

# PARLIAMENT OF KENYA

## THE SENATE

## THE HANSARD

Wednesday, 26<sup>th</sup> October, 2022

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

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

### PRAYER

### QUORUM CALL AT COMMENCEMENT OF SITTING

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, I have confirmed that we have quorum. So, let us transact business.

### PAPERS LAID

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

**Sen. (Dr.) Khalwale:** Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, 26<sup>th</sup> October, 2022:

Report of the Auditor-General on the Financial Statement of Kajiado County Executive Staff Car Loan & Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of County Assembly of Kajiado Car Loan & Mortgage Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kajiado County Youth & Women Enterprise Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kajiado County Disability Mainstreaming Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kajiado County Emergency Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kajiado County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Nol-Turesh Loitokitok Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Olekejuado Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Oloolaiser Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Elgeyo-Marakwet County Executive Car and Mortgage Revolving Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Elgeyo-Marakwet Education Fund - Executive for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Elgeyo-Marakwet County Assembly Catering Services Revolving Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Elgeyo-Marakwet County Assembly Car & Mortgage Revolving Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Elgeyo-Marakwet Alcoholic Drinks & Control Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Iten Tambach Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of West Pokot County Assembly Car & Mortgage Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of West Pokot County Assembly Staff Car Loan & Mortgage Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of West Pokot County Bursary Education Development & Infrastructure Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Migori County Executive Car Loan & Mortgage Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Migori County Assembly Car Loan & Mortgage Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Migori County Ward Development Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Migori Water & Sanitation Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Mandera County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Elwak Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Mandera Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Busia County Agricultural Development Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Busia County Alcoholic Drinks Control Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Nyamira County Executive Car Loan & Mortgage Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Nyamira County Assembly Car & Mortgage Loan Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Nyamira County Education Bursary Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Nyamira County Emergency Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Nyamira Municipality for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Bomet County Executive Car Loan & Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Bomet County Assembly Car Loan & Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Bomet County Education Revolving Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor General on the Financial Statement of Bomet County Bursary Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Bomet Water Company Ltd for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kilifi County Assembly Car & Mortgage Loan Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kilifi County Ward Scholarship Fund for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kilifi Municipality for the year ended 30<sup>th</sup> June, 2021.

Report of the Auditor-General on the Financial Statement of Kilifi - Mariakani Water & Sewerage Company Ltd for the year ended 30<sup>th</sup> June, 2021.

*(Sen. (Dr.) Khalwale laid the documents on the Table)*

## NOTICES OF MOTIONS

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, we have two Notices of Motions. Let us start with the one by Sen. M. Kajwang’.

### INTEGRATING CLIMATE EDUCATION INTO NATIONAL EDUCATION CURRICULUM

**Sen. M. Kajwang’**: Mr. Speaker, Sir, I beg to give Notice of the following Motion on Integrating Climate Education into the National Education Curriculum-

AWARE THAT, climate change is a complex social and scientific issue which is characterized by uncertain and context specific knowledge, demanding that educators engage in inquiry and co- learning with students, while noting the lack of time and curriculum opportunities to address climate change in the classroom;

COGNIZANT OF THE FACT THAT, the Constitution of Kenya in Article 42, provides for the right to a clean and healthy environment for every Kenyan, which includes the right to have the environment protected for the benefit of the present and future generations;

NOTING THAT, climate change is a global nightmare with consequences that are already quite visible and should be a priority for the national education curriculum, in accordance to Article 12 of the Paris Agreement, which espouses the enhancement of climate change education,

training, public awareness, public participation and public access to information;

FURTHER NOTING THAT, climate change education explores mitigation and adaptation at both local and global level, critical and creative thinking and capacity building, that will enable youth to engage with the information, inquire, understand, ask critical questions and take what they determine are appropriate actions to respond to climate change;

ACKNOWLEDGING THAT, the Climate Change Act, 2016, addresses the integration of climate change into various disciplines and subjects of the national education curriculum at all levels, as well as requiring that the National Climate Council (NCC) advises public agencies responsible for regulating universities and tertiary institutions curricula on integration of climate change into their curricula;

NOW THEREFORE, the Senate calls upon the Ministry of Education in liaison with the Kenya Institute for Curriculum Development (KICD) to:

1. Mainstream climate change education throughout formal education systems through integrating climate education in the school curriculum, to creatively prepare children and young people for a rapidly changing, uncertain, risky and possibly dangerous future; and

2. Train and equip teachers and school administrators with the necessary information and skills, to teach climate education and explore new approaches to learning that can contribute to the transformation of unsustainable climate systems, values and routines.

**The Deputy Speaker** (Sen. Kathuri): Thank you.

Let us move to the next Notice of Motion by Sen. Mungatana.

#### EFFECTS OF UPSTREAM ACTIVITIES ON RIVER TANA TO RESIDENTS OF TANA DELTA

**Sen. Mungatana, MGH:** Thank you, Mr. Deputy Speaker, Sir. I beg to give Notice of the following Motion on Effects of Upstream Activities of River Tana to the Residents of Tana Delta-

AWARE THAT, water is a fundamental resource to life, livelihood, food security and sustainable development and an economic good, which is critical for the sustainable development of the country;

FURTHER AWARE THAT, the River Tana plays an important role in the lives of the communities living along its banks, including Garissa and Tana River Counties, whose main economic activities are livestock keeping, farming and fishing;

RECOGNIZING THAT, Article 43 (1) (d) of the Constitution, provides that every Kenyan has the right to clean and safe water in adequate quantities;

NOTING THAT, the residents of Tana River County have perennially suffered from acute effects of flooding and inadequate supply of water to its residents and their livestock;

COGNIZANT THAT, the challenge of flooding has predominantly been caused by KenGen's release of huge amounts of water from the seven forks dams which combine with rainwater from the highlands;

FURTHER COGNIZANT THAT, the hoarding of water at the seven forks dams and other significant upstream activities such as irrigation and small-scale dams, limits the amount of water that flows downstream through River Tana significantly, affecting agricultural activities in irrigation schemes, such as Bura, Galole and other small-scale irrigation schemes in the Tana Delta, as a result of inadequate water supply to the canals that channel the water to the irrigation schemes;

CONCERNED THAT, limited water supply to the hinterland and irrigation schemes cause severe hunger to the residents of Tana River, death of livestock and conflicts between farmers and herders, and that floods cause deaths, displacements and other challenges like waterborne diseases such as cholera downstream at Tana Delta;

NOW THEREFORE, the Senate urges the Ministry of Water, Sanitation and Irrigation in conjunction with the Water Resources Authority (WRA) to;

1. Conduct stakeholder participation before undertaking any major upstream activity, including construction of dams, before the release of water during rainy season and limiting flow of water to River Tana during the dry season;
2. Develop a policy in line with the Nile Treaty of 1959 to guarantee average annual flow of the River Tana; and
3. Come up with mitigation measures to the perennial floods and water scarcity to the residents of Tana Delta.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Thank you, Sen. Mungatana.

Next Order.

### STATEMENTS

**The Deputy Speaker** (Sen. Kathuri): Let us get Statements under Standing Order No. 52 (1).

Senator for Migori County, Sen. Oketch Gicheru, proceed. Are you ready?

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

**The Deputy Speaker** (Sen. Kathuri): Yes, Senator for Nairobi City County.

**Sen. Sifuna:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.51. There was a question yesterday and I want you to make a direction on this.

The Standing Order speaks of Statements Hour. I have spoken to many of my colleagues, especially on the Minority side, who think that the Statements Hour is no longer an hour. It is taking too long and we have to wait to prosecute the other matters down the Order Paper.

You will find that most of the time there are people who have Motions and they never get to prosecute them despite the fact that the matter is in the Order Paper. I want your decision and directive on that matter. We have now entered the Statements Hour. I request that the other Statements be pushed to the next sitting once the one hour is over.

Thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Senator for Nairobi City County, Sen. Sifuna, what is the Chair supposed to do after the hour, before we get to the next Order, when he is presiding and he has been given 20 Statements? Is he supposed to stop the Statements after one hour?

The Speaker allowed for the Statements. However, there are a lot of interjections and requests to contribute to the Statements. Yesterday, I tried to limit the Members' contribution to one minute and gave chance to only two members from the Minority and Majority side. However, Members approached the Chair and requested to be given more time to contribute.

From today, let us stick to the one hour.

Sen. Oketch Gicheru, proceed.

*(Sen. Cherarkey spoke off record)*

**Sen. Oketch Gicheru:** Mr. Deputy Speaker, Sir, protect me from the heckling by Sen. Cherarkey. He is my friend and likes people from Sondu.

**The Deputy Speaker** (Sen. Kathuri): Proceed Senator, you have the Floor.

CONCERN OVER PREDATORY ASSET-BASED LENDING  
BY MICRO-LENDING COMPANIES IN KENYA

**Sen. Oketch Gicheru:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.52 (1) to make a Statement on a matter of general topical concern, namely: concern over the predatory asset-based lending by micro-finance lending companies in Kenya.

Kenya has experienced an exponential growth of approximately 80 per cent in the number of micro-lending companies for the period 2016 to 2022. This growth has been as a result of the prevailing unemployment and underemployment levels in Kenya that have led to a significant number of Kenyans turning to loans to establish businesses and/or supplement their meagre economic earnings.

It is noteworthy that formal banking and microfinance institutions' loan facilities remain inaccessible to the average Kenyan due to their lengthy and complicated procedures and thresholds for accessing the loans, which are unfavourable to low income earners.

To make the situation worse, micro lending companies offering unsecured loans provide small loans, which are not significant enough to finance or establish a relatively good business venture. This has made the average Kenyan to opt for asset-based loans, with loans backed by collateral of motorcycles and motor vehicles being the most common and attractive form of borrowing in our markets today.

Micro-lenders such as Mogo, Watu Credit, Progressive Credit, *Tugende* and *M-kopa*, who took up space in this niche are offering their products at exorbitant interest rates averaging 4.5 per cent per month and 54 per cent per annum, therefore placing the borrowers at a great disadvantage.

Needless to say, these exorbitant interest rates, in light of the prevailing economic conditions, result into default on payments and repossession of the backing collateral

assets, with statistics showing that the repossession rate of motorbikes stands at approximately 50 per cent.

Mr. Deputy Speaker, Sir, the repossession of collateral assets, especially in cases where at least 30 per cent of the value of the asset has been paid up, is an extremely punitive remedy. Since asset-based micro lending companies operate in a limited regulatory space, recourse for the borrower is limited, leaving a majority of struggling Kenyans at a loss.

These high interest-rate loans and the punitive remedies on default only exacerbate the unemployment challenge in the country by significantly reducing net revenues to businesses and leading to closure of business in extreme cases, with the end result being that the borrowers get trapped in a vicious cycle of poverty.

There is need to protect the average Kenyans that find themselves in such situations of exploitation, to align the underlying contracts to the exigencies of the state and to ethical norms.

