir. I join the rest of my colleagues in supporting this Bill. Potato saves lives in this country; it is a crop that grows within three months unlike maize which takes nine months. The statistics show that 1.7 million Kenyans are starving right now.

When you look at the areas where those people come from, they do not produce any potatoes at all because the climate is not favourable for growing potatoes. If you go to some parts of the Rift Valley like Timboroa, Kericho and Molo, you will see happiness. You will see women on the road selling their produce. Therefore, we should pass this Bill so that those people are assisted to get value for what they are producing. Most of these farmers are women. They sit by the roadside selling their produce at a very cheap price, because they have to get rid of it since it cannot stay for a long period.

I also support the fact that more research needs to be undertaken. In addition, good storage facilities should be built so that the produce can last longer. Potatoes are very popular not only in major joints in the country, but also in the world. When you eat fish and chips, you know that you have eaten good food. Therefore, potato farmers need to be protected. This Bill needs to be passed so that, at least, those women who labour and save lives in ways get value for their sweat. Sometime back when this country had problems, you could not find vegetables and potatoes on the road. There was gloom around. But when you see women selling food on the roadside, then you know that there is also happiness in our society.

Mr. Temporary Speaker, Sir, I support this Bill.

## ADJOURNMENT

**The Temporary Speaker** (Sen. Mositet): It is now time to interrupt the business of the House. The House, therefore, stands adjourned until tomorrow, Wednesday 25<sup>th</sup>, February, 2015, at 2.30 p.m.

The House rose at 6.30 p.m.