

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 16<sup>th</sup> February 2022

*The House met at the Senate Chamber,  
Main Parliament Buildings at 10.00 a.m.*

*[The Deputy Speaker (Sen. (Prof.) Kamar) in the Chair]*

PRAYER

QUORUM

**The Deputy Speaker** (Sen. (Prof.) Kamar): Yes, Sen. Khaniri.

**Sen. Khaniri:** Madam Deputy Speaker, I rise on a Point of Order pursuant to the provisions of our Standing Orders No. 35 and 36.

Standing Order No. 35 provides that a quorum of the Senate shall be 15 Members. Standing Order No. 36 gives me the opportunity to bring to your attention when we do not have that requisite number. So, I rise pursuant to the provision of Standing Order No.36 to bring to your attention that we have no quorum.

We have a lot of important Bills scheduled for this morning: The County E-Health Bill (Senate Bills No. 39 of 2021), The County Resource Development Bill (Senate Bills No. 45 of 2021) amongst others which I think are very important Bills that would require the participation of Members of this House.

Madam Deputy Speaker, I do not think that we can proceed with only four Members seated in the Chamber. I do not know how many are online, but I can only see four in the Chamber, two on my side and two on the Majority side.

Thank you Madam Deputy Speaker.

**Sen. Farhiya:** Madam Deputy Speaker, mine is just a request that we ring the bell for some time before we declare so because as our Commissioner has stated, we have very important Bills in the Order Paper.

**The Deputy Speaker** (Sen. (Prof.) Kamar): You are supporting the same sentiments based on Standing Order No. 36. Let the Clerk ascertain that we do not have numbers online because we are supposed to count those online and those present here.

*(The Clerk consulted the Deputy Speaker)*

Hon. Members, we have confirmed that we have 10 Members; we have six online and four in the House. We will proceed and ring the Bell for 10 minutes.

*(The Quorum Bell was rung)*

Hon. Senators, we have confirmed that we have seven members in the House and eight online. We are 15 Members in total. We therefore form quorum. We can therefore proceed.

Next order.

### PAPERS LAID

#### REPORTS ON FINANCIAL STATEMENTS OF VARIOUS COUNTY EXECUTIVES/ ASSEMBLIES/ FUNDS /WATER COMPANIES

**The Senate Leader of Majority** (Sen. Pogishio): Madam Deputy Speaker, I beg to lay the following papers on the Table of the Senate today, 16<sup>th</sup> February, 2022-

Report of the Auditor General on the financial statement of Kakamega County Agricultural Inputs Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Kakamega County Maternal Child Health and Family Planning Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Bungoma County Bursary Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Bungoma County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Turkana County Emergency Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Turkana County Youth and Women Empowerment Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Kericho County Executive Staff Car Loan Scheme Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor General on the financial statement of Kericho County Assembly Members Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Kericho County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Kisii County Bursary Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the County Assembly of Nakuru Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Kirinyaga County Executive Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Laikipia County Enterprise Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Laikipia County Co-operative Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Baringo County Small and Medium Enterprise Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Lamu County Bursary and Scholarship Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Vihiga County Executive Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Vihiga County Assembly Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Vihiga County Education Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Uasin Gishu County Enterprise Development Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of West Pokot County Assembly Staff Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Trans Nzoia County Executive Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Kiambu County Executive Staff Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Siboi Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of Kisumu Water and Sanitation Company Limited for the year ended 30<sup>th</sup> June, 2019;

Report of the Auditor-General on the Financial Statement of County Executive of Elgeyo-Marakwet for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the Financial Statement of County Assembly of Elgeyo-Marakwet for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the Financial Statement of County Assembly of Nandi for the year ended 30<sup>th</sup> June, 2020;

Report of the Auditor-General on the Financial Statement of County Executive of Mombasa for the year ended 30<sup>th</sup> June, 2020; and,

Report of the Auditor-General on the Financial Statement of County Assembly of Mombasa for the year ended 30<sup>th</sup> June, 2020.

Thank you, Madam Deputy Speaker.

*(Sen. Poghiso laid the documents on the Table)*

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you, Senate Majority Leader. Next Order!

## STATEMENTS

### CYBERCRIMES AND DATA INSECURITY IN THE COUNTRY

**The Deputy Speaker** (Sen. (Prof.) Kamar): Hon. Senators, we have two Statements. The first Statement is by Sen. Halake. She is not here; neither is she online.

### PROVISION OF MENTAL HEALTH AND PSYCHOSOCIAL SERVICES IN THE COUNTIES

**The Deputy Speaker** (Sen. (Prof.) Kamar): The next Statement is by Sen. Kasanga. She is not online.

Sen. (Dr.) Musuruve, you are trying to catch my attention and I am not seeing your signal.

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker. I submitted a Statement pursuant to Standing Order No.47 (1) on the World Radio Day. I was told that it is being processed. I do not know whether it has been processed.

**The Deputy Speaker** (Sen. (Prof.) Kamar): It has not yet been approved. Maybe it will appear in the afternoon.

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Senators, as per guidelines from the House Business Committee, we do not have time to go back to Statements that have appeared. The Hon. Members are not here neither are they online.

So, the Statement pursuant to Standing Order No. 47 (1) by Sen. Halake is dropped. The Statement pursuant to Standing Order No. 48 (1) by Sen. Kasanga is dropped.

*(Statements dropped)*

Next Order!

## BILLS

### *Second Reading*

#### THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILLS NO.29 OF 2020)

**The Deputy Speaker** (Sen. (Prof.) Kamar): This is an amendment of a Bill by Sen. Cheruiyot and Sen. (Dr.) Mwaura. Is any of them online? I do not see them in the House.

**Sen. (Dr.) Mwaura:** I am present, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Mwaura, are you online?

**Sen. (Dr.) Mwaura:** Yes, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Mwaura, go ahead. Please, can we have his face?

**Sen. (Dr.) Mwaura:** Thank you, Madam Deputy Speaker. I would like to---

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sorry, we cannot see your face yet. They are still working on the system. We want to see you because we also want you to be very clear.

*(Sen. (Dr.) Mwaura appeared on the screen)*

Yes, we can now see you. You may now proceed.

**Sen. (Dr.) Mwaura:** Thank you, Madam Deputy Speaker. I beg to move that we read this Bill for the Second---

**The Deputy Speaker** (Sen. (Prof.) Kamar): There is a Point of Order from Sen. Madzayo. Just hold on.

**Sen. Madzayo:** Thank you, Madam Deputy Speaker. I have a Point of Order on the fact that, my brother whom I respect so much, nominated Senator, Sen. (Dr.) Mwaura, is incidentally wearing a disco hat and something like a pajama.

*(Laughter)*

I am not very sure that is the right attire for the House. I may leave it entirely up to you to make a decision. I do not think it is fair. I do not know whether that is him. I can see that is Sen. (Dr.) Mwaura. The other Sen. (Dr.) Mwaura, I am seeing on the other side is not properly dressed.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Mwaura, we are not seeing you, we are seeing a picture. Can we reconfirm whether you are dressed properly?

**Sen. (Dr.) Mwaura:** Madam Deputy Speaker, I am dressed like this already.

*(There was a technical hitch)*

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Mwaura, what kind of hat are you wearing? We cannot hear you and we are wondering about the hat you are wearing. We are informed that it is a disco hat. Is that true?

**Sen. (Dr.) Mwaura:** Madam Deputy Speaker, this is not a disco hat. This is a hat that I have always worn. I do not find it a disco hat in any way. It is just the normal godfather hat that I always wear.

Madam Deputy Speaker, I beg your indulgence that I proceed.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Mwaura, I think the problem is that we have never seen you in that dressing before. The hat is different. We want to give you 10 minutes to dress appropriately while we are doing other business. We will not drop your business. You will come back. We defer that for a while.

*(Bill deferred)*

Next Order!

*Second Reading*

THE ALTERNATIVE DISPUTE RESOLUTION BILL  
(SENATE BILLS NO. 34 OF 2021)

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. Kasanga, proceed. Are you online? We have confirmed she is not online. We go by what the Senate Business Committee directed. It is dropped. Next order.

*(Bill dropped)*

Next Order.

*Second Reading*THE COUNTY E-HEALTH BILL  
(SENATE BILLS NO. 39 OF 2021)

**The Deputy Speaker** (Sen. (Prof.) Kamar: Sen. Pareno, are you online? Sen. Farhiya, do you have information on that?

**Sen. Farhiya:** Yes. Sen. Pareno called me in the morning. She thought her Bill would come in the afternoon. She even asked me to second. Let us indulge her. She did not know.

**The Deputy Speaker** (Sen. (Prof.) Kamar: Okay, we defer that to afternoon.

*(Bill deferred)*

Next order.

*Second Reading*THE COUNTY RESOURCE DEVELOPMENT BILL  
(SENATE BILLS NO. 45 OF 2021)

**The Deputy Speaker** (Sen. (Prof.) Kamar: Sen. Nyamunga, proceed.

**Sen. Nyamunga:** Thank you, Madam Deputy Speaker, for this opportunity to move this Bill. I beg to move that The County Resource Development Bill 2021 be read a second time.