I note with concern that the strides made in the regulation of micro lenders with the enactment of the Central Bank (Amendment) Act, 2021 only empowered the Central Bank of Kenya to regulate digital credit providers.

Chapter Four of the Constitution of Kenya, 2010, provides for the Bill of Rights for every Kenyan. Some of those rights include the right to human dignity, under Article 28; the right not to have their possessions seized and the right to information necessary for them to gain full benefit from goods and services provided within our borders.

Amendment No.9 of 2006 of the Kenya Banking Act introduced the *In duplum* rule into Kenyan legislation, which provides that the sum of the interest and legal costs in respect of the outstanding debt may not exceed the initial capital amount of the contract.

If the *In duplum* rule is applied, the running of interest stops when unpaid interest equals the outstanding capital balance and that expenses incurred in the recovery of any amounts owed by the debtor may be recovered.

The Legislature is known to intervene in certain circumstances by way of legislation designed to protect Kenyans from the harsh effects of transactions induced to benefit commercial interests in disregard of the principles of social justice.

I would, therefore, like to conclude by appealing to this Senate to call upon the Ministry of National Treasury and Economic Planning to-

(1) Bring into regulation all asset-based micro lending companies placing a ceiling on the interest rates chargeable to their loans.

(2) Extend the application of the in-duplum rule in limiting the amount of interest recoverable on defaulted loans by micro lending companies.

(3) Capacity build before the end of the law term.

Having the lenders capacity built the borrowers.

In view of the severity of this matter, I humbly request that you refer this Statement to the Standing Committee on Finance and Budget for further inquiry and recommendations pursuant to Standing Order No.52(3)

I thank you, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Okay. The Statement from Sen. Oketch Gicheru stands committed to the Standing Committee on Finance and Budget.

*(The Statement was committed to the Standing Committee on Finance and Budget)*

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, on a point of order

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, what is out of order?

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, I would like to congratulate the Senator for Migori, Sen. Oketch Gicheru. He is learning from me fast, which is a good thing.

As the Government seek ways to address the issue of the digital credit providers, I agree with his Statement. This is because where we come from, most of the families have been trapped in a vicious cycle of poverty.

Sometimes, the digital credit providers alongside the police raid borrowers and auction their houses and television sets. This has caused a lot of domestic problems.

Most of the women where I come from borrow and collateralize their cows, *sufurias* and everything in the house. These creditors come for their money with Administration Police officers. For that, I think we need a protective legislation. They do not even negotiate, but drive the cows away, take *mahindi* from the stores, television sets, sofa sets, *et cetera*.

Apart from causing domestic problems through micro-lending, it also creates a vicious cycle of poverty as my brother has mentioned. I think the Committee on Finance and Budget should come up with an appropriate measure on how we can protect our people because they are innocent.

They usually ensure that these documents are in fine print. People do not see what they are signing. This is because most of our people are very old and do not have spectacles or reading glasses. Therefore, they end up signing themselves to something that looks like a debt warrant.

After this has gone through - and the Senator of Siaya County can agree with me - many people undergo stress, depression and some end up committing suicide.

This issue must be handled properly, so that our families do not experience domestic problems, a vicious cycle of poverty and mental health issues. Some of these mental health cases in the villages are because of micro-financiers where these lenders use the APs to seize property. I hope the incoming Cabinet Secretary (CS) will look into this.

I support.

**The Deputy Speaker** (Sen. Kathuri): Senators, before we go the Statements under Standing Order No.53 (1), let us have the personal Statement from Sen. Murkomen, the former Senate Majority Leader and now a Cabinet Secretary.

*Waziri karibu.*

*(Laughter)*

## PERSONAL STATEMENT

FAREWELL SPEECH BY CS FOR ROADS AND TRANSPORT NOMINEE,  
SEN. MURKOMEN



**Sen. Murkomen:** Thank you, Mr. Deputy Speaker, Sir. I seek the indulgence of the House to make a Personal Statement under Standing Order No.58.

I make my personal Statement following my nomination by His Excellency President William Ruto to serve as a Cabinet Secretary (CS) in charge of the Ministry of Roads and Transport.

This morning, our sister House, the National Assembly, approved our names and the names of the CSs approved, includes mine. It is now in public domain that I was nominated by the President to serve in that docket.

Following that nomination, my departure from this august House is now imminent. I stand here with mixed feelings because Senate has been home for over 10 years. I was elected by the people of Elgeyo-Marakwet County on the 4<sup>th</sup> March, 2013 to serve as the Senator for the County.

At that time, I was barely 33 years old. In the contest that led to my election, I competed with seasoned politicians, including the late hon. Nicholas Biwott, who was my worthy competitor.

The people of Elgeyo-Marakwet, notwithstanding my financial status, unknown name and background, and having listened to my manifesto, elected me to serve them in this House. I am eternally grateful that despite that background, my people decided that they were going to vote for me.

When I came here, many of my colleagues whom we served together were very seasoned. However, they worked, walked, mentored and respected me. From the onset, I was entrusted with responsibility in this Chamber. I became the first Chair of the Committee on Devolution and Intergovernmental Relations Committee.

I also became the pioneer member of the Committee on County Public Accounts and Investments (CPAIC). My colleagues whom we were together here can remember the challenges we went through summoning governors to come to this House and shaping its relation to matters of accountability with counties.

I also became a member of the Speakers' Panel from day one. I had the responsibility of chairing sessions in this House on behalf of the Speaker and the Deputy Speaker when they were not present. I was also given the honour of being in the Pan-African Parliament (PAP).

Through that, I served this country and the Senate with a lot of diligence, commitment and passion. I remember that it did not take six months and as a Chair of the Committee on Devolution and Intergovernmental Relations, I had to guide the House when we decided to go to the Supreme Court for an advisory opinion. That was a time when the mandate of this House was being challenged by the National Assembly.

This House must be remembered that in the first year of the Senate, we did not get the opportunity to discuss the County Allocation of Revenue Bill and Division of Revenue Bill. At that point in time, the National Assembly thought we should not have that mandate.

However, because of our concerted effort as a team and the trust that the leadership of the House at that time had, we managed to ensure that we got an advisory opinion from the Supreme Court that protected the authority and jurisdiction of this House. Sadly, this House has continued to suffer in the hands of our sister House, the National Assembly.

In 2016, it did not take three years until my colleague, hon. Charles Keter, who was the Senate Deputy Majority Leader then, was nominated, the same way I have to serve in the Cabinet. In the opportunity that came, my party nominated and approved me to serve as the Senate Deputy Majority Leader.

Again, at a young age, barely 36 years, I became the Senate Deputy Majority Leader of this House. From then on, I relinquished other responsibilities.

Furthermore, it must be remembered that at a time when we had a challenge about the mandate of this House, I became the Chair of a select Committee deputized by the former Sen. Mutula Kilonzo Jnr. then, to find ways of using the Constitution to again protect the mandate of this House.

I have been lucky to be part of many initiatives in this House, including being a member of a joint Committee for both Houses, Co-Chaired by Sen. Kiraitu Murungi and Sen. Oremo, that was formed in 2016. It looked into electoral reforms and led to the massive electoral reforms.

I leave this House having sponsored a number of Bills and pushed many of them as the Senate Majority Leader. I was re-elected in 2017 and given the responsibility of being the Senate Majority Leader. In the two-and-a-half years I served, I pushed so many Bills and continuously fought for the authority and the protection of the mandate and jurisdiction of this House on matters Bills. That was especially on the operationalization of Article 110 of the Constitution.

That responsibility required at times to disagree with the Executive of the very party that nominated me. I believe some of the reasons I was removed as the Senate Majority Leader, apart from other external political reasons, was that I brought to this Chamber a 20-page Statement challenging the Nairobi Metropolitan Services (NMS) as an entity taking over responsibility of Nairobi City County.

The President then might have been angry with me. However, as the Senate Majority Leader, I swore to protect and defend the Constitution. I am glad that as time goes, it has proven that I was right on the issue of NMS, considering the misdeeds that happened in Nairobi City County.

Mr. Deputy Speaker, Sir, in many instances, we made some decisions on which we disagreed with the Executive privately or publicly. I believe that the example that we set will assist the leadership of this House. This is with particular reference to my friend and Senate Majority Leader, Sen. Cheruiyot. As he leads this House, he will need to ensure that he does not lose sight of his responsibility to defend and protect the Constitution and the mandate of the Senate, even though he is a friend of the President and comes from the Majority Party.

The Bible in Ecclesiastes, Chapter Three, says that there is a time for everything. The ten years that the people of Elgeyo-Marakwet County entrusted me to serve in this House have come to an end. Any time this afternoon, I will hand in my resignation letter to you. As I do so, I am very proud of my 10 years' tenure in this House. It is not for me to tell Kenyans whether I left a legacy or not. It is for historians to write about my responsibility in this House.

There is a lot we would have achieved had we sought the relationship problem between this House and the National Assembly. Our country would have benefited a lot if there was proper implementation of Article 110 of the Constitution, in so far as Bills concerning counties. This country lost a lot by denying the Senate the opportunity to

contribute to matters of Bills. As I exit this door to the Executive, that is one area where I will continue being an ambassador of the Senate.

I will work with the leadership of this House to ensure that the Executive respects the mandate of the Senate. Luckily, we have had many discussions with the current President about protection of the mandate of the Senate. I believe that we shall achieve this through consultation, cooperation and more so, through transformative leadership that will be offered by this House.

I leave this House with very great men and women who were recently elected by the people of Kenya. I used to joke to our Secretary General (SG) that it would be my greatest pleasure to be here to mentor and also “monolise” her a little bit. Unfortunately, I have not had that chance. She has just told me that I am leaving before “monolising” them.

Mr. Speaker, Sir, the men and women elected on both sides of the House are people who have served this country in senior capacities. They are people who have relevant experience in different fields and professions. I believe they will take their responsibility seriously.

May I tell hon. Members here that they do not know what is going on inside me. There are things that I am proud I did, but there are also things I regret that I did not have time to do. Maybe I would have done more Bills or brought more Statements. This is a forum where we must be honest to one another; that we are so privileged to be among the only 67 men and women, entrusted by the people of Kenya, to run the affairs of the Senate.

Mr. Speaker, Sir, 50 million Kenyans would wish to enter that door. We must never take it for granted. We must make sure that our names are inscribed in the annals of history. We must make sure that one day, the HANSARD records that there were men and women who came through this door and left a legacy. That is the message that I want to leave my colleagues.

I am proud that inside this Chamber, there are colleagues we schooled together. Sen. Wakili Sigei is my legal partner and was a class behind me. The SG of the Orange Democratic Movement (ODM), Sen. Sifuna, was a classmate of Sen. Wakili Sigei. Therefore, there are some people here whom we schooled together and they are friends of our generation.

I have two former students in this House; Sen. Cherarkey and Sen. Chimera. I have also sat in this House with my teachers. Unfortunately, none is here at the moment. You all know that Sen. (Prof.) Kindiki was my teacher and leader. Our Deputy Clerk, Ms. Eunice Gichangi, was my teacher.

Mr. Deputy Speaker, Sir, this place presents us an opportunity to have everybody. It is a cocktail of leadership, from the senior, Sen. (Dr.) Oburu, to the young Sen. Cherarkey and Sen. Chimera. It gives us that opportunity to transfer leadership and create a concoction of leadership that is able to assist and make Kenya a better country.

As I go to serve in the Executive, I know that I am removing my otherwise partisan political cloth. Sometimes you must defend your political side. However, when I go there, I will be required to serve everybody equally without considering my political side or persuasion.

*(Applause)*

I look forward to visiting all wards, constituencies and counties, without consideration of who voted for who. I will serve this country to make it a great nation.

Mr. Speaker, Sir, as I conclude, I believe that the challenges before us are not unsurmountable. It is possible to resolve them. First, we must pursue a full implementation of Article 110 of the Constitution.

For the case that is pending at the Supreme Court, we must take the goodwill of having our immediate former Senator for Bungoma County, serving as the Speaker of the National Assembly. Sen. Cheruiyot, who is his colleague and friend, is the Senate Majority Leader. Let us also take advantage of having you as the Deputy Speaker of this House.

With Sen. Madzayo leading the Minority side, we must sit down and hammer an out-of-court settlement. Let us have a consent recorded at the Supreme Court. My dream is not to withdraw the case, but to have a consent recorded on the operationalisation of Article 110 of the Constitution. That way, we will respect the mandate of the Senate.

Secondly, in the immediate period that is before us, we must ensure that the Senate has an oversight fund. Senators in this country have been accused of having a lot of salary. It is true that the salary of Senators in USA might be modest. However, look at the support system that they are given behind the scenes. It runs into millions because they are facilitated to have public participation with their voters, carry out audit reports and even flown to their counties and back.

The Senate is not asking for a favour. They are asking that the Senate and Senators be facilitated to perform their responsibilities. I know this because I have interacted with many Senators here. None of them is asking to be given money to manage. They want money to be given to the Senate and be allocated to their constituencies and counties for them to go and do public participation and audits, to make sure that the resources given to counties make sense.

I will ensure that I incorporate the inter-governmental relations requirement in my leadership in the Executive, to make sure that the working relationship between counties and the national Government is achieved. This will be for proper accountability and proper use of resources.

Finally, I believe that the challenge that we must surmount in this Chamber - and I have seen it before - is to ensure that we work bipartisan. One of my most memorable moments in this House is when we protected marginalised counties in the County Allocation of Revenue Bill.

We have served together countless times in this House from both sides of the political divide. Members will have to cross the Floor to interact and persuade each other. They will need to ensure that when it is matters of national interest, there is no Azimio or Kenya Kwanza, but only one Kenya that will produce results to protect the citizens of this Republic. When time comes to discuss that formula again or any other matter that is national in nature, I look forward to a leadership that will cross the Floor of this Chamber, to negotiate and consult.

I cannot exhaust my ten years' experience in the Senate in this short time. I have been the captain of the Bunge Football Club (FC) team and scored many goals during matches within the country and other places such as Arusha and Dar es Salaam. I will miss those great moments. I hope to continue training with the Bunge FC and, perhaps, participate in the East African Community (EAC) Parliamentary Games.

I cannot exhaust the countless times we went for trips, both nationally and internationally, to see what other countries have done and how we brought those experiences here. I made great friends.

Unfortunately, I have not had enough time to interact with the current lot of Senators. I look forward to coming back any time I am summoned, or even summon myself here, to talk to colleagues, in order to ensure that the Ministry I am going to head is meaningful to the people of Kenya.

I am forever grateful to the people of Elgeyo-Marakwet County. To my family, my wife and my four children, I am forever grateful. To my parents who struggled through tough times in life to educate in order to give me an opportunity to come this far, I am forever grateful.

I would like the President who nominated me as a Cabinet Secretary to know that I will serve this country with great humility and honour. I thank him for trusting me to serve the people of Kenya.

Mr. Deputy Speaker, Sir, I am overwhelmed by emotions. I thank you.

*(Applause)*

**The Deputy Speaker (Sen. Kathuri):** Thank you, Sen. Murkomen.

It is not a tradition of this House to allow debate on personal statements. Standing Order No.58 states as follows-

“During Statements Hour, a Senator may, by the indulgence of the Senate, explain matters of a personal nature although there is no question before the Senate, but such matter may not be debated.”

I have some leeway as the Chair of this session to allow at least three Members from both sides. Today, I will give our elder, Sen. (Dr.) Oburu Odinga, the first chance.

**Sen. (Dr.) Oburu:** Thank you, Mr. Deputy Speaker, Sir, for the opportunity to congratulate Sen. Murkomen on his appointment as the Cabinet Secretary (CS) for Roads and Transport.

Sen. Murkomen has been an outstanding Senator. I was not a Member of this Senate before, but being a Member of the East African Legislative Assembly (EALA), I used to hear a lot about his contributions in this House.

I do not want to say a lot. I just want to urge him to do what he has promised. He has said that he will not be partisan in dispensing services to the people of Kenya. We hope that you will offer services to the people and forget about elections. Elections are over. Now, it is time to work and fulfil the promises you made to the people.

When you do so, we are not going to pull your leg. We shall only oversight you, to make sure you do not deviate from what you promised to do. As long as you work for the people, we shall encourage you to continue doing so.

Sen. Murkomen, please talk to people who are still creating a campaign mood by trying to lure some people from our side and asking them to join them. Let them know that they are trying to weaken the Opposition. They promised that they will not have a “handshake” because they want a strong opposition to oversight the Government.

When you talk to leaders and ask why they are not joining you, that is not the way to go. There must be people in the opposition and others on your side. Let us all work together in the interest of the people of Kenya.

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, let us take at least two minutes each, so that we can make progress.

**Sen. Tabitha Keroche:** Mr. Deputy Speaker, Sir, I take this opportunity to congratulate Sen. Murkomen. We have to get used to---

**The Deputy Speaker** (Sen. Kathuri): Just a minute. Sen. M. Kajwang', are you on a point of order?

**Sen. M. Kajwang':** Mr. Deputy Speaker, Sir, it was overtaken by events.

**The Deputy Speaker** (Sen. Kathuri): Okay. Proceed, Sen. Tabitha Keroche.

**Sen. Tabitha Keroche:** Mr. Deputy Speaker, Sir, I congratulate Sen. Murkomen on his new appointment as the *Waziri* for roads. I know we will start referring to him as *Waziri* for roads.

I am new in this House. Therefore, to some extent, I consider myself as an outsider. Therefore, I will talk on behalf of the outsiders. We all knew that we had somebody we could rely on when they were in this House. I have gone through a lot of challenges. However, every time, he always called and assured me of his support.

He may have not known this, but when I joined politics, he was the first person to call and told me that I had made the right choice. I am talking as an outsider, but I know that we will need more Senators like him in this House.

As we continue to conduct our business in the next five years, let us remember that the outsiders look at us. Being one of them, I knew Sen. Murkomen was one of the people that Kenyans relied on. I hope we will fill the gap, fit into his shoes, and ensure our people rely on us.

As the proposed CS for Roads and Transport, he has promised that he will work for all of us. Do not look at it in a political way. Some of the Senators who visited Keroche Breweries were shocked to see how pathetic the road was. The road is about 1.5 kilometres long.

When I requested the previous Government to repair the road, they asked me the number of votes they would get from the area. I urge him not look at that, but rather how much revenue comes from that company. A company that can pay taxes of over Kshs200 million per month should have a good road. The road can be done with only Kshs100 million.

I wish you all the best. I am sure His Excellency the President will give the newly appointed Cabinet Secretaries a freehand when it comes to decision-making. The previous Government had 22 Cabinet Secretaries, yet none of them could make any decision.

I am sure that the business community and the people of Kenya are watching to see if the Cabinet will work like that of President Kibaki, where Sen. (Dr.) Oburu was an Assistant Minister. At that time, you could even rely on the word of an Assistant Minister, leave alone a Minister's word.

We are watching and praying for you to ensure that the Cabinet does to Kenyans what they deserve, be it business, creation of jobs, or ensuring service to everybody without looking at who elected you and who did not.

I know we will feel the fire in the Cabinet now that you are leaving the Senate. Consider making roads in every county and talk about the Government of His Excellency---

*(Sen. Tabitha Keroche's microphone went off)*

**The Deputy Speaker** (Sen. Kathuri): Sorry, but you have conveyed a wonderful message to Sen. Murkomen.

Sen. Maanzo, kindly proceed.

**Sen. Maanzo:** Thank you, Mr. Deputy Speaker, Sir, for giving me an opportunity to congratulate my friend, *Waziri* Kipchumba Murkomen. He is also known as OKM.

When I was the Secretary of Cooperatives, he was one of the young lawyers whom we worked with in the Cooperative Movement. Our work was to enlighten people on issues that deals with Cooperative Movement on television shows and we encouraged young people to join Sacco's to save money. We employed skills to push the Cooperative Movement to the young people in the country and he has been a firebrand.

At one point, when I join politics in 2007, I mentored him a little bit. He once told me that he admired a few things that I was doing. He said that we all came from the village, but we will soon capture the city. I congratulate him and know that he has a strong Christian background. He fits very well at the national and village level.

I want him to be a role model to many young people and he should show them what hard work can give somebody. In him, the youth should see how good it is to trust in the Lord. They should also see that it is good to serve the people without ill will and smile even when things are adverse. Through him, the youth should learn to find hope and get things moving.

There is a very big challenge in the Ministry of Roads and Transport. A little effort was made by the previous regime. However, we have seen the new developments. I believe he is going to develop the country and we will have more tarmac roads. The previous regime promised to construct the Ukiya-Emali Road for over ten years, but that did not come to fruition.

Where Thwake Dam was constructed, we are looking to have a connection between Kitui and Wote. Those are places that he knows very well. The connection between the two places is 72 kilometres. I believe he is fit to do the job. We are looking forward to supporting him in this particular venture.

May God bless him in this venture and may he serve the people of Kenya.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): I hope Sen. Murkomen has written the roads that you have mentioned.

*(Laughter)*

Let us now listen to Sen. Mungatana.

**Sen. Mungatana, MGH:** Thank you, Mr. Deputy Speaker, Sir. Sen. Murkomen is very famous in Tana River County. When we were campaigning, our people kept on telling me that "when you go to the Senate, you should be like Sen. Murkomen." I found that to be strange because Sen. Murkomen is younger than me in the profession and in many other ways.

Nonetheless, we thank him for the service that he gave to this country as a legislator. We cannot repay him in this Senate, but I can assure him that God has seen the

sweat of his brow. The people of Kenya have seen the work that he has done and we thank him.