This is a Bill that has taken a very long time, since when I was elected to this House as a Senator. It is something I had in mind even before we started business in this House. I believe that if you want effective and efficient development, it is very important for us as a nation to think outside the box. If we are going to rely on only one source of income, the process of development will take a long time.

We hope by God's grace we get a good president, one who will concentrate on uniting this country into one. That was the intention of this country from day one. When we were fighting for independence, we fought against colonial rule so that we could put ourselves together as one nation and move the agenda of this country for the benefit of this country. If this election of 2022 gives us a president who will get rid of corruption and work on economic empowerment of this country, we will realize our second liberation which is the Constitution of Kenya, 2010.

The Constitution of Kenya, 2010 was our second liberation after the first liberation from the colonial government. Now we are at a point where we need to bring ourselves to the third liberation. Probably the last liberation for our people. This liberation is for economic empowerment and good governance. That is what we need as a country right now.

However, without proper organization of our county governments and relying only on one basket which is the National government, it will not take us places. We may not realize the development we need as a nation.

I will be referring to the introduction from time to time and hope that will not input that I am reading my moving of this Bill. The introduction of devolved system of

government through the Constitution of Kenya, 2010 was not only a means of ensuring self-determination and participatory governance. It also means to ensure that the decentralized units of governments were able to determine the development agenda for the areas and the people they represent in order to ensure economic, social development throughout the country.

The idea of devolving governance to the county level was meant to bring not only governance to the people but also the resources. The moment we bring the resources to the people and it is utilized properly, is when we will realize the agenda for this country.

In this country, we are endowed with a lot of natural resources which will be found in almost every county and every geographical region of this country. If you look at the North Eastern, we have animal resources. At one stage I was involved in meat business and most of the meat that we got was coming from Moyale in North Eastern. We also have the camels in that area.

In the Coastal region we have coal. Turkana has oil. Muranga has the best source of water. If the natural resource there is nurtured properly, we will have enough to water the whole of Nairobi. The shortage of water in this city will be a thing in the past.

The Rift valley is our bread basket and we all know that. Former Central province is where our agriculture is housed. Western and whole of Nyanza we have land and lake where we can nurture the fish farming. We can also nurture the lake transport which by God's grace is now being developed and has been lagging behind for years. Even if we go by the provincial administration that we had in the past, we have resources in every region.

The gist of this Bill is to make sure that any governor who is elected does not sit on his seat waiting for money from the National government. In my view, I believe that there should not be any money left at the National government except that meant to take care of our loans and infrastructure. This is because we need loans to do meaningful development and infrastructure. We have seen a lot of infrastructural development going on in this country. The rest of the money should be devolved to the counties and wards.

By doing that we will move from one point to the next. We will develop our country and get rid of poverty. The level of poverty and the disparity between the rich and the poor is sickening. It is sad that some people can have four or five meals in a day, while one part of the nation cannot even have a decent breakfast.

Madam Deputy Speaker, this happens because all of us want to rely on the national Government. What will happen if we experience another pandemic like COVID-19 and the national Government is unable to collect enough taxes? If we continue this way, we will not have meaningful development.

Madam Deputy Speaker, when this country promulgated the Constitution 2010, its aspiration was that county governments do not simply act as conduits for delivery of public service to the residents of the counties. They should also pay active attention in identifying, developing and sustainably exploit resources found within the areas of governance for the benefit of the residents. The idea of the county governments in the Constitution 2010, as agents of development, is supported by various Articles of the Constitution; Article 174(f), provides that-

“The objects of the devolution of government are to –

(f) promote social and economic development and the provision of proximate, easily accessible services throughout Kenya”

The Constitution also provided that county governments will have reliable sources of revenue to enable them to govern and deliver services effectively.

I had started giving an example of the coastal region where we have coal and areas of agriculture. If we develop the resources and single out food security, the Government will not be bothered by this issue again. This is one of the Big Four Agenda of the national Government.

We have land, water and human resource in this country. Therefore, we can do a lot to provide food for our people and also build industries to create employment.

If county governments continue to wait for money from the national Government as their only source of funds, development agenda will be realized slowly.

For example, as I have mentioned, the Nyanza region is endowed with vast land and plenty of water. We have Lake Victoria which is making Sudan, and Egypt rich. Once the water enters into the sea and no one will use it. We need to question some of the arrangements and agreements entered before Independence that stopped us from utilizing our waters properly.

The water flowing into Lake Victoria can be tapped and held in dams constructed for this purpose. We can use a dam like the Koru-Soin dam which is critical and can help the people of the lower parts of this country like Nyanza, Western and parts of Rift Valley.

In doing so, water will have been controlled and flooding will be a thing of the past. We either have dry spells or the floods. However, with the Koru-Soin dam, we will have reserved water for irrigation and also prevent flooding during long rains season. This is one thing that we have cried for a long time. These are some of the things that the county government should be looking at to make sure that nothing is wasted.

It is not only in Nyanza region. For example, in Rift Valley, there is the Aror and Kimwarer dams which brought an uproar in the country. There is still so much we can talk about the project, but that is for another day.

The question at hand today is that we should develop our counties. Governors should be in the frontline to develop all resources they have.

If Turkana can produce oil which is a natural resource, there is a percentage that will go to the national Government and another to Turkana County. Each ward will get resources from the natural resource. That income should be utilized for development which should reflect in all the counties. That should be seen in each and every county. No county should be left behind when it comes to natural resource.

However, most of the time, our people have concentrated on waiting. I equate this to a family situation where only the husband or wife is left to produce income for the home, taking care of everybody.

What happens if the wife or husband is not there? What happens if the family grows to the extent that the same individual cannot take care of the family effectively? I believe that we must economically empower everybody. We must empower the men and women equally.

If we enlarge the space for getting resources in the family, our counties and national level, then we will realise the development we yearn for. Devolution remains a good idea. Nevertheless, if we do not utilize it well and think outside the box and overburden one source of income, it may derail us and we may not realize the objects of devolution.



The Bill further enables the formation of economic blocs. So far, there are economic blocs in place. For example, we have the Lake Region Economic Bloc (LREB). We are almost 14 counties that can share, bring ideas and the technocrats together. They were thinking of forming a bank to have regional banks. I do not disagree with the formation of regional banks but this is a discussion for another day.

For this purpose, forming regional blocs will bring strength from each and every county put in one basket and as a result this, the country will improve.

We should bring the whole of Western region, parts of Rift Valley and Nyanza with their resources; the lake, land, sugar and rice, together. Right now, 85 per cent of rice we eat in the country is imported. Why would we be importing rice yet we have Mwea Irrigation Scheme in Kirinyaga County and the Ahero Irrigation Scheme? Why should we not expand because land and water are there? We would rather do quick business, whereby instead of developing our own, we are ready to import and support other economies.

We should not be importing sugar. If we bring parts of coastal region and Nyanza region together, we can have enough sugar for this country and excess for sale.

As a people, we do not realize that we are killing our own when developing and supporting other people. We are a consuming country but we do not produce. Most of our industries died.

When I was growing up, we had many industries like cotton and sugar. Right now, we have killed our own industries. We now want to support other economies without thinking about where we are. We are sitting on gold mines but we would rather support gold mines from other countries.

This Bill has also gained a lot of interest from governors. I have had meetings with several governors and they say this is a good Bill because it will help everybody. Therefore, there is a breather. This is because the national Government will have enough time to collect taxes which we always wait for. We will develop our own counties by tapping into all the resources.

The Bill also proposes certain broad obligations of county governments, including assessment of resources. Once a governor is in office, he should assess the natural resources in the county.

I like giving examples that I am familiar with. If I am the Governor of Kisumu County, I should know the natural resources that are there. I should assess and identify those resources in the county and make the infrastructural requirements.

Why would we acquire chicken, eggs and cereals from Uganda when we can produce our own? That is my problem. The problem is that we are not thinking outside the box and we are not looking at what we have. We should assess and exploit what we have. We must have infrastructure in place so that we process our natural resources and develop them. The moment we do so, we will create employment for our people.

If we develop an economic zone, for example, in the lake region, there will be many jobs for our youth. This is because it will have a multiplying effect. If Kisumu Export Processing Zone (EPZ) is developed, it will employ 23,000 people. What effect will it have on the economy of Kisumu County? Those are the issues highlighted in this Bill.

We must exploit and have integrated management of such resources. We should also identify the effects of resource exploitation and implement policies. As we develop,

we should also implement the national policies at the county level because much as we have 47 county governments and one national Government, it does not mean we cannot share our policies.

We must put all the policies together where applicable. If the national Government policies work well, then we should implement them at the county level. That is the essence of this Bill which is critical. It is a Bill that we need. By engaging in policy, we will facilitate effective engagement with the residents of counties. We will also put in place measures for equitable distribution of resources amongst the wards.

The Bill also proposes a means of resolution of disputes. Some resources cut across counties. For example, sugarcane in western, Nyanza and the coastal region. So, there could be disputes where a resource cuts across. This Bill has in place ways of resolving those disputes when they arise.

If any resource cuts across, distribution of the income from it be done in an equitable manner. There will be a percentage for each county depending on how much comes from that particular county. That is also captured in this Bill, that whenever a resource cuts across, all the counties should be involved and benefit from it.