As he goes to the Ministry, I want to make a special plea. Tana River County has only one major tarmac road. It is a shame that after more than 50 years, we are only talking of one tarmac road in the county; a road that connects Kilifi, Tana River then goes to Garissa County.

We have said in many places that there is a way we can connect with Kitui and Nairobi counties using a short cut and we do not have to spend all those hours taking our produce to the market. We ask him to think of it in terms of bottom-up approach. There are many people who have needs. However, a country will only be as strong as its weakest economy. A rope will only be as strong as its weakest point of connection. We do ask him to think about us as he takes his responsibility.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Sen. Onyonka.

**Sen. Onyonka:** Thank you, Mr. Deputy Speaker, Sir. This is very interesting because I have known Sen. Murkomen for quite a while.

I happen to have the advantage of being in this Parliament for the last 23 years. When the Senate started, he came out as one of the very articulate, intelligent young people who gave the youth a good face. We highly respect him. I personally respect him because I have worked with him. I once worked with him and the current President.

He should remember that the expectations are going to be very high. If he comes to Kisii County, he will see that some roads have been done halfway. Other areas have got 200 kilometres done in one constituency and others only have 16 kilometers done.

I believe that he will be dignified enough to be fair and reasonable to most of those areas. I hope that he will engage the Members of Parliament, his Senate colleagues, when he comes to Kisii County, the county that I represent. We will show him some of the issues that are disturbing our people.

Mr. Deputy Speaker, Sir, I congratulate him. He has so far done well and I am happy to be emotional with him. I wish him well. He should perform well and may God bless him.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Thank you. Proceed, Sen. Wamatinga.

**Sen. Wamatinga:** Thank you, Mr. Deputy Speaker, Sir. Sen. Murkomen came and campaigned for me in Nyeri County. He said, “this is the right guy to be your Senator” and the people of Nyeri said that “we will elect you if you are going to be like Sen. Murkomen.”

He has not spent a long time with me here for me to learn from him, but I want to wish him all the best. I know he is good and cut for the job. I know that he will have a very big challenge the bosses are workaholics. I know they will drive him, but he has what it takes.

Mine is to wish him all the best and congratulate him as he takes the new role. We will be praying for him. He should come and check on us and tell us how we are performing from out there when he comes around. He has built a name more than some of us despite us being older than him. People talk about him because he has built a name around himself. People see him as a beacon of hope and they want us to emulate him.

I thank you.



**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, I can see that there is a lot of interest in wishing our brother, Sen. Murkomen, well wishes. I will give more Members an opportunity to speak for them to bid him farewell.

It is as if the mood of the House is to suspend business.

*(Laughter)*

Let us proceed. We will now listen to Sen. M. Kajwang’.

**Sen. M. Kajwang’**: Mr. Deputy Speaker, Sir, I wish to congratulate my friend and age mate, Sen. Murkomen, on his appointment to the Cabinet. I am older than him by ten days, him being born in March and I being born in February.

Unlike others speakers, who are elected to be like Sen. Murkomen, the people of Homa Bay elected me to check on Sen. Murkomen. Now that he is leaving the House, I do not know who I will be checking because Sen. Cheruiyot is already being checked by Sen. Madzayo. Therefore, I will find another target, maybe a female target this time to check, now that Sen. Murkomen is gone.

However, I want to ask Sen. Murkomen to be true to one thing that I have known him for. He always speaks truth to power. I remember he came to Bomas at one time and the environment was very hostile, but he spoke and made his point. I ask him to continue speaking truth to power. There is no perfect or excellent Government. When things are going wrong, he should exercise his free will and mind that we have come to get accustomed to.

Secondly, there is a Petition before the Committee on Roads and Transportation. I pray that he gets an opportunity to come to Homa Bay County.

Mr. Deputy Speaker, Sir, this gentleman came all the way to Homa Bay to help me bury my mother at a time when people thought that my side of politics was contagious. I want to thank him for that.

The people of Homa Bay are saying; “bring your friend, Sen. Murkomen, and let him visit Mfangano. Let him look at Mfangano Ring Road, Rusinga Ring Road, the ferries that link the islands and the missing link of Lake Victoria ring road.”

Since, he is a football lover, let him in his time as a CS for Roads and Transport give us the Gor Mahia Ring Roads in Ndhiwa where Sen. Oyomo comes from.

Sen. Murkomen, if you do that, our people will love you and perhaps there will be some returns for you later on. More importantly, continue being as simple and as humble as you are. We have been colleagues. We have gone for joint interviews on television as colleagues.

Mr. Deputy Speaker, Sir, I can tell you---

**The Deputy Speaker** (Sen. Kathuri): Your time is up. The message is at home.

*(Laughter)*

Sen. Faki, proceed.

**Sen. Faki**: Asante, Bw. Naibu Spika, kwa kunipa fursa hii kumpa mkono wa buriani, Sen. Murkomen, ambaye amekuwa na sisi hapa kwa muda wa miaka kumi.

Nilipoingia Bunge hili la Seneti mwaka wa 2017, Sen. Murkomen alikuwa ni Kiongozi wa walio Wengi katika Bunge hili. Kwa hakika, aliwahudumia Maseneta wote kwa njia ya usawa. Na kwamba hakuwa na ubaguzi wa aina yoyote. Natumai, Sen.

Cheruiyot, pia ataweza kusoma somo hili na aweze kuendeleza mkondo huu ambao ulikuwa unawasaidia Maseneta wote.

Vilevile, katika Bunge, tumecheza mechi nyingi sana na Sen. Murkomen. Hususan, mechi ya kwanza kabisa tulicheza kule Machakos ambako alifunga bao la kichwa kutokana na pasi ambayo mimi nilimpatia. Na hiyo ikamfanya kuwa mchezaji mkubwa sana kule Elgeyo-Marakwet mpaka kila mtu akamtaka awekwe katika Timu ya Harambee Stars. Kwa bahati mbaya, umri ukawa haumruhusu. Hivyo basi, hakuweza kuingia katika Harambee Stars.

Sen. Murkomen ni mtu ambaye anachukulia watu wote kwa usawa na ana heshima kwa binadamu. Kwa hivyo, twamtakia kila la heri katika nyadhifa yake mpya ya Uwaziri.

Bw. Naibu Spika, Serikali iliyoondoka imefanya miradi mingi katika Kaunti ya Mombasa. Na sisi tunataka ile imebakia, Sen. Murkomen, ambaye ni Waziri wa Barabara aimalize, ili Mombasa iweze kuwa shwari kama hapo awali.

**The Deputy Speaker** (Sen. Kathuri): Asante.

Sen. Gataya, you may proceed.

**Sen. Gataya:** Thank you very much, Mr. Deputy Speaker, Sir. I take this opportunity to congratulate my younger brother, Sen. Murkomen.

It is important for this House to note that we are lucky as a House because Sen. Murkomen knows every part of this nation. Sen. Murkomen, personally knows where I come from.

*(Sen. Methu consulted loudly)*

Sen. Methu, I advise that you desist from those distractions. I am delivering a very important message.

Sen. Murkomen knows that I come from Tharaka Nithi County, which is one of the marginalized counties in terms of the road network, especially the lower part of Tharaka.

Last time, when you visited Kathanga Chini, you promised that it will no longer be Kathanga Chini anymore, but Kathanga Juu. I expect the roads to come from Kathanga Chini upwards all the way to Gitogoto to Chuka, and any other place.

I am sure that this House knows that, Sen. Murkomen, is a sharp, humble, accessible, and simple guy. I am sure that he will conduct himself like that all through. I am also sure that a number of visitors that will likely visit his office, will be from this House. We expect you to be one of us all through.

As you become a CS, please carry the Senator tag with you. You are the originators of this House. We will not shy away from knocking at your door. I am sure that from the way you have conducted yourself in this House, you will continue the same throughout your life.

I wish you well my brother.

As a House, we are very proud of you, Sen. Murkomen. You have a very bright future in this country. At the age of 43 years, you have another 30 years to serve. Some people will be barred by the Constitution from holding public office after ten years from now. However, that does not apply to you. You have a bright future. So, cultivate your image---

*(Sen. Gataya's microphone went off)*

**The Deputy Speaker** (Sen. Kathuri): Sen. Wakili Sigei, you may proceed.

**Sen. Wakili Sigei:** Thank you, Mr. Deputy Speaker, Sir. Congratulations to my legal partner, mentor, and much more. Allow us to blow your trumpet because a good number of us are here courtesy of the inspiration that you gave us. I am among them.

*(Applause)*

As I congratulate you, I want to give you a challenge. We are looking forward to a CS who is like the Senator who was in the Senate. We would love to have the messages of goodwill in the Cabinet similar to what your colleagues have heard. I am happy that you have in your speech told us that you will be a nonpartisan CS who will do the best for the people of Kenya.

I am encouraged as one of those who have been with you for the longest time. For example, from the university where we learnt so much. Unfortunately, we have not heard the opportunity to learn from you in this House. However, I know that we will protect the Senate, devolution and fight for that which is for this House.

I wish you well, my brother. God bless you as you join the Executive arm of Government. For the next couple of years, we look forward to seeing greater things that you will do for the people of Kenya.

**The Deputy Speaker** (Sen. Kathuri): Sen. Omogeni, proceed.

**Sen. Omogeni:** Thank you, Mr. Deputy Speaker, Sir. Let me also join my colleagues in congratulating, Sen. Murkomen, for getting the approval of the National Assembly to be our CS in the Ministry of Roads and Transport. I hope that we have learnt something from what he has told us this afternoon.

For the time I have known Sen. Murkomen, he has demonstrated to this House that there comes a time when a man must be firm, make a decision and pay the ultimate price.

I was in this House when Sen. Murkomen made a decision that did not go well with the President of the day. Consequently, he lost his seat as the Senate Majority Leader.

However, that did not end the dreams he had of continuing to serve the people of Elgeyo-Marakwet. Instead, God has blessed him even more. He is moving on to become the CS for Ministry of Roads and Transport.

Sen. Murkomen stood with some of the counties that were losing when we were dealing with the Division of Revenue Bill. Perhaps to be on the right side of the powers that be, he would have deserted us and we would have lost. However, he stood with us. The people of Nyamira are forever grateful for standing with us. In the process, he assisted us to return Kshs600 million to the County of Nyamira.

May God bless you.

As you go to the Ministry, I hope that you will tackle the cartels. Many roads in this country are unmarked and many contractors have been paid for work not done. The road from Metamaiyo to Nyamira has a sector of about one kilometer that was never tarmacked yet the contractors have been paid. I hope that Sen. Murkomen will tackle cartels in that sector. We look forward to you being a good ambassador of this Senate.

Please, if you can put a word to His Excellency the President to deliver this consent of our matter that is---

**The Deputy Speaker** (Sen. Kathuri): Your time is up. Sen. Abass, you may proceed.

Sorry, Sen. Abass. Before you proceed, I can see Senators from the right-hand side trying to wink at me while others are flashing their eyes.

*(Laughter)*

To be honest, when I check on this list, I am unable to see their cards on my screen. That is why I wanted to identify whether there is a problem on this side.

**Sen. Abass:** Thank you, Mr. Deputy Speaker, Sir. I join my colleagues to congratulate my friend, a man we started politics together in United Republican Party (URP) and have been travelling together to date. I assure you that he deserves to be given that position.

I thank the President for seeing the potential in Sen. Murkomen. He is a very able and vibrant person. I believe and assure everybody that he is a man of all seasons who can serve everywhere in this country.

Sen. Murkomen, I wish you well. I want you to remember me because we only have a 12-kilometre tarmac road in Wajir and beyond. Therefore, there is already an ongoing project, which was planned for by the World Bank (WB) from Isiolo to Wajir and Mandera. I want you to actualize that, my brother.

We have remained the same for many years and many successive Governments. We want to see a difference this time. You should make a legacy for the people of Northern Kenya.

With those few remarks, I wish you well and all the best in your endeavors.

**Sen. Osotsi:** Mr. Deputy Speaker, Sir, on my own behalf and of the people of Vihiga whom I represent I congratulate Sen. Murkomen for his appointment as a CS.

I had been observing Sen. Murkomen when I was in the National Assembly and I liked his contributions on the Floor. When he was being vetted, he was among the two CS nominees who impressed me, the other being hon. Moses Kuria. They seemed to have an adequate understanding of the respective roles they were going to perform.

Most importantly, Sen. Murkomen has been part of the process of nurturing devolution in this country. If you remember, he was part of the task force that birthed devolution. We also know that he has been very passionate about it.

Now that he is going to the Ministry of Roads and Transport, we know that under the Fourth Schedule, the transfer of functions for county roads has not been completed. Therefore, as a Senate, we want that to be the first assignment we are giving him so that we have county roads fully under our county governments

This is so that the Kenya Rural Roads Authority (KeRRA) and Kenya Urban Roads Authority (KURA) are not acting nationally. The mandate to manage the roads must fully return to the county governments.

With that, I wish you well as a CS. When we knock on your door, please open for us.

**Sen. Veronica Maina:** Mr. Deputy Speaker, Sir, I take this opportunity to congratulate one of our sterling performers as a Senator, politician, a seasoned advocate

and accomplished in every sense of that word. I congratulate him for being nominated as a CS and I believe now he has been approved by the National Assembly.

The kind of contribution we have seen you do across the whole nation, is something that will remain in the memory of very many people, especially the young who have been watching you and reading your tweets every morning.

I noted that you are one of the leading Kenyans on *Tweeter* in this nation. When you *tweet*, everybody follows, reads and circulates. That speaks of the kind of influence you have had in the democratic space in Kenya.

You are going into a new zone as a CS for Roads and Transport, we are looking up to you Senator, because there are many things that need to be done with regard to infrastructure in this country.

I do not want to quote the two thieves who were crucified together with Jesus because you are not being crucified. There was a good thief and a bad thief. The good thief asked that you remember the people when you get there. The “hustler nation” and Kenyans are watching you, that, we bring forth the performance that we have promised to the nation of Kenya.

We are looking forward to sterling performance as a CS and we know that you will not fail. You will be successful together with all the CSs who were approved by the National Assembly today.

Congratulations once again and we wish you God’s blessings.

*(Applause)*

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, at this juncture, you will allow me to give a chance to two more Members, especially the leadership. This is so that we have some other business conducted.

Sen. Murkomen, you know, these Senators want to wish you well. Just accept that we all have wished you the best. It is only that I cannot be able to debate from here. However, I will do that one time.

*(Sen. Sifuna spoke off record)*

No, I will give a chance to Sen. Dullo.

**Sen. Dullo:** Thank you, Mr. Deputy Speaker, Sir. I wish to congratulate Sen. Murkomen. I have known him for the last 11 years from the days of URP.

Number two, I actually served with him in the last Senate where I deputized him. Sen. Murkomen is a very kind leader, respectful, social and encouraging. If I stand here and praise him, I might take some hours.

We are really happy that he is going to join the other side of the Government. I have even travelled all the way to Elgeyo-Marakwet County with him to address the County Assembly at one time.

The sky is the limit. You are young. I am sure you are one of the youngest CSs that have been appointed. You understand the challenges of this House and have been passionate about devolution.

As for Isiolo County, we have only one tarmac road that has not been finished for the last six years. It is the Isiolo, Kinna-Garbatula Road. I hope you will help us to finish that road. We will come and discuss.

I hope you will serve us as this House in a non-partisan way to make sure that we are really proud of you as having been one of us.

We wish you all the best and we will support you in your endeavors.

**Sen. (Dr.) Khalwale:** Thank you, Mr. Deputy Speaker, Sir. Sen. Murkomen, we are happy for you and we look forward to working happily with you going forward.

I remind you of 31<sup>st</sup> December, 2018 when you came to the “land of bullfighting” at 6.30 in the morning. You found 60,000 people waiting for you and the then Deputy President who is the President at the moment. That was the day when the Luhya Community decided to walk a different path.

When Sen. Murkomen is appointed CS, all the 60,000 people he saw will be happy. However, it will be for only one reason; that he will ensure the road from Lurambi to Shikoti, Nambacha *mpaka* Musikoma will be completed.

(Applause)

That he will ensure that the road from Ivokholo-Indangalasia-Shianda-Malaha up to Navakholo, is completed. That he will also ensure all those roads that were started by the current President – the road from Ekoli-Kimang’et-Malava and Samitsi will be completed.

However, the most important one is in the village where I was born. Please, make sure that you construct our road from Shimanyiro-Shiseso-Malimili- Shitochi-Khayega-Shinyalu-Rondo up to Chepsonoi.

Mr. Deputy Speaker, Sir, I end by reminding Sen. Murkomen, that if he ever ends up doing nothing in his public life, he has already made his mark. The electronic voting laws that saved this---

**The Deputy Speaker** (Sen. Kathuri): Your time is up. If I do not give other Senators an opportunity to mention their roads, then I will be doing a lot of disservice to them and their constituents. They might say it is only Sen. (Dr.) Khalwale who mentioned his roads and others did not get a chance.

I give Sen. Orwoba this chance.

**Sen. Orwoba:** Thank you, Mr. Deputy Speaker, Sir. I congratulate Sen. Murkomen. We worked together under communications during the campaigns. I remember he told me to just keep doing what I was doing, as I could land somewhere. There are so many youthful people out here who are actually celebrating your appointment. It is because there is hope for the youth and Sen Murkomen has actually showcased that hard work pays.

I thank Sen. Murkomen for believing in me. Thank you for pushing me to keep going for those shows and for doing what I was doing in the campaign. I have one request from the Kisii County; we are tired of flying through Kisumu City. We need our airport. There is a lot of traffic there. Since we are at the border of Tanzania and Uganda, an airport can open up the market there. If you can just see what the problem is with the airport in Kisii, *mengine tutaongea “nyuma ya tent”*. *Asante*.

**The Deputy Speaker** (Sen. Kathuri): Sen. Sifuna, proceed.

**Sen. Sifuna:** Thank you, Mr. Deputy Speaker, Sir. Allow me to also join my colleagues to congratulate Sen. Murkomen on his appointment.

As he said, we go some way back. He only failed to disclose a few bits of our history together. In my third year of university, he was in fourth year. We are the class that defeated him in hotly contested elections for the President of the Kenya Law Students Society (KLSS). That is what it was called then.

I have known him all this time. Many have spoken before me and sung his praises. I was a bit concerned---

**Sen. Murkomen:** On a point of information, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): He cannot refuse your point of information.

**Sen. Sifuna:** Mr. Deputy Speaker, Sir, I cannot refuse his point of information. Hold my time.

*(Laughter)*

**Sen. Murkomen:** Mr. Deputy Speaker, Sir, just to remind Sen. Sifuna that they did not defeat me in that contest. It is the contrary. I was the outgoing Chair of KLSS and Mr. James Mamboleo, who was in your class, was my candidate. We defeated the Okonjos who were in the fourth year because I supported Mamboleo. He was one of my mentees.

**Sen. Sifuna:** Mr. Deputy Speaker, Sir, my brother, Sen. Wakili Sigei, can help jog my memory. I remember Sen. Murkomen had a project which we defeated. That was Okonjo.

*(Laughter)*

However, I got a little concerned when I heard my Chairperson of the Committee on Roads, Transportation and Housing gushing with praise for the nominee. I thought we in that Committee are supposed to be his supervisors, now that he has been appointed the CS for the Ministry of Roads and Transport.

Mr. Deputy Speaker, Sir, I only have two things to say to my brother, Sen. Murkomen. First and as Sen. Osotsi has alluded to, we would like proper unbundling of all the road functions that are supposed to be handled by the county. Here in Nairobi City County, we have that problem where agencies of the central Government still run certain roads. As a champion of devolution, we would like you to lead that fight.

Secondly, as you know, the neighbouring counties of Kajjido and Machakos have been described as bedrooms of Nairobi City County. However, we are unable to access our bedrooms. We would want Sen. Murkomen to complete the dualing of the road from Bomas of Kenya all the way to Rongai and even Kiserian, if it is possible.

He should also complete the dualing of the road from the Machakos turn-off all the way to the Kitengela turn-off, so that we are able to access our bedrooms. We would like him to support our Bus Rapid Transport (BRT) programme and a light rail, for the people of Nairobi City County to move around easily.

Mr. Deputy Speaker, Sir, lastly and as the SG of ODM, I will move my party not to field a candidate in Elgeyo-Marakwet County out of respect for you.

**The Deputy Speaker** (Sen. Kathuri): Okay. Sen. Boy, proceed.

**Sen. Boy:** Asante, Bw. Naibu wa Spika, kwa kunipa fursa ili nimpe mkono kakangu, Sen. Murkomen, na kumtakia kila la heri katika nafasi yake ya Waziri wa Barabara, Usafiri na Ujenzi.

Ndugu yangu, Mhe. Murkomen, kuna kitu ambacho ningependa uzingatie sana. Huwezi kutoka Kaunti ya Mombasa hadi ya Kwale, bila kupitia Mombasa. Kivuko pekee ni pale Feri na hapo pana shida kubwa sana. Mwaka juzi kulitokea ajali mbaya sana ambapo gari lilitumbukia baharini. Ni kwa sababu hakuna watu wa kuangalia usalama katika Feri.

Mimi ninaomba Mungu akujalie uapishwe, kisha ninakuomba uandamane na viongozi wa Pwani, uje Kenya Ferry uone vile watu wanavyohatarisha maisha yao katika hicho kivuko. Kila siku nikivuka, huwa ninaomba Mwenyezi Mungu tuvuke salama. Wananchi hawana usalama ndani ya Feri wanapovuka. Unakuta watu wanaingia katikati ya magari, Feri zinaondoka na ni mbovu na foleni ni ndefu hadi karibu barabara ya Kizingo.