Lake Victoria covers Busia, Siaya, Kisumu, Homa Bay and Migori counties. Those are five counties. If they develop it, they should share the proceeds of the lake in terms of fish, lake transport and any activity such as having waterfronts and other forms of tourism. This Bill seeks to put in place all the regulations that will be required when it comes to sharing a natural resource.

I mentioned that if there is income from a certain resource, that income must be distributed to all the wards because those are our development units. We should have a percentage that goes to the wards and what should remain at the county headquarters. Something must also go to the national Government because it is the umbrella that houses all resources that we have in this country.

Madam Deputy Speaker, the first part of the Bill contains the preliminary clauses. In this part, we have clauses relating to the definition of various terms used in the Bill. It is also instructive to note that the Bill defines resources. A resource has been defined as any factor of production of economy needed for profitable activity with the capability of applying necessary commodities and shall include natural, labour, economic and capital resources.

The second part of the Bill deals with resource development. That is contained in clauses relating to the obligation of county governments, management of resources by counties and the country as a whole.

In Part VIII, county governments are expected to carry out an assessment of all the local resources and put infrastructure in place, so that people can tap into them. That is another requirement.

County governments will be required to formulate, implement and review objectives, policies and strategies for integrated management of resources. It will not be a one-man show because it will require all of us to put our heads together. We should think beyond our individual counties and look at Kenya as a nation because we are working for one country and one Kenya.

During management of resources, the County Executive Committee Member (CECM) in charge will be obligated to develop and implement plans and programmes relating to the county resources, undertake studies in relation to existing resources and

promote best management practices to ensure sustainable exploitation of county resources.

Madam Deputy Speaker, right now, most of the CECMs sit pretty waiting for money from the national Government or accuse governors if they do not get money on time. Sometimes there is late disbursement of funds from the national Government to county governments. I am not talking about overtaxing our people because people in the counties are heavily taxed. What I mean is developing the resources and giving CECMs some work. Instead of sitting in the offices and waiting for money from the governors or the Exchequer, they must also think out of the box in order to generate money on their own. I believe that can be done.

If we develop agriculture, tourism and all the natural resources that we have in our counties, it will be easy for us to get additional income. The moment we have additional income; this country will develop at a speedy rate.

We always talk about Singapore and Malaysia countries. We say at some stage we were at par in terms of development. What happened that our country lagged behind? This question must be answered by ourselves because it cannot be answered by somebody else. Therefore, we should give our officers work to do.

The Bill also addresses management of resources by adjacent counties. It states in Clause 6 that where two or more adjacent counties share a resource, the respective county governments shall formulate a resource sharing plan that ensures equitable return for the respective county governments.

That one I have already mentioned it; it is critical because most of these resources cut across. If a particular resource is in two or three counties, we must bring it together and taking it back to the counties after developing it whatever income that is derived from it and be shared in an equitable manner amongst all the counties that have participated in the development of it.

Madam Deputy Speaker, in the event of disputes over resources, the Bill proposes that the affected county governments shall resolve them in accordance with Section 34 of the Intergovernmental Relations Act, 2012.

I have had meetings with many stakeholders and we agree that this Bill should have been here in 2020. However, that did not happen at that time because of the advent of COVID-19 pandemic in the country. However, we have really engaged stakeholders. We have put in a lot of input from many stakeholders and the bottom line is this Bill be enacted immediately because it is important.

Madam Deputy Speaker, concerning the County Integrated Plan, the Bill states that each county government shall make provision of the inclusion of sustainable management and development of county resources in respective County Development Integrated Plans formulated pursuant to Section 108 of the County Governments Act, 2012.

I believe that in every county, there is an integrated plan and when the resources are realized they should also fit within the plans. Any governor who takes office must be having an integrated plan indicating what he wants to see in place in the next five years or 10 years. So, the resource development should be plugged into that plan. This is because there is no interference between the integrated plan and any other development of the resources that we have.

Madam Deputy Speaker, the third part of the Bill contains clauses on Regional Economic Bloc. In Clause 8 the Bill states -

“County governments may enter into agreements for the establishment of economic blocs where they have shared geographical region and for the enhancement of trade and economic development.”

Once this is done we are going to have inter-trade whereby these counties can be producing this then there are exchanges because I believe we need all the resources in Kenya even before we talk of external market. We should also, first of all, satisfy our local market before we look outside Kenya.

We need to work on food security that to me is a critical thing. We need to work on our mineral resources that we have underground. We need to work properly on the oil industry because we know that we have oil. It is a matter of developing for the good and the betterment of this country. We do not want to start these white elephants whereby you start a project here and you do not work on it properly and next time you hear that it is not completed. Look at the Galana Kualu Project. It was a good idea, but it is a now white elephant project.

We have Tana River which has plenty of water, but that water is going to waste because it gets into the bottomless ocean and we do not benefit from it. So, you see such a good project a lot has been done, I do not know whether due diligence was done or not. We were told one hectare was supposed to produce 40 bags of maize, but it ended up producing only 10 bags. The next thing we heard about this project, it was dead.

It is unfortunate that we start such mega projects and we leave them to county governments to manage them. I do not think county governments will sit pretty looking at millions of money put in projects like that and then they just disappear to nowhere.

I have talked about the economic bloc. The economic bloc shall have the following objectives: -

(1) The diversification and facilitation of trade and production of goods and services amongst member counties.

(2) The simplification and standardization of trade information between the member counties, the promotion of competition of market efficiency in the movement of goods, development of resources and leveraging on economies of scale.

The more we produce the less expensive our goods will be of much more benefit than if it was done individually and also we will also have stability, solidarity and security among counties. This is because we will see that we need each other and we produce for each other and whatever products that we produce is meant for a broader picture and not for a county.

We will be efficient because there will be measures. We will see that Makueni or Kitui is doing much better. For example, when we had the COVID-19 problem, Kitui County stood out because they produced the masks immediately while the national Government was buying masks from China and other countries.

We were expecting the same China were the problem came from, to be are the ones who should now give us the masks yet we have our own set ups that can produce. Rivatex took too long to produce masks. Kikomi is dead. Kitui County Government came to the aid of Kenya by producing masks immediately we hit by this pandemic. So, that is what we are talking about.

Clause 9 of the Bill proposes that a Regional Economic Bloc established pursuant to this Act shall be a body corporate with perpetual succession and common seal. I do not need to talk on that because we know that companies live in perpetuity.

The fourth part of the Bill concerns the general provision of the Bill. In this part are clauses on agreements with the national Government, private parties, cross-county agreements, public participation, inclusion of youth and marginalized people. Normally when we talk of “marginalized” we mean youth, women and people living with disability. That is well articulated in the Bill.

Clause 10 of the Bill talks about the resource existing in a county vests in the national Government pursuant to Article 62(3) of the Constitution. The national Government shall enter into an agreement with the respective county governments for the sharing of revenue accruing from the exploitation of such resources in accordance with the relevant written Law.

Everybody is taken care of, the national Government, the county governments and the wards are taken care of so that everybody gets a share of a natural resource which has been developed by a particular county or counties.

Clause 11 further makes provision for agreements with private parties for the exploitation of resources. Where a county cannot because of lack of enough resources the Bill allows for working together. They are allowed to work together to agree on the share of the input and also the output. So, that is also taken care of. It states that in such situation the county government shall ensure that at least 40 per cent of profits accruing from the exploitation of the resources shall revert to the county and benefit the local community.

Provision for public participation is also guaranteed in the Bill to ensure that exploitation of county resources is geared towards the public benefit. As mentioned above, the Bill contains a general form of Regional Economic Bloc Agreement. This is in keeping with the main objective of the Bill which ensures the proper exploitation and utilization of County Resource Development.

I am very glad that at least today this Bill has seen the Floor of this House. I would really want to ask my colleagues to support it because this is not a personal Bill. It is a Bill that will go a long way to benefit many Kenyans and our counties. Our counties will be more attractive even to workers because they will work and realize the fruits of their labour.

With those few remarks, I beg to move and ask Sen. (Dr.) Musuruve to second the Bill.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Sen. (Dr.) Musuruve proceed to second the Bill.

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker for giving me this opportunity. I begin by thanking Sen. Nyamunga for coming up with this Bill that is very straightforward. I wish it would have come much earlier when this Senate was being reconstituted. It is clear that the intent of Sen. Nyamunga is that counties should develop themselves, be independent and have reliable sources of income.

When we look at the tenet of this Bill, it is to ensure that there is proper identification, utilization and exploitation of resources in the county. We must be alive to the fact that in 2010 when Kenyans passed the Constitution to provide for devolution, it meant that every county government needed to be independent and have its own

development goals which are sustainable. This Bill seeks to ensure that county resources are identified, utilized and managed appropriately.

It is a constitutional requirement that counties are supposed to generate their own money. So, revenue is core. It must be clear that counties are agents of developments. If counties do not spearhead development, then we will have failed as devolved units. There is need to ensure that counties are good agents of development to ensure service delivery to the common man.

Madam Deputy Speaker, there is a whole section in the Constitution that talks about the objects of devolution. The constitution desires that democracy is promoted in counties and people are able to exercise their powers. Article 174(d) and (f) of the Constitution talk about promotion of socio-economic development in counties. This Bill comes in to ensure that Article 174 of the constitution is implemented. The devolved units and the objects of the devolved units are enshrined in law.

Equitable sharing of resources and counties developing is key for counties to manage themselves. There must be a way out of implementing what the Constitution states about county governments. What the Constitution says about the objects of the devolved counties is very straightforward. County governments have rich and powerful tools of reaching out to the common man, ensuring resources are delivered effectively and everyone benefits from the national cake. That is why county governments are there.

This Bill gives a definition of resources. The definition that is given in this Bill is important because it touches on factors of production which are core in development. It also defines resources as land, labour and capital. We cannot talk about development without these three things. Land is very important and as a factor of production, we can hardly do anything without it. We need it.

County Executives must scratch their heads and see what they can do with the land in the county to ensure it is productive and has sustainable development. Land is a key factor of production. There are many ways in which land can be utilized. For instance, land that is viable in counties can be used to construct houses which can then be mortgaged, sold out or can just be rented out by the county. That can be a sustainable way of earning an income.

County Executives should maximally utilize land in counties. This Bill states that it allows regional counties to pull their resources together and do development. Different counties can come up with a sustainable way of generating money. For example, they can start housing projects together and ensure money collected as rent is shared equitably between the two county governments. The Bill is clear on how this money can be shared.

The Bill allows for an agreement in a situation where county 'a' and county 'b' have decided that they are going to have a certain development together and that they are going to share the resources equitably. The Bill also states that if the counties have disagreements, there is a way in which disputes can be resolved in counties.

The term of the current county executives is coming to an end. I hope that the next county executives will explore the various ways of ensuring that they are utilizing the land that is in the counties to ensure that land is productive because land is a powerful factor of production.

Madam Deputy Speaker, there is an issue that has come out clearly about labour. People are gifted differently. We have some people who are good at carpentry or constructing houses in counties. It is not the person who bids to be a constructor that can

make good houses. County Executives should look for a way of ensuring that the labour in the counties is utilized.

There are people who are skillful in the counties. Some people may have not gone to schools, but they are talented. For example, when you go to Kibera, you will find good architects and constructors who have not gone to school. They have earned their skills through experience and they build good houses. When educated contractors are awarded construction tenders, they do not do the work. The work is done by people who are hands on who you will be found in the counties.

Madam Deputy Speaker, fishermen may not have gone to school, but they have skills in fishing. County governments should identify such people give them jobs. This Bill will stop rural-urban migration. If they are managed properly, people will be busy and earn an income in their counties. People migrate to urban centres to eke a living.

Madam Deputy Speaker, we came up with a devolved system of government in order to arrest rural-urban in search of employment. Employment should be right in rural areas. That is why we talk about development. We have talked of land and labour. Let us exploit the labour in the rural areas to benefit our counties.

We talk about capital as an important resource. In revenue sharing, 35 per cent of the national revenue goes to the counties. County executives need to utilize this money productively and even generate income from it so that this money is ploughed back to counties.

There is need for county executives to be transparent in the manner in which they utilize the money that comes from the national Government. That money should be of benefit to the youth, women and PWDs. I not deny that county executives do a good job awarding tenders to these groups, but they can do much more. With the devolved systems, everyone can see that transportation is now better in the counties.

Growing up, I remember walking many kilometres to my parents' home because there was no means of transport. Roads were impassable. Sometimes you would wait four hours for a matatu fill up so that you begin the journey. People could not even afford the bus fare and so they would opt to walk.

Right now, roads are developed and we also have motorbikes. Transportation has improved because of devolution. We have to protect devolution and ensure continuous development in counties. That is the only way to implement Article 174 of the Constitution. If county executives put mechanisms in place, they will have sustainable development and revenue. With sustainable and predictable revenue, it means that development can also be predictable.

Madam Deputy Speaker, county executives need to identify the resources in their counties. One of the ways to do this is through research. With research, counties will be able to identify their niche and assess how much they would need to put in and how much they can make.

County executives also need to do an analysis of the requirements for development. Different counties have different requirements. Each county needs to find out what is required for them. If it is roads, then the roads should be made. If it is land, then land for development should be sought.

Once a county has identified a viable resource, they should do a smart assessment. I am talking about the kind of assessment that will enable them to explore and utilise the identified resources to benefit the common man.

Madam Deputy Speaker, I like this Bill because it clearly talks about public participation. County resources development need public participation, so that the public decides---

*(Sen. (Dr.) Musuruve's microphone went off)*

Madam Deputy Speaker, is my time over?

**The Deputy Speaker** (Sen. (Prof.) Kamar: You have three minutes to finish up.

**Sen. (Dr.) Musuruve:** Thank you, Madam Deputy Speaker. County executives need to do public participation a give wananchi a chance to say where there is a lacuna or niche in a certain area. After that, the people need to see how the development will be of benefit to them. Any development should be beneficial to the common man.

The Big Four Agenda is all about manufacturing, Affordable housing, Healthcare and food security. This Bill seeks to ensure that all this is achieved in counties. If you are able to utilize the youth in the county, they will not have to go to cities looking for jobs. If we manufacture commodities in counties, then we will not have to import. We have to get out of that import syndrome. We have to harness and utilise what we have.

Madam Deputy Speaker, this Bill also talks about economic blocs. Different blocs can see what they have in common and leverage on their strengths. Once they do that, income will rise from the developments. The economic blocs can then come together and decide how to share. This Bill allows for that.

The Bill also provides a mechanism for resolving disputes that arise from agreements made by economic blocs. In this Bill, counties are also allowed to partner with the national Government and individuals. However, the Bill is also clear that 40 per cent of the income needs to go back to the counties.

This is about local content. I am happy that Sen. Moi came up with that. Any development must benefit the locals. This Bill ensures that locals benefit because 40 per cent of the income goes back to the counties. As the 40 per cent goes to counties, county executives need ensure they give employment to PWDs, women and the youth.

Madam Deputy Speaker, I wish to thank Hon. Mandago on this Floor. He has done a lot when it comes to issues of PWDs. The PWD themselves attest that he has prioritised their employment. He has a mechanism put in place to ensure that PWDs have employment.

County executives need to be sensitive and award viable tenders and jobs to PWDs. I have said many times on this Floor that PWDs only lack the opportunity to showcase their potential. I hope that many other county executives will benchmark from Hon. Mandago and on board PWDs so that they can take part in development of counties and the country at large. In the same breadth, I also thank Safaricom Ltd for also employing PWDs. This company gives PWDs honourable jobs.

I commend Sen. Nyamunga for coming up with such a noble Bill. I know and believe that my fellow Senators will also support it, so that it sees light at the end of the tunnel.

I second.

**The Deputy Speaker** (Sen. (Prof.) Kamar: Thank you, Senators.

*(Question proposed)*



**Sen. Farhiya:** Thank you, Madam Deputy Speaker, for giving me this opportunity. I wish to urge the people of Kisumu County that if Sen. Nyamunga needs any political position, she should be rewarded. This Bill is a game changer.

As a society, if we cannot recognize people who do exemplary work, we should be ready to receive mediocre services from people who are not ready to work for their people.

Devolution is young. It is only 10 years old now. Unless we get it right from the beginning, it will not reach the level that the framers of the Constitution had anticipated.

Devolution is a game changer. In counties such as where I come from, before devolution we used to say we were going to Kenya. As a result of devolution, despite its pitfalls because it still has a lot of challenges, right now people of northern Kenya feel like they are part of this country.

Anybody such as Sen. Nyamunga who is willing to support enhance devolution needs to be supported from where she comes from. I urge the people of County of Kisumu to elect Sen. Nyamunga as their Senator. Imagine Sen. Nyamunga as the Senator of County of Kisumu and “Baba” as the fifth president. How phenomenon will devolution grow in this country? I think most Kenyans know the answer to that question

Madam Deputy Speaker, Rt. (Hon.) Raila Odinga is known as the father of devolution because he fronted the clamour for the new Constitution and by the grace of God he has succeeded. It can only get better if we elect him as the President. The people of the County of Kisumu should favourably consider Sen. Nyamunga since she can do all this work.

This is not the only Bill she has done that increases resources for counties I sit in the Committee on Finance and Budget and I know she has done several Bills that enhance revenue collection for counties. She is just a nominated Senator. Imagine if the people of Kisumu elect her. It can only get better, not only for the County of Kisumu, but for this country.

In terms of the resource requirement and for continuation of devolution we need to have a level of sustainability. That means resources must be generated by counties. We can no longer rely on national Government for resources. This Bill will enhance capacity of county governments to generate more resources for themselves.

Kenyans expect too much and that amuses me. Kenyans expect roads, hospitals, service delivery, their lives to be more comfortable, we eradicate poverty and a lot of things. However, they do not want to pay taxes or the Government to borrow. Which kind of economic model this Government needs to use that does not require citizens to pay taxes and the same Government to borrow yet provide all those services accordingly. That is one of the interesting things about Kenyan economic politics.

You either have to be ready to pay taxes or ready to borrow. If you borrow and are not ready to pay taxes, then you lose all strategic resources. How else will this Government get money to do the many things?

*(Sen. Madzayo spoke off record)*

**The Deputy Speaker** (Sen. (Prof) Kamar): Sen. Madzayo, you know how to ask for a point of order. How come I do not see you on the interventions column? Let us give him the microphone.