Ninamsihi Sen. Murkomen aangalie hili jambo la Kenya Ferry.

Pia kuna mambo ya Bandari ya Mombasa. Hii Bandari iko na shida sana kwa sababu ufiisadi umezidi. Tunataka usafishe huo ufiisadi. Katika Kaunti ya Kwale, kuna Bandari ya Shimoni ambayo tunataka kujengewa. Kakangu, Mhe. Murkomen, tutabisha milango kila mara kukuambia kwamba hii Bandari isimamishwe sawasawa. Ninamtakia kila la heri na tutakua tukibisha milango kila mara kumkumbusha habari ya Kenya Ferry na Bandari ya Shimoni.

Mungu akubariki.

**Sen. Murkomen:** Asante sana.

**The Deputy Speaker** (Sen. Kathuri): Sen. Mandago, proceed.

**Sen. Mandago:** Thank you, Mr. Deputy Speaker, Sir. I take this opportunity to congratulate the Senator for Elgeyo-Marakwet County, Sen. Murkomen, for being appointed the CS for Roads and Transport.

We do not have a Senator for Elgeyo-Marakwet after this. I take this opportunity to remind the Senator that when we visited Mungwa Village in his County, we were unable to reach there. We had to call for a helicopter, but it did not find a proper place to land.

I request Sen. Murkomen that as he begins to work, we do not want a situation where he will construct only the road that lead to where he comes from. The people of Mungwa, Elgeyo-Marakwet County and the North Rift Economic Block (NOREB) need all security roads to be opened. This will help end banditry and cattle rustling because other livelihoods will be opened up.

Mr. Deputy Speaker, Sir, may I also remind Sen. Murkomen that the North Rift region, being the bread basket of this country, has low-volume roads. Such roads do not allow farmers to transport their produce in large quantities.

The KeNHA and the National Transport and Safety Authority (NTSA) have been confiscating lorries and fining our farmers huge amounts of money because of tonnage. I hope those roads will be upgraded to enable trucks to carry the necessary loads, so that our farmers' produce can reach the market.

Finally, I request Sen. Murkomen to ensure that Kenyan contractors are given priority to do roads in this country, so that money remains in this nation. Where foreign companies are given---



*(Sen. Mandago's microphone went off)*

*Nilijua tu imezima.*

**The Deputy Speaker** (Sen. Kathuri): Sen. Montet Betty, please proceed.

**Sen. Montet Betty:** Mr. Deputy Speaker, Sir, mine is to congratulate my brother and old friend Senator *Waziri*. I wish him well. Kenyans have confidence in him. Take care because your docket touches lives directly.

Take care of our skies, roads and seas. We have full confidence and we are behind you. We pray and wish him well as he prepare to start serving Kenyans.

*Waziri*, you do not have to say anything. Kenya's history will be written and you have written your history in this nation.

Congratulations and God bless.

**The Deputy Speaker** (Sen. Kathuri): Sen. Ali Roba, kindly proceed.

**Sen. Ali Roba:** Thank you very much, Mr. Deputy Speaker, Sir. Senator *Waziri* Murkomen, I congratulate you for your new appointment following the approval by the National Assembly today. I know you will find your in-tray full, but we have no doubt that you are up to the task because we have been working with you since we had the United Republican Party (URP) until now.

You are a humble and extremely respectful and approachable leader. As I stand here, I have no doubt that you will provide impartial leadership devoid of any political partisan or fears.

When we had the issue of revenue sharing formula, your county was going to gain, but you stood with us firmly. Even though your county was going to gain, in the principle of equity, you stood with the rest of the counties that were going to lose to make sure that no county was going to lose and that all counties could only gain.

As you prepare to start your new responsibilities as the CS for Roads and Transport, like our colleagues have said, I would like to remind about many roads.

One lifeline road that we have in our region, the most transformative investment of the Government of Kenya for the people of Northern Kenya, is one of Africa's gateway projects that has been negotiated. The programmes are at advanced stage. It is a low hanging fruit. Please pick it up and run with it.

*Pongezi Waziri* Senator.

**Sen. Murgor:** Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to extend my congratulatory message to Sen. Murkomen. Sen. Murkomen has given a lot of hope to young people, especially those that come from humble backgrounds that would otherwise not have hope. In him, they see hope and light at the end of the tunnel. I congratulate him and hope that God will give him the strength and energy to serve Kenyans equally.

Now that we are talking about roads, the people of West Pokot and Elgeyo-Marakwet are happy that our roads will be better than they are now. This is because we do not have access across the counties in some of the places.

Secondly is the bravery you have shown over the years. We hope that God will energise and strengthen you because some of the situations in Kenya need that bravery, so that one can sail through because most works, especially roads have stalled.

I believe that you being a CS, with the help of other leaders, the conflict in the North Rift will be a thing of the past. We need to join hands and ensure that our people live peacefully.

Congratulations!

**The Deputy Speaker** (Sen. Kathuri): Let us now have Sen. Okiya Omtatah, party leader.

**Sen. Okiya Omtatah:** Thank you, Mr. Deputy Speaker, Sir, for finally seeing me.

I am happy that we are here bidding Sen. Murkomen *kwa heri*. He is a great man and a friend. I remember shortly after I had been declared the winner of the Senate seat in Busia County, he called to congratulate me and put me through to talk to His Excellency the President. I am grateful for that.

I have no doubt that being a man with clarity of mind and conviction, he is going to perform in that big Ministry in a manner that will satisfy many Kenyans.

Sen. Murkomen, as you have heard from the Senators here, the issue of roads is a problem across the country. Very soon, I will be knocking at your door to request you to come to Busia County, so that you can see the Kisumu-Busia Highway that has made Busia Town look like a cowshed. We hope you will help us fix the road.

God bless you. Godspeed.

**The Deputy Speaker** (Sen. Kathuri): Hon. Senators, when the Senator for Busia is happy, everybody is happy.

We need to conclude on this. We will have two more Senators. Sen. Methu and Sen. Shakila Abdalla on this side.

**Sen. Methu:** Mr. Deputy Speaker, Sir, I am grateful that you have given me an opportunity to speak on this big day because it is not every day that a Senator is appointed to be a CS.

I wish the Senator for Elgeyo-Marakwet all the best as he takes on the new duties. Sen. Murkomen and Sen. Cheruiyot contributed to my being here. I do not want to underscore that.

When somebody was almost convincing our party leader that it was not necessary to conduct party primaries in my county because the guy I was running against was so popular, Sen. Murkomen and Sen. Cheruiyot stood by me and wanted us to be subjected to nominations. They said that if I was good enough, I would win. If I was not good enough, I would learn.

I am happy I beat the guy with over 100,000 votes because I was popular and they knew that. They were only victimizing me because I am young. Sen. Murkomen has mentored many of us. Sen. Cheruiyot should now take over from where Sen. Murkomen has left.

As I wind up, he should know that he owes the people of Nyandarua. He promised them to construct the road from Ndunyu Njeru to Ihithe, which connects Nyandarua and the county where his wife comes from. So, he owes his in-laws.

**The Deputy Speaker** (Sen. Kathuri): Sen. Shakila Abdalla, please proceed.

**Sen. Shakila Abdalla:** Asante, Bw. Naibu wa Spika, kwa kunipa nafasi hii kumpongeza Waziri Murkomen. Waziri Murkomen amethibitisha kwamba ukifanya kazi yako vizuri kikamilifu katika Seneti, unaweza kufika kiwango tofauti.

Kwa hivyo, huo ni mfano mwema kwa viongozi wengine. Wameweza kuona ya kwamba mtu anaweza kutoka pale alipo na akasonga mbele. Sen. Murkomen amethibitisha hivyo.

Mhe. Waziri, najua umepewa maombi mengi tofauti na watu. Nikiongezea sauti yangu, sisi watu wa Lamu hatujawahi kupata lami. Labda, kama LAPSET haingekuwapo, hatungekuwa hata na kilomita moja ya lami. Lami hiyo imewekwa upande wa Lamu Magharibi.

Tunakuomba, Sen. Murkomen, uweze kutuwekea lami upande wa Lamu Mashariki; kutoka LAPSET hadi Kiunga, kwa sababu hiyo ndiyo barabara ambayo magaidi hutumia wakija kufanya uhalifu katika Kauti ya Lamu.

Mhe. Murkomen, ukitungeneza hiyo barabara itokayo Hindi hadi Kiunga mpaka Mkokoni, utakuwa umetupunguzia mzungu mkubwa sana wa magaidi na tutakuwa tunapita barabara hiyo bila shida yoyote.

Bw. Naibu Spika, nakushukuru sana kwa kunipatia nafasi hii. Nampongeza sana Sen. Murkomen. Sina shaka atawacha urithi wa kuthibitisha kwamba ameweza kufanya kazi katika hiyo Wizara kwa kufanya kazi nzuri.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Sen. Madzayo, the Senate Minority Leader.

**The Senate Minority Leader** (Sen. Madzayo): Bw. Naibu Spika, asante kwa kunipa nafasi hii. Jambo la kwanza, nampa kongole ndugu yangu Sen. Murkomen, kwa kuteuliwa kama Waziri. Hatimaye, Bunge la Kitaifa limepitisha kwamba anafaa na anastahili kuwa Waziri wa Barabara, Uchukuzi na Ujenzi. Nampa mkono wa buriani ndugu yangu Sen. Murkomen.

Bw. Naibu Spika, kama ndugu yake mkubwa kwa umri, ningependa kumwambia kwamba wadhifa aliopeva ni mkubwa sana. Macho yote yatamwalia. Watu hawataangalia umri bali wataangalia matendo ambayo atatenda ofisini.

Namuomba ashike vizuri sana wasia ninayo mpa na ayafunge katika vidole vyake. Wasia wenyewe ni atumikie Wakenya wote kwa roho mmoja. Ninayo imani kwamba atawatumikia kwa uwezo na maarifa, kadri ya mwenyezi Mungu alivyompea.

Jambo la muhimu ambalo linakumbukwa na Wakenya wengi waliweza kuliona, ni tendo lake wakati wa ugavi wa pesa. Mimi nilikuwa shahidi. Seneta wa Nandi alitutoroka na alikimbia mbio sana. Wakati huo, sisi watu wa Kilifi tulikuwa tunapoteza pesa, Tana River, na Kaunti zingine pia zilikuwa zinapoteza pesa. Lakini, Sen. Murkomen na Sen. Cheruiyot---

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, on a point of order.