**Sen. Madzayo:** Bi. Naibu Spika, tumekuwa tukijadiliana pale chini na sikutaka kumkatiza Sen. Farhiya lakini sijui kama ni mazingaombwe ama ni sayansi ama ni kitu gani kinaendelea ndani ya hili Bunge la Seneti. Kuna taa moja linazunguka mataa mengine yote hayazunguki na hatujui sababu yake.

Inaweza kuwa hatari kwetu sisi hapa ndani na kama kuna mtu anaweza kutufafanulia ni kwa nini taa moja lina zungukazunguka. zingine zote zimetulia na moja inatangatanga.

*(Kicheko)*

Ama kama sivyo tutoke basi maanake hii ni hatari.

**The Deputy Speaker** (Sen. (Prof) Kamar): Asante sana Sen. Madzayo. Nimejulishwa ya kwamba kuna hewa inazungusha hiyo taa. Usiogope. Hakuna hatari hapa. Kuna hewa inatoka kushoto ikienda kulia na ndiyo inazungusha hiyo taa moja.

Sen. Farhiya, endelea.

**Sen. Farhiya:** Thank you, Madam Deputy Speaker. What is so interesting in terms of this Bill is the regional blocs suggested by Sen. Nyamunga. Regional blocs already exist, but right now there is no legal framework. If you do not have a legal framework you do not have a basis to sue or to be sued as a regional bloc. If there is a legal framework, then they conduct their business knowing that they have what it takes to ensure that it functions well as anticipated by the Bill.

As a result of regional blocs in this Bill, there is going to be an interesting economic activity that can take place. Each region can invest more money in what they are good at. That means there is synergy among the different counties. In addition, there will be market for the products as a result of specialisation.

Once this Bill comes to actualisation, the Ministry of Industrialisation Trade and Cooperation needs to do a lot of work in finding markets for these interesting projects that will come as a result of these regional blocs.

We have a regional bloc whereby even the county of Turkana is part. This is not as a result of our neighborliness, but our livelihood in terms livestock and arid and semi-arid region. We have unique challenges as results of those counties that are arid and semi-arid. There are 10 counties in that regional bloc and are able to negotiate with donors in terms of doing some interesting projects.

As a result of this Bill, actualisation of Agenda Four of our President and the Jubilee Government will be realised and industrialisation will be possible with these regional blocs.

The Bill is not only formulating ability to have regional blocks and others. It also creates a favorable environment in terms of actualization of this Bill.

One of it is promotion of good governance and accountability in development and exploitation of natural resources. That is important because unless you put systems that support good governance in place, then we can only talk about laws that are there but will never benefit the common *mwananchi*.

The governors who are there are on their way out. Therefore, I urge Kenyans to elect governors who will actualize this Bill and make sure the lives of their citizens are much better than they found it.

There is need to promote sustainable development in exploiting of natural resources. The Bill also encourages public participation, transparency, availability of

timely services, and reliable information. This is because unless you have reliable information, there is no way the citizen will know what is going on in order for this Bill to be successful in ensuring that counties develop.

This Bill also recommends that if there is a natural resource within a county, 45 per cent of the profits that accrues from it should go to that county.

Nairobi County needs to be worried if this Bill goes through. This is because the water that is used in Nairobi comes from Murang'a County. Therefore, Nairobi City County should be ready to pay 45 per cent of the profit to Murang'a County. That is just food for thought.

The other thing is in terms of regulation. I have noticed that the Bill provides for regulation for counties to give according to the Public Finance and Management Act. However, it does not compel them to have regulation by what date after this Bill is passed. If I missed it, Sen. Nyamunga will correct me. This is important because unless there are regulations to actualize the Bill, it can never cover everything. We need the regulation to ensure there are penalties and an amount to pay if you do not meet the requirements. It covers a lot of ground compared to the Bill itself.

I, therefore, urge Sen. Nyamunga to include an amendment to give a deadline. This should come under the National Treasury and Planning. They need to prepare the regulation. I recommend that it be after six months of this Bill being signed into law.

The other thing that I like in this Bill is that as much as most Bills provide a legal framework, this one further provides a basic agreement between people who are in regional economic blocks. What this does is that, if somebody wants to go to a regional block, instead of looking for some information in terms of developing an agreement, they have a high standard agreement, where everybody follows. However, if there are additional things that they require, they can also include it. At least, a skeleton framework of what needs to happen in that agreement is provided.

Madam Deputy Speaker, this is a good Bill. I urge my colleagues to support it. We can debate and do all these beautiful Bills, but unless we have 24 delegations to pass this, then all we are doing is telling bedtime stories.

Many Senators, for example, Sen. Nyamunga, who has developed so many Bills, will go home with no Bills to their names.

I urge my colleagues to come to the Senate especially today afternoon and we vote on most of these Bills which are in Second Reading Stage and finish with Third Readings, so that we can ask our sister house to fast track.

I beg to support.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you Senator.

Proceed, Sen. Omogeni.

**Sen. Omogeni:** Thank you, Madam Deputy Speaker. I begin by congratulating Sen. Nyamunga, for coming up with this very good proposal on this Bill, which she has named The County Resource Development Bill (Senate Bills No. 45 of 2021).

It is good to have Senators in the House who have gone to school properly. That is why I have issues with proposals that advocate for qualifications of Members of Parliament (MPs) to secondary school and not degree. Looking at this Bill, I have no doubt that the main intention is to advance the lives and wellbeing of the people we represent.

I want to begin by congratulating and thanking Sen. Nyamunga for the brain and effort that has gone into the preparation of this Bill. I encourage her that big things that are transformative begin with ideas just like what she has placed before the Senate this morning.

If you travel around the world to look at history, this is how big establishments began. By coming together, countries share ideas and form big economic blocs. Even the Airbus started as an idea that was introduced by the French and shared to West Germany and later on the United Kingdom (UK) joined in 1967.

Now they are the leading manufacturers of planes. They are ahead of even the Boeing. The idea of encouraging counties to form economic blocs is the way. That is the only way we will form economic entities that will be transformative for our people.

I want to appeal to our governors to know that when we put devolution in our 2010 Constitution, the main intention was to transform the lives of the people we represent economically and socially. If we do not change the lives of people that live in the counties, then the dream of our 2010 Constitution will die in the face of Kenyans.

We are charting a way forward that will help us form some economic bases and powerhouses in the counties that will come together. In 1933, in the United States of America (USA) when President Franklin Roosevelt took over power, America was in a serious economic recession. In fact, we have never reached the state that America was in 1933.

People had to queue to get bread. You could not even withdraw your own savings from the banks. However, President Franklin encouraged States to be innovative and set up their own economic modules so that they could become economic powerhouses.

One law that I always talk about is the Tennessee Valley Authority Act that was initially challenged in courts but was cleared by the Supreme Court. The idea that Franklin had was to ensure that they harness water from rivers that run through the Tennessee Valley and construct dams so that the issue of flooding is dealt with. Water would be harnessed to be of economic benefit to the people of Tennessee Valley.

Madam Temporary Speaker, as I speak, that authority that was formed in 1933 remains one of the most profitable enterprises in the USA.

That Authority that was formed in 1933 remains one of the most profitable enterprises in the USA. Not only does it provide the cheapest power in America but it has also formed a very serious tourism circuit in America. Where we used to have floods, now we have beautiful hotels where tourists visit. Therefore, the Tennessee Valley State is rich. Other than being famed for music like what Kenyans have enjoyed for many years, music from Dolly Parton, it also now forms a base for economic tourism in the USA. That is where want these counties to go.

Our governors must really wake up and think innovatively about how they are going to transform the lives of the people who reside in the counties. It can be done. If you have taken a walk in Nairobi, you will see what Gen. Badi has done in Nairobi through the Nairobi Metropolitan Services (NMS). Look at the beautification that is taking place in Nairobi. Look at the walking pathways he has repaired in Nairobi. Look at his efforts in ensuring that the city is clean. It can be done.

The question I normally ask is, for the last six years before we had NMS, where was money that was allocated to Nairobi County going to? We can now see something is happening in the County of Nairobi. Therefore, when Sen. Nyamunga proposes that we

should have more responsibilities being taken by our County Executive Committee Members (CECMs) in the counties, we want them to be more accountable to the people. We want them to be more prudent in the way they utilise resources.

Those who are in charge of collection of revenue at the counties must ensure that leakages on revenues are mitigated. If you read the Public Accounts and Investments Committee, reports that are tabled on the Floor of this House year in, year out, you will note that there are many leakages on the revenue that is collected by counties. This is the case in almost all our counties. Most of our counties are still analogue.

The vehicles that move from one market to the other and they are obligated to pay revenue, are still being issued with receipts manually even after counties budgeted millions of shillings to automate revenue collection. That is what this Bill is proposing, that counties must think outside the box.

You cannot wait year in, year out for the Senate to allocate revenue to your county so that you can spur development. You can also be innovative on how you collect revenue from your own county and use that income to develop your county. Why are we unable to adequately provide medical services in our counties? For example, in Nyamira County, our people always cross over to Bomet County to get treatment from Tenwek Hospital. Others are taken all the way to Eldoret yet if we did good collection of our revenue at the counties, we can have good hospitals that can provide quality medicare to our people.

Madam Deputy Speaker, this idea of forming economic blocks is a very good idea. We can learn from what has happened within the European Union. Those 24 countries are serving a population of more than 400 million people in an area of more than 4 million square kilometres.

We can have Nyamira, Kisii, Homa Bay, Kisumu and Vihiga counties coming together to form a strong economic block that will make trading easier for our people who are moving from one county to the other. These economic blocks can come together and make movement of trade and services between those counties easier. We can also harmonise taxation among those counties. However, we can never succeed unless we deal with this issue of corruption.

We must also demand for more from the County Executive Committee Members (CECMs) that we are giving more responsibilities. We must put Ethics and Anti-Corruption Commission (EACC) on their toes. The money that we send to our counties ends up in people's pockets, if not utilized well. We will keep on sending money to counties but it ends up in people's pockets.

Therefore, we must make a strong appeal to the EACC to make use of the good support that they are now getting from the Judiciary on issues of lifestyle audit. Lately, I have seen very good jurisprudence from our courts on people who have amassed wealth whose sources cannot be adequately explained to the courts. Those assets should be repossessed and given back to the counties. If they are houses, they can convert them to hospitals or pharmacies. By doing this, we will remind those coming after those culprits that corruption does not pay. Otherwise, without slaying this dragon of corruption, we will never transform the lives of the people that we represent.

Madam Deputy Speaker, I also hope that this Bill will help us deal with issues of value addition. I am wishing the Fifth, Hon. Odinga, all the best as he campaigns and prepares to be the next president of this country. His policies resonate with progressive

society. This is not the time of telling people that you are going to transform the lives of our people by giving them wheelbarrows. I can never seek to be a president of a country and say that my only dream and ambition is to give wheelbarrows.

I like what Hon. Odinga is talking about; smart agriculture and value addition and how we can help our farmers to get more money into their pockets. That is what we are looking for. We know how poor our people are. How can any Kenyan oppose the idea that is coming from Hon. Odinga who wants to support those who are socially and economically poor at the counties? How can you oppose a good idea of giving social support to our people of Kshs6000 per month?

Madam Deputy Speaker, that is what we want Kenyans to look at. The policies in the *Azimio* Coalition want to transform the lives of our people. This Bill will fit in to the ideas of Hon. Odinga.

There are people whom if they take power, they cannot understand this Bill. However, a person like Hon. Odinga will understand what it means when we say we want to take developments to the counties because he believes in devolution. If you get someone who opposes even when you propose to amend a Constitution to send 35 per cent of the revenue to the counties. How will they embrace such a good idea?

I am praying that when Sen. Nyamunga's Bill passes, it will be implemented by a president who believes in transforming the lives of people in our counties and not somebody who wants to bring policies that will make our people remain analogue. A wheelbarrow is for the analogue generation. We are looking forward to the digital generation.

I support.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you, Sen. Omogeni. Sen. Madzayo, proceed.

**Sen. Madzayo:** Asante Bi. Naibu Spika. Pia ningependa kuunga mikono Mswada huu wa kuelekeza uchumi bora ndani ya hizi kaunti zetu.

Huu Mswada umekuja wakati unaohitajika. Mswada huu una mambo mengi ambayo tunaweza kufanya. Ninawapa kongole wale magavana wote sita walioanzisha mfumu huu wa uunganishaji wa kaunti sita za Pwani, kuanzia Lamu, Tana River, Kilifi, Mombasa, Kwale na Taita-Taveta. Magavana hawa walianzisha mfumo wa jumuiya zote sita za kaunti za Pwani.

Pengine kwa bahati mbaya au kwa msukosuko au kwa kukosa kuelewana hii jumuiya ya kaunti za Pwani ilififia. Tuko na muda mdogo uliobaki wao kuwa katika mamlaka. Mswada huu sasa hivi uko ndani ya Bunge la Seneti. Ingefaa wafungue macho waelewe ya kwamba Mswada huu unaenda kusaidia kaunti zote sita za Pwani kwa muda mrefu sana.

Ninampa kongole Sen. Nyamunga ambaye ni Seneta mteule wa chama cha Orange Democratic Movement (ODM) kwa kuleta Mswada huu hapa, vile vile, kwa ukakamavu wake wa kujua mahitaji ya Mswada huu. Tunaelewa kabisa ya kwamba kama utafaulu ni lazima upate kielelezo mwafaka ambacho kitakuwa katika kilele cha utawala ya Jamhuri ya Kenya ili kuona ya kwamba haya yote tunayoyasema hapa, ambayo yapo kwenye Mswada huu, yatatekelezwa.

Kutengeneza pesa ndani ya kaunti na Serikali ya Kitaifa, ni lazima ufisadi upigwe vita. Ikiwa hatutapiga vita ufisadi, basi itakuwa biashara kama kawaida. Tunajuwa yule atayegombea kiti cha urais na kuwa Rais wa tano wa Jamhuri ya Kenya ni "Baba" Raila

Amollo Odinga. Yeye ndiye mtu tu anayeweza kupigana na ufisadi ndani ya Kenya kwa hivi sasa. Hii ni kwa sababu anajuwa pale matunda ya ufisadi yako na anaweza kuyaziba sawasawa ili kuona kwamba kaunti zote 47 zinafaidika.

Hii si ndoto bali ni kwamba Mswada huu unaweza kutekelezwa. Hivi sasa macho ya kaunti zote 47 yanaelekeza katika Serikali ya Kitaifa ambayo imekuwa ikisaidia kaunti kwa kuzipelekea pesa. Hizi pesa tunazopigania hapa tukizipeleka, ingekuwa serikali zetu za mashinani ziko na utaratibu wa kutafuta pesa zao ziongezee juu ya hizo, zingeweza kuleta maendeleo mengi sana.

Ninasisitiza kwamba hakuna kaunti kati ya zile 47 ndani ya serikali ambayo haina kitega uchumi. Tukianza mambo ya utalii, tuko na mbuga za wanyama, bahari, upeo mzuri sana katika kila mahali, tukianza na upande wa Pwani. Nchi nyingi katika ulimwengu zimeweza kufaidika kwa sababu ya utalii.

Kaunti za Mombasa, Kwale, Kilifi, Tana River na hata Lamu zinaweza kuendelea zaidi ikiwa serikali zao zitaweka akili pamoja na kutafuta ni kitega uchumi ambacho wanaweza kufaidika nacho.

Bi. Naibu Spika, ukiangalia pande kama za Turkana tuko na mafuta. Hiyo ni bora zaidi kwao kwa kuwa itawasaidia. Upande wa chakula, tuko na Bonde la Ufa ambako vyakula vya aina mbalimbali vinakuzwa. Cha muhimu ni mahindi ambayo inatumika kila mahali nchini.

Upande wa samaki kuna Uchumi Samawati pande za Pwani lakini wanaoweza kutoa samaki wengi ni upande wa Nyanza katika Ziwa Victoria. Hiki ni kitega uchumi chao. Wakikichukulia kwa maana pamoja na vitega uchumi vingine vilivyomo pale, Kaunti ya Kisumu na zile zingine zote zilizoko kule Nyanza zitafaidika.

Upande wa iliokuwa *Western Province* kuna majabali ya utalii ambayo yanalia. Watalii wanaenda kule kwa wingi kuangalia ni kwa nini majabali fulani yaliyoko pamoja yanatoa machozi. Hii ni kwa sababu Mungu ametupea mazingira ya utalii.

Mahali kama India, ukiwa Delhi ununue shati ama rinda ya Kshs15 zile wanaziita Rupee, hata ukasafiri kilomita 1,000 ndani ya India na kwenda Madras, ile nguo uliopata New Delhi kwa Kshs15 utaipata kule chini pia kwa Kshs15. Hii inamaanisha zile jumuiya za kaunti za kule ambazo ni *regional governments* wanafanya kazi wakiwa wamesikizana. Kila mtu anategemea mwingine kuona kwamba kila mwananchi anafaidika aliko nchini India. Hayo yanawezekana kufanyika humu nchini.

Singapore ni nchi ndogo, lakini kwa sababu iko na *ports* imefanya maajabu. Ukienda kule watu wamefaidika na uchumi wa nchi yao. Singapore inajulikana kwa sababu iko na bandari. Bandari peke yake inafaidi kila mtu Singapore. Sisi hapa tuna bandari na hatujui pale ilipo kwa sababu inasaidiwa pia na Serikali. Tunashindwa kama bandari ya kule Singapore inaweza kusaidia serikali. Yetu hapa ni kinyume kwa sababu ya ufisadi.

Jiji la Mombasa likiwa na bandari kama Singapore City, watu wa kwanza kufaidika na ile bandari ni wakaaji wa Mombasa. Tukiangalia uchumi wetu na hali yetu ya Maisha, ukifika Mombasa sasa hivi utaonea huruma. Imekuwa gofu; watu wamepoteza kazi na hakuna kitega uchumi. Imeachiliwa tu.