**The Deputy Speaker** (Sen. Kathuri): Seneta wa Nandi ako na hoja ya nidhamu. Nampa nafasi lakini haongei.

**Sen. Cherarkey:** Mr. Deputy Speaker, Sir, in reference to our Standing Orders, is it in order for the Senate Minority Leader to cast aspersions that I was running away? Those are things that are long gone. It is a historical fact. Why is he reopening and revisiting, yet we are not in a historical injustice class?

*(Laughter)*

He is totally out of order to cast aspersions against me, when my teacher who supervised me for four years and knows that I passed with flying colours is here. That is a serious indictment.

**The Deputy Speaker** (Sen. Kathuri): Just promise him that this time round, you will not run away.

*(Laughter)*

**The Senate Minority Leader** (Sen. Madzayo): Asante, Bw. Naibu Spika. Wakati ule, ilikuwa ni lazima watu waonyeshe ubabe na kwamba wako na Ukenya ndani mwao. Ilikuwa ni jambo la kushangaza. Nampa mkono wa kongole kwa kujitolea kwa sababu kaunti yake ilikuwa inapata ilhali zingine zilikuwa zinapoteza. Alisimama na haki ya wale waliokuwa wanapoteza ili sote tupate maendeleo.

Bw. Naibu Spika ---

**The Deputy Speaker** (Sen. Kathuri): Muda wako umeisha lakini ninakuongezea dakika moja.

**The Senate Minority Leader** (Sen. Madzayo): Tafadhali, naomba dakika tano, Bw. Naibu Spika.

**The Deputy Speaker** (Sen. Kathuri): Ushamaliza dakika mbili, zimebakia mbili.

**The Senate Minority Leader** (Sen. Madzayo): Hiyo ni sawa. Tafadhali, mweleze Sen. Cherarkey asije na hoja ya nidhamu.

*(Laughter)*

Ni vyema Sen. Murkomen ajue ya kwamba, wakati atapoketi katika Wizara akiendeleza utendakazi wake, watu wa pwani watakuwa wanamuangalia. Tumetazama Serikali zilizopita, kutoka wakati wa Uhuru mpaka hivi sasa, ambapo Serikali inaongozwa na Mhe. Rais Ruto.

Wakati watapokuwa wanafikiria kutengeneza barabara za pwani, wasifikirie tu mambo ya utalii. Hilo ndilo lilikuwa lengo la hizo serikali zingine. Tuanze kufikiria kwamba watu wa pwani pia wako na marikiti, masoko makubwa na ni wakulima ambao wanahitaji barabara ili waweze kwenda vitongoji, kule wanapoishi. Hiyo itakapotendeka, hata sisi tutaweza kupata maendeleo kama kaunti zingine za Kenya.

Najua ya kwamba Sen. Murkomen ni kiongozi thabiti na ataendeleza kazi yake ya kutumikia Wakenya kiukamilifu. Namutakia kila la heri katika shughuli zake za Uwaziri. Mungu amubariki.

Asante.

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

**The Senate Majority Leader** (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I thank you for giving me this chance to join the rest of our colleagues to congratulate Sen. Murkomen on his nomination and approval by the National Assembly. He now awaits to take the oath of office and begin his stint as the CS for Roads and Transport.

He has reminded us on many occasions that he is now in charge of land, sea and air. He is a very powerful man in this country. He is my good friend. I always refer to him as the son of Reverend Johanna Kanda, to remind him of his roots, so that he does not forget the upbringing that has brought him this far.

I wish to remind him as my colleague, that on this day, as we bid him farewell as a colleague in the Senate, to stay true to his roots. This is something that I wish to remind Sen. Murkomen and all of us, leaders. On many occasions, we forget that we lead extremely poor people.

Mr. Deputy Speaker, Sir, we serve in high offices of Parliament. We fly business class and are able to afford the best of food in town. On many occasions, it is very easy to lose touch with reality and forget that the people we represent, upon whose ticket we got the chance to serve the country, live in raw abject poverty.

I have no doubt that Sen. Murkomen will not forget about his roots. That as he leads the Ministry, he will leave a transformational programme that will better the lives of ordinary Kenyans. He will ensure that the policies he put in place will leave Kenyans far much better than before he became a Minister.

That is my single most prayer. I believe it is the prayer of many people who wish him well; including his family, sons; Kiberur, Kibet and Kiptoo, his daughter Cheron and wife Gladys Wanjiru. They would have asked that I remind him to remain the true family man that he is. He should not forget his family even as he serves the nation. I believe we, as the Senate, are his second family.

Sen. Murkomen should remember that Senators took a very principled position in the year 2020 when the Roads Bill made its way to the Senate. It is given that KeRRA serves interlink-ably with county governments. It was increasingly becoming a norm rather than an exemption to find in the audit report of many counties that a road done by KeRRA has also been worked on by the county government.

In the process, Kenyans ended up losing a lot of money. Senators demanded to be part and parcel of the County---

*(Sen. Cheruiyot's microphone went off)*

**The Deputy Speaker** (Sen. Kathuri): I add you some two or three minutes.

**The Senate Majority Leader** (Sen. Cheruiyot): Sen. Faki, wants you to give me one hour. I do need that.

The point I was making is that, as a House, we demanded to sit in the County Roads, Transport and Public Works Committee as Senators. This is because we cannot oversight the operation of the county governments, if the situation is such that roads are done by the county governments while the national Government continues to put money on the same. Therefore, it made lots of sense.

I look forward to a time when, either by policy proposition or through legislative proposal to this House, the Senate will accede to that request and accept Senators to be part and parcel of the County Roads, Transport and Public Works Committee so that we oversight and ensure that Kenyans get value for their money.

Finally, I remember that we have Sen. Soipan, who has also been nominated to the Cabinet. I had wished that she would be here this afternoon, so that we give her farewell and wish her well.

I counted the number of Members in the Cabinet and thought that may be the President loves this House more than the other. It is a dangerous statement to make. However, if you count the number of Senators that will be in this Cabinet, including our colleague Sen. (Prof.) Kithure Kindiki, who has been a leader in this House, Sen. Linturi,

Sen. Soipan and Sen. Murkomen, I see a complete departure from the past, where the Senate was looked down upon when it came to appointments into the Cabinet.

*(Applause)*

I see a future where CSs will look forward to coming into this House and answer to questions of accountability as demanded by colleague Senators.

We entreat this House with the respect that it deserves. I believe that our former leader will lead the light in ensuring that this House has its rightful place.

I wish you well, Sen. Murkomen. I appreciate the time that we have served here together, about seven or eight years. Thank you for being a good friend and for assisting many young people.

I know your students, Sen. Cherarkey and Sen. Chimera, never got the opportunity to say that they appreciate you for being a good teacher. Although you never told me personally that you taught at a university that I went to, I celebrate you on behalf of all the former students. I wish you Godspeed in your activities. Go and serve this country well.

Thank you.

**The Deputy Speaker** (Sen. Kathuri): Thank you, the Senate Majority Leader.

Sen. Murkomen, at least we have one thing in common; both of us are born from men of God. I am also a son of Rev. Erastus Murungi. So, bear that in mind even when we meet in the corridors, we must get the blessings.

I can see a line up of Senators here, but because of time, Senators, you can visit *Waziri* in his office anytime to wish him well and discuss other issues. I know he has an open-door policy. His office will be open.

Get other wishes from the following Senators. We have Sen. Eddy Oketch Gicheru, Sen. Seki, Sen. Joe Nyutu, Sen. Osotsi, Sen. Lemaltian, Sen. Kibwana, Sen. Oyomo and your student, Sen. Cherarkey.

Sen. Murkomen, do you want to wish yourself farewell? I can see your name here.

*(Laughter)*

There are few interventions here from Sen. Lemaltian.

*(An. Hon. Senator Spoke off the record)*

Order! Do not speak on her behalf. She is a now a nominated Senator to represent the youth. What is out of order?

**Sen. Lemaltian:** Thank you, Mr. Deputy Speaker, Sir. I just want to congratulate the Hon. CS and remind him that he is holding a very vital docket in our country.

It is a docket that has a great ripple effect across other development spectrum in the whole country. I also want to remind him, with your permission, that I had spoken to him about two roads, that will not only connect the northern frontier, but also ensure that there is security in the north.

The best thing that the Government has ever done to us, like Sen. Ali Roba said, is that the Great North Road greatly reduced insecurity from Archers Post to Marsabit. If Hon. *Waziri* can give us another road from Mararal to Baragoi and from Wamba to Mararal, we will appreciate.

Thank you.

*(Applause)*

**The Deputy Speaker** (Sen. Kathuri): Sen. Lemaltian, you are debating through the back door.

Sen. Korir, you have placed an intervention. Let me hear your voice. What do you want to say?

**Sen. Korir:** Thank you, Mr. Deputy Speaker, Sir. Let me just congratulate Sen. Murkomen. We have been waiting for this time since we entered this House.

I must also congratulate the Government for giving this chance to Sen. Murkomen, Sen. Soipan, Hon. Wahome, Hon. Kuria and all the colleagues. I assure Kenyans that we have a working team.

I also urge Sen Murkomen to walk the talk.

May God bless him.

**The Deputy Speaker** (Sen. Kathuri): Thank you.

Sen. Kibwana, proceed.

**Sen. Kibwana:** Thank you, Mr. Deputy Speaker, Sir. I want to congratulate Sen. Murkomen. May I continue?

**The Deputy Speaker** (Sen. Kathuri): You had already congratulated him.

*(Laughter)*

**Sen. Kibwana:** Okay. The only thing I want to ask from *Bw. Waziri* is an appointment so that I can discuss all these issues.

Asante. Congratulations and all the best.

**The Deputy Speaker** (Sen. Kathuri): Let us have the last contribution from Sen. Oyomo.

**Sen. Oyomo:** Thank you, Mr. Deputy Speaker, Sir. I also want to add my voice to congratulate, Sen. Murkomen.

I remind the Senator that the issues of standards and policy on our roads remain with Ministry of Roads and Transport. It is unfortunate that so much money is used in making construction of roads down at the counties, but standards are never observed.

That means even as County Public Accounts Committee (CPAC) oversees the usage of money, *Waziri* needs to stamp his feet when he takes office to ensure that standards are met down at the counties as roads are made.

**The Deputy Speaker** (Sen. Kathuri): Thank you.

Let us have Sen. Joe Nyutu, then I will give Sen. Murkomen, the last shot.

**Sen. Joe Nyutu:** Thank you, Mr. Deputy Speaker, Sir, for this opportunity. I also take this opportunity to congratulate Sen. Murkomen, on his appointment as a CS for Ministry of Roads and Transport.

Sen. Murkomen has been very inspiring to most of us. I first saw him on television in those days when they used to go with Mr. David Makali.

I noted that he was a very astute debater who rose to become a very successful Senator. When we were campaigning, all of us wanted to become like him.

Sen. Murkomen, there is that issue of Kenol. I know that you will look into it. I brought you written submission from the people of Kenol. Please remember that particular matter. Also, remember that we need to complete the road from Kenol to Marua so that when you go to see your in-laws, you use a good road.