Ikiwa tunataka Kaunti ya Mombasa iendelee mbele, ni lazima wapewe nafasi ya kuendesha na *kuangalia* ni asilimia ngapi watakaopata kutoka kwa bandari ili Mombasa iweze kuendelea. Mombasa, ambayo ni kama mama yetu, ikiendelea tuna hakika uchumi

ndani ya Pwani, kuanzia Kilifi, Tana River, Lamu, Kwale, Taita-Taveta watafaidika. Kwa hivi sasa, hili ni jambo la kusikitisha.

Jumuia ya Kaunti za Pwani, ikiwa wanaweza kushirikiana vizuri na tukiwa tunaweza kuwa na bandari ambayo asilimia fulani inatolewa na kupewa kaunti za Pwani, maendeleo fulani inaweza kupatikana.

Bi. Naibu Spika, tunaelewa kwamba Bandari ya Dubai inasifika sana ulimwenguni. Watu wa Dubai wanashirikiana kama *Emirates*.

*(Sen. Faki consulted loudly)*

Kuna Sharja na hizo zingine ambazo ndugu yaki, Sen. Faki, amesema kama vile Abu Dhabi.

Bi. Naibu Spika, hakuna mtu anaweza kuishi pekee yake. Ukienda Sharja, Dubai na pande zingine utapata kama nilivyotangulia kusema, ukiwa unapeleka gari kule, ukija huku kwingine petroli iko sawa sawa. Kuna usawa pia katika maendeleo ya pande zote.

Nilikua natazama video ya mtaalam mmoja kutoka United States of America (USA) na alikua anashangaa. Alisema, *'you did this in 50 years?'* Katika miaka 50 wamegeuza *United Arabs Emirates* (UAE) ikakua kitu ambacho ulimwengu mzima unashangaa. Kila kitu kinafanya kazi kisawasawa. Hiyo inamaanisha kwamba UAE zinafanya kazi pamoja. Mswada huu unaweza kutuunganisha sisi na kufanya Kenya ikawa moja. Mswada huu unaweza saidia Wakenya kupendana.

Leo tumekaribia uchaguzi na tumeanza kutengana kikabila. Tumeanza kupanga kisiasa makabila fulani yakusanyike ili yapige kura. Haipaswi kuwa hivyo. Sisi wote ni Wakenya. Kama vile Sen. Sakaja husema, hakuna Kenya A ama B. Ni ukweli kwamba Kenya iliyoko ni moja. Kwa hivyo, sisi wote ni Wakenya na lazima tusikizane.

Kama kaunti zote 47 zingekuwa zinaelewana, pengine hatungehitaji Mswada huu. Lakini, tunauhitaji kwa sababu ya uelekezo kwa wanaosema lazima kaunti ziwache kutegemea Serikali ya Kati kupata pesa. Wao wenyewe wawe na mikakati yao katika serikali za kaunti na waketi huko; sio kuketi na kungoja pesa tunazopeleka ili ziingie kwenye mifuko yao binafsi. Mswada huu utendeke hili uweze kusaidia Wakenya kokote wanaokoishi katika nchi.

Swala la mwisho ni kuwa kule Pwani kuna kitega uchumi katika pande ya Kwale ambacho hakijapewa nguvu na Serikali. Tunaweza kutengeneza sukari. Sukari nyingi inaletwa kutoka nchi za nje. Hii nchi iko na uwezo na ardhi ya kutengeneza sukari. Lakini mambo ya ufisadi yameingia katika uzalishaji wa sukari hadi makampuni yamekufa.

Ramisi Sugar iko Kaunti ya Kwale. Inatakikana ipewa kipau mbele na serikali ya Kaunti ya Kwale ili isifungwe na watu wakapoteza kazi. Pande za Nyanza, Mumias Sugar na Nzoia Sugar wamepoteza rasilimali zao za upandaji wa miwa.

Bi. Naibu Spika, ni jambo la kusikitisha tukitazama kwamba nchi ambayo inaweza kutengeneza sukari haina kampuni. Siku zote, sukari ikona shida, ilhali iko katika majimbo ya Nyanza na *Western* ambayo yakishikana, yatatengeneza sukari nyingi. Kampuni ingine ni Ramisi Sugar lakini hakuna masikizano. Huu mmea wa miwa umezidi kudidimia. Mswada huu ukipitishwa tutahitaji ushirikiano mwema katika Kaunti zote 47.



Pili, kaunti ambazo ziko pamoja zinafaa kushirikiana ili tuweze kufanikiwa kama Wakenya.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Let us now listen to Sen. Faki.

**Sen. Faki:** Asante, Bi. Naibu Spika, kwa kunipa fursa hii kuchangia Mswada huu kuhusu uimarishaji wa rasilimali za kaunti ambao umeletwa Bungeni na Sen. Nyamunga ambaye ni Seneta Maalum.

Nadhani Mswada huu umekuja wakati mzuri, japokuwa kulingana na malengo na maazimio yake, ulifaa kupitishwa miaka saba au nane iliyopita, kwa sababu kwa sasa kaunti zetu nyingi zinategemea mgao wa Serikali ili kuendesha miradi yao ya maendeleo. Maendeleo inaweza kufanywa kwa msaada; maendeleo inatakikana kufanywa na rasilimali za kaunti ambazo zinapatikana katika eneo hilo.

Mswada huu utasaidia pakubwa kuziwezesha kaunti zetu kuangalia zaidi rasilimali walizonazo kuliko kuomba Seneti kuwaongeza pesa kila mwaka ilhali wana rasilimali za kutosha kuhakisha kwamba wanapata pesa za kuendesha mipango na miradi yao.

Kwa mfano, katika Mwaka wa Fedha 2020/2021, Kaunti ya Mombasa ilipokea zaidi ya Kshs7 billioni kutoka kwa Serikali ya Kitaifa. Walitarajia kukusanya Kshs6 billioni lakini walikusanya Kshs3.3 billioni. Hiyo ni karibu nusu. Hawakuweza kukusanya nusu ya matarajio yao ya fedha ambazo walitakikana kukusanya.

Kama tunavyojua, Serikali ya Kitaifa ina mahitaji mengi. Kwa hivyo, kila mwaka, ruzuku ambazo zinatolewa kwa kaunti zetu zinazidi kupungua kwa sababu mahitaji yamekuwa mengi. Mapato pia yanaweza kupungua kutokana na uchumi kuzorota.

Ikiwa rasilimali ambazo ziko katika kaunti zetu zitaimarishwa, ina maana kwamba kaunti itaweza kukusanya pesa nyingi za kodi. Hiyo itazuia watu kuhamahama kutoka maeneo ya mashambani kwenda mijini. Wengi wanatoka mashambani kwenda mijini kwa sababu hakuna kazi mashambani.

Pia itapunguza umaskini. Ikiwa wale walioko mashambani watakuwa wanapata kazi kule, mtu hataona haja ya kuhamia mjini kwenda kulipa kodi nyingi. Maisha ya mjini pia ni ghali zaidi kuliko ya mashambani. Hii itasaidia pakubwa kupunguza umaskini katika kaunti zetu.

Hali hii inaingiana na lengo la serikali inayotarajiwa ya Azimio la Umoja ambalo ni kuhakikisha kwamba maendeleo inaenda mashinani. Lengo na madhumuni ya ugatuzi ilikuwa kuleta serikali na vile vile maendeleo karibu na wananchi.

Zamani maendeleo yote ilikuwa inapangwa kutoka Nairobi. Sasa hivi, kila kaunti ina fursa ya kupanga maendeleo yake. Inamaanisha kwamba kaunti nyingi zitaweza kuendelea pakubwa iwapo Mswada huu utapitishwa na kuwa sheria.

Mswada huu unaangazia kuwepo kwa *regional economic blocs*, yaani jumuiya za kaunti zilizoko maeneo fulani. Kwa mfano, katika eneo la Pwani, kuna kaunti za Lamu, Mombasa, Tana River, Kilifi, Kwale na Taita-Taveta. Zamani, kaunti hizo zote zilikuwa katika Mkoa wa Pwani.

Bi. Naibu Spika, yasikitisha kwamba hatujaweza kupata matunda ya wazo hili la jumuiya ya kaunti za Pwani ijapokuwa sisi katika Pwani tulikuwa wa kwanza katika nchi ya Kenya kuja na fikra kwamba hizi kaunti zinaweza kuungana pamoja zikaweza kuendesha mambo ambayo yatasaidia kaunti zote katika eneo lile.

Kwa mfano, kaunti zote za Pwani zina shida kubwa ya maji. Mombasa inapata maji yake kutoka Mzima Springs ambayo iko karibu kilomita 200 kutoka Kaunti ya

Mombasa. Maji mengine yanatoka Baricho ambayo pia ni karibu kilomita 200 kutoka Kaunti ya Mombasa. Baricho iko katika Kaunti ya Kilifi.

Bi. Naibu Spika, ukiangalia Kwale, pia wana shida ya maji. Mombasa, Kilifi, Tana River na Lamu wana shida ya maji. Lakini hatujaweza kuthibiti hii rasilimali ya maji ya Mzima Springs ili kuona kwamba tuna peleka maji maeneo yote katika Kaunti hizi za Pwani. Uzembe wetu ama kulala kwetu, bado tunatarajia Serikali Kuu iweze kutusaidia kuweza kuimarisha rasilimali hii ambayo ni muhimu sana katika maisha ya binadamu.

Jambo lingine ambalo pia linatukwaza kule Pwani ni uchumi samawati yaani *blue economy* ambayo sasa ndio eneo jipya la kuimarisha uchumi, pia inatupiga chenga. Tukiangalia, tuna ufuo wa bahari kutoka Vanga, nyumbani kwa Mhe. Boy, mpaka Kiunga, upande wa kaskazini katika eneo la Lamu. Utapata ya kwamba ijapokuwa tuna bahari hatuna usafiri wa bahari, kwa mfano kutoka Lamu kwenda mpaka Kwale. Kuna usafiri wa kutoka Shimoni kwenda mpaka kisiwa cha Pemba na Zanzibar. Lakini sisi katika Kenya hatuna usafiri wa kutoka Shimoni mpaka Mombasa ama Kilifi mpaka Mombasa ama Mombasa mpaka Lamu ili kuhakikisha kwamba wananchi wetu wanapata usafiri wa njia rahisi ambao uko salama.

Safari ya Lamu inafanywa zaidi ya magari ambapo tumeona ya kwamba siku za karibuni kumekuwa na visa vingi vya majambazi kuvamia mabasi na kupiga watu risasi kiholela. Huu uchumi samawati ni eneo zuri ambalo sisi kama kaunti za Pwani tumeweza kusimamia kuhakikisha kwamba tunapata usafiri na bidhaa za bahari kwa urahisi, tunaweza pia kupata watalii kuja maeneo yetu mpaka maswala ya kawi kutokana na upepo wa bahari inaweza kupatikana kutokana na rasilimali hii ya bahari.

Bi. Naibu Spika, sisi katika kaunti za Pwani tuna nafasi kubwa ya kuweza kutumia sheria hii itakapopitishwa kuhakikisha ya kwamba kaunti zetu zinafaidika na rasimimali ambazo ziko. Jambo lingine la kusikitisha ni kwamba kaunti zenyewe zinatoza ushuru bidhaa ambazo zinatoka kaunti moja kwenda kaunti nyingine. Kwa mfano, Mombasa inatumia zaidi mawe ya kujenga manyumba kutokana na mawe ya *coral* ambayo yanatoka Kilifi. Kwa hivyo, jiwe lile likitolewa Kilifi, limetozwa kodi na likiingia Mombasa pia linatozwa kodi. Mpaka juzi mahakama ikasitisha kodi ambayo inalipishwa na kaunti ya Mombasa kwa bidhaa kama hizo.

Tunaona kwamba bidhaa zetu zinakuwa ghali na mara nyingi tunadidimiza wananchi wetu katika maeneo yale. Kwa mfano, jiwe likitoka Kilifi likifika Mombasa, linalipishwa Kshs60 lakini jiwe likitumiwa Kilifi, halilipishwi zaidi ya Kshs40.

Kwa hivyo, tunaona kwamba hizi kodi ambazo zinalipishwa katika kila kaunti kwa mfano rasilimali ama bidhaa ya samaki imetoka Lamu inakuja Mombasa; italipishwa ushuru Lamu, ilipishwe ushuru Kilifi na ilipishwe ushuru Mombasa. Maeneo matatu yanalipisha ushuru na yote hii inakuja kuwa mzigo kwa yule mwananchi ambaye anakaa kaunti ile ambaye ndiye atakuwa mtu wa mwisho kutumia bidhaa ile.

Hizi *regional economic blocks* zitasaidia pakubwa kuwanisha kodi ambazo zinalipishwa katika kaunti zile. Ili kama kwa mfano Kilifi wamelipisha kodi, Mombasa haina haja ya kulipisha kodi. Kama Kwale imeweza kulipisha kodi, Mombasa haina haja ya kulipisha kodi ili wananchi waweze kupata bidhaa kwa urahisi na bei nafuu.

Tunasema *regional economic blocs*, yaani jumuiya za kaunti zinaweza kusaidia pia pakubwa kuweza kuimarisha rasilimali ambazo ziko katika maeneo mawili tofauti. Kwa mfano, machimbo ya *titanium* ina hayo madini ambayo yanachimbwa na kupelekwa

soko la nje. Katika maeneo fulani kule Kilifi kuna madini ya *titanium* ambayo hayajachimbwa. Kutumia ukaribu wa Kilifi na Mombasa utaweza kusaidia pakubwa kuimarisha biashara ya uchimbaji wa madini katika eneo la Kilifi wakati hayo machimbo yatamaliza madini yao.

Bi. Naibu Spika, hizi jumuiya za kaunti zitasaidia kuleta maendeleo karibu kwa mambo yatasaidia kaunti zote mbili. La mwisho ni kwamba, kuna maeneo ambayo yana *comparative advantage*, yaani wana nafasi nzuri. Kwa mfano, Mombasa ambayo ni jiji la bahari na ina bandari ya kimataifa lina nafasi nzuri ya kuleta wafanyi biashara kuliko maeneo mengine ambayo hayana raslimali au mawasiliano kama vile Kaunti ya Mombasa.

Kaunti zote zikiungana pamoja kama jumuiya ya kaunti, kwa mfano Mombasa itapata nafasi kubwa ya kujiimarisha kiuchumi. Miji mingi ambayo ina bandari inaimarika kwa sababu ya biashara ya bandari kwa mfano Rotterdam ilioko Uholanzi wameweza kuimarika kwa sababu ya biashara ya bandari katika eneo hilo. Lakini kwetu, biashara ya bandari iliondolewa ikapelekwa Naivasha *dry port* ili kuimarisha usafiri wa Standard Gauge Railway (SGR).

Hii ilikua ni makosa makubwa kwa sababu ile *comparative advantage* ambayo bandari ya Mombasa ilikua nayo, kuweza kuleta wafanyibiashara kutoka maeneo yote na kuleta mali kutoka sehemu zote, imepungua sasa na utapata biashara zimefungwa hivyo kuathiri kodi ambayo Mombasa ilikua inapokea kutokana na wafanyi biashara walioko pale.

Bi. Naibu Spika, nikimalizia, nilimsikia Sen. Farhiya akizungumzia maswali ya kanuni; yaani *regulations. The Cabinet Secretary in consultation with the Council of Governors may make regulations giving effect to the provisions of this Act.*

Nafikiri hii ni *standard provision* ambayo inapatikana katika sheria nyingi zinazopitishwa. Mimi naunga mkono sheria hii na itasaidia pakubwa kuimarisha rasilimali zetu za kaunti. Hii sheria ikitumika kikamilifu, hatuna haja ya kungoja kupewa *wheelbarrow*. Kama kaunti hatuna haja ya kuja kupewa ruzuku ndogo.

Bi. Naibu Spika, tumepitisha mfumo mpya wa elimu wa *Competency Based Curriculum* (CBC) ambayo watoto wengi wamesonga mbele. Wengi wao wanatumia vipakatalishi au *tablets* katika masomo yao.

**Sen. Farhiya:** On a point of order, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): I see a point of order from Sen. Farhiya.

**Sen. Farhiya:** Madam Deputy Speaker, it is a point of information. What I was considering was the timelines that by either six months or within one year. When you do not give deadlines in terms of regulations, people have their own time of doing things. Therefore, within the Bill, we must give timelines. That is what I meant.

Thank you, Madam Deputy Speaker.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Thank you Senator.

**Sen. Faki:** Bi. Naibu Spika, mimi na Sen. Farhiya tuko katika Kamati ya Sheria ya Seneti. Hivi majuzi tulikua tunaangalia kanuni ambazo zimeletwa za *irrigation*. Sheria ya *irrigation* ilipitishwa kutoka mwaka wa 2016 au 2017, na hivi sasa ndio tunamaliza kupitisha *regulations* zao. Kwa hivyo, si makosa.

Hata tukiweka kwa sheria kwamba lazima walete *regulations* kwa muda wa miezi sita, haitawezekana, kwa sababu, lazima wazingatie maswala ya *public participation*,

kuzichambua zile *regulations* mpaka tuone ziko sawa na mambo ya mashauriano baina ya ofisi ya mkuu wa sheria na wizara yote inachukua muda kiasi ambapo haiwezekani kufanya hivyo kwa miezi sita. Lakini ni swala ambalo linaweza kuwekwa katika sheria hiyo.

Bi. Naibu Spika, nilikua nazungumzia CBC ambapo tunajaribu kuwapa watoto wetu vipakatalishi na *laptops* pia. Hatuwezi kuwa tunawapeleka katika teknolojia halafu huku nyuma tunawaregesha kwenye *analogue* ya kusukuma *wheelbarrow* na kufanya mambo kienyeji.

Kwa hivyo, njia peke yake ya kuhakikisha kwamba kaunti zetu zinasonga mbele ni ---

Namaliza Bi. Naibu Spika.

**The Deputy Speaker** (Sen. (Prof.) Kamar): Order! Please, take your seat. Sen. Faki, you will have five minutes to wind up when we come back.

### ADJOURNMENT

**The Deputy Speaker** (Sen. (Prof.) Kamar): Hon. Senators, it is now 12.30 p.m., time to adjourn the House. The Senate, therefore, stands adjourned until today, Wednesday, 16<sup>th</sup> February, 2022, at 2.30 p.m.

The Senate rose at 12.31 p.m.