**The Deputy Speaker** (Sen. Kathuri): Thank you.

Sen. Murkomen, proceed.

**Sen. Murkomen:** Mr. Deputy Speaker, Sir, I want to conclude by thanking my colleagues for so many kind words which are bi-partisan in nature. They have spoken of some of things, which we have done together here, which I could not even remember. *Asanteni sana.*

I forgot to thank the staff, the Secretariat, led by the Clerk of the Senate, Mr. Nyegenye and the entire team. They are some of the best public servants we have in this country. Without their support, I would not have done anything as a Senator, Deputy Majority Leader and the Senate Majority Leader.

I thank all the staff, they have been extremely kind to me in drafting Bills, reports, letters and everything that I have wanted to be done for me. I ask the Senators here to utilize the services of our most knowledgeable secretariat.

Last, I thank the team that has made it possible for me to be in this Senate, that is the campaign team, famously known as 'OKM' team.

I thank them for volunteering to campaign for me to win three elections and for staying the course. Our journey is not yet over. We are taking a pause from elective politics and we will be back.

To my wife Gladys, children - Kiptoo, Kibet, Cherono and Kiberur, as Sen. Cheruiyot said, your husband and father is proud of you for giving me the opportunity to serve the people of Kenya, especially the Elgeyo-Marakwet people in this Chamber. I look forward to your partnership as I also serve the people of Kenya in the new position.

Mr. Deputy Speaker, Sir, after I leave this door, sadly I will not come back as a Senator. I will hand over my resignation letter to your office, to pave way for the President to formally appoint me to serve in the docket I have been nominated.

We are friends. My Ministry and the others are public offices. However, I will be careful to give extra consideration to this Chamber, without which, I would never have the kind of public limelight I have received. It allowed me to become the Senator I am. For all the requests made by Senators, we can continue with the conversation in the Senate.

I am requesting to be removed from the Senate WhatsApp group. However, do not remove me from the Senate social group. Then I can continue enjoying the jokes and the good moments that we enjoy as Senators.

I thank you.

**The Deputy Speaker** (Sen. Kathuri): Sen. Murkomen, on behalf of the head of the Senate, the Right honourable Speaker of the Senate Hon. Kingi, the entire Senate, the staff, the great people of Meru County and on my own behalf, I wish you well. Best of luck.

May you have God's favour as you serve our country. Thank you and God bless you in your future endeavours.



I will be retreating to my office shortly to receive you and the letter you will be handing over.

Next order.

We will go back to Statements under Standing Order No. 53(1). Hon. Senators, I will not allow comments on the Statements. Sen. Chute, proceed.

## STATEMENTS

### OPERATIONALIZATION OF TVET INSTITUTIONS IN MARSABIT COUNTY

**Sen. Chute:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53 to seek a Statement from the Standing Committee on Education on the state of operationalization of the Technical and Vocational Education and Training (TVET) institutions in Marsabit County.

In the Statement, the Committee should-

(1) State the number and particulars of the students sponsored by the County Governments to undertake their training in the TVET institutions in the County in the last five years.

(2) State the amount of public funds allocated, disbursed and spent in the TVET bursary scheme in the last five years, giving the number and particulars of the beneficiaries.

(3) Shed light on allegations of closure of certain TVET institutions such as Umuoro Vocational Centre, Obbu Vocational Centre, Moyale Vocational Centre, Loyangalani Vocational Centre, Saku Vocational Centre, Abdikadir Vocational Centre and Merile Vocational Centre, stating the amount of funds disbursed to these TVET institutions in the last two years.

(4) State the number of students disadvantaged as a result of closure of these institutions, providing alternative interventions to alleviate the situation.

**The Deputy Speaker** (Sen. Kathuri): Sen. Orwoba, you have the Floor.

### THE LOCALIZATION OF DIGITAL DATA STORAGE

**Sen. Orwoba:** Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No. 53 (1) to seek a Statement from the Standing Committee on Information, Communication and Technology, regarding the localization of data storage.

In the Statement, the Committee should-

(1) Explain why data created and owned by Kenyans is stored in servers outside Kenya, making it difficult to protect the rights of Kenyans under the data protection laws in Kenya.

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

*[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]*

(2) List the number of online entities, which have operations in Kenya stating their particulars, such as the presence of a locally registered office for accountability reasons.

(3) State the amount of revenue collected by the Kenya Revenue Authority from online based entities such as Google, Apple, Amazon, Facebook, Uber in the last three years, outlining challenges and legislative interventions to enhance efficiency in collection of taxes from entities operating remotely.

(4) Give reasons for the lack of localization of data storage which could ensure that jobs in the technology sector specifically, data center industry are not exported, allowing us to create a robust digital economy; and

(5) State initiatives, if any, put in place by the Ministry of Information, Communications and the Digital Economy to localize data storage and physical representation of online based organizations.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Orwoba. Sen. Kibwana, proceed.

ALLEGED INCIDENTS OF NEGLIGENCE AT  
MAMA LUCY KIBAKI HOSPITAL

**Sen. Kibwana:** Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.53 (1) to seek a Statement from the Standing Committee on Health on loss of lives at Mama Lucy Kibaki Hospital arising from cases of medical negligence.

In the Statement, the Committee should –

(1) Shed light on the circumstances surrounding the death of Ms. Maureen Anyango, a mother who died after delivering twin babies and Mr. Eddy who died at the same facility from injuries sustained in the road accident. Stating the respective dates of the admission, the time they were attended to, date and time to their respective deaths.

(2) Indicate the emergency care procedures performed on the respective patients if any, prior to their deaths.

(3) Undertake an investigation into the conduct of the hospital management with a view of recommending disciplinary measures against persons found culpable.

(4) Investigate the state of facilities at the facility as well as the standard of service provision, including the medical officers to patient ratio.

(5) State the amounts in public funds disbursed to the facility in the last one year and provide the audit of the functions undertaken within the same period. Making specific reference to the medical supplies procured.

(6) Conduct an assessment of the emergency care preparedness at level five hospitals in the Counties, stating the competencies available for emergency care.

I thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you. Proceed with your Statement, Senator for Nairobi City County, Sen. Sifuna.

COMPENSATION TO OWNERS OF COMPULSORILY  
ACQUIRED LAND IN LAMU COUNTY

**Sen. Sifuna:** Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order 53(1) to request a Statement from the Standing Committee on Land, Environment and Natural Resources, regarding the issue of compulsory acquisition of land, to land owners in Lamu County over the terminated coal and power projects.

Over 4,000 acres of land was set aside for two power generating projects in Kwasasi and Baharini villages in Lamu West Constituency. However, the said projects have been halted for several years now. The land owners whose property had been set aside are yet to be compensated for compulsory acquisition.

In the Statement, the Standing Committee---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Sifuna, sorry to cut you short, but kindly approach the Chair for the proper and approved Statement.

*(Sen. Sifuna approached the Chair)*

You may now proceed, Senator.

**Sen. Sifuna:** Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources, regarding the fate of the 600 owners of compulsorily acquired land, which was to pave way for the coal and power projects in Kwasasi and Baharini villages in Lamu County.

In the Statement, the Committee should-

(1) Explain the circumstances surrounding the inordinate delay in compensation of persons whose land was compulsorily acquired by Government to pave way for the projects.

(2) Explain the legal recourse available to the residents, with specific reference to compensation and payment of any accrued interest brought about by the delay and inconvenience caused to them.

(3) Establish whether there was involvement of the public during the compulsory acquisition, in line with Article 232(1)(d) of the Constitution.

(4) State the plans that the Ministry of Lands, Public Works, Housing and Urban Development and the National Land Commission (NLC) have put in place, if any, to revoke the title deed issued to the project and return the land to its original owners.

Thank you.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you.

Next is Sen. Faki. He is not in the House. His Statement is deferred.

REVIEW OF REMUNERATION AND BENEFITS  
OF STATE OFFICERS BY SRC

*(Statement deferred)*

Next is Sen. Madzayo. He is also not in the Chamber. I defer the Statement.

## DROUGHT SITUATION IN KILIFI COUNTY

*(Statement deferred)*

**The Temporary Speaker** (Sen. Wakili Sigei): Next Order.

**MOTION****PARKING CHARGES IN INSTITUTIONS  
OFFERING ESSENTIAL SERVICES**

THAT, AWARE THAT, many urban areas and towns in Kenya lack designated car parking areas as a result of imbalance between parking supply and demand mainly due to ineffective land use planning and miscalculations of space requirements, thereby leading to exorbitant parking fees;

NOTING THAT, most essential services offered in hospitals, educational institutions, airports, shopping malls and other public utilities are offered in urban centers, and other designated areas that charge parking fees to access;

ACKNOWLEDGING, that whether they are delivered by public or private providers, essential services such as health, banking, education, shopping and other utilities are considered to be public services because they are public goods that sustain the well-being of every citizen and help in the development of the society as a whole;

CONCERNED, that access to hospitals, educational institutions, airports, shopping malls and other places offering essential services might be hindered due to exorbitant parking fees levied on motorists accessing these services;

FURTHER CONCERNED, that charging entry fees amount to double taxation as the motorists who would have paid the parking fees will still pay for the services they seek;

NOW THEREFORE, the Senate urges the Cabinet Secretary for Lands, Housing and Physical Planning together with the Council of Governors to come up with a policy framework to create an enabling environment for protection of motorists accessing essential services from paying exorbitant parking fees.

*(Sen. Sifuna on 25.10.2022)*

*(Resumption of debate interrupted on 25.10.2022)*

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Oketch Gicheru, you had your time yesterday and utilised six minutes. Therefore, you have 13 minutes to contribute to the Motion. I will allow you to take the Floor and conclude so that we can also take up more responses on this.

Kindly proceed.

**Sen. Oketch Gicheru:** Thank you, Mr. Temporary Speaker, Sir. Let me just briefly contribute to the matter of exorbitant parking fees, especially in areas that give Kenyans essential services.

Yesterday, I rose to bring a different perspective, which is the lack of a nexus between county and national laws. Article 209(1) of the Constitution on Power to impose taxes and charges, says:

“Only the national government may impose –

(a) income tax;

(b) value-added tax;

(c) customs duties and other duties on import and export goods; and

(d) excise tax.”

Further, Article 209(5) says:

“The taxation and other revenue-raising powers of a county shall not be exercised in a way that prejudices national economic policies, economic activities across county boundaries or the national mobility of goods, services, capital or labour.”

Essentially, in my humble view, the problem in Nairobi City County comes from these draconian laws that the Nairobi City County Government has passed. I was referring to an instance in 2018, where the City County Government passed a financial Act that started imposing exorbitant fees on any enterprise that have businesses working around issues with regards to parking.

Mr. Temporary Speaker, Sir, the question I brought to the House was if the problem in Nairobi City County was a question of revenue generation or pure regulation. If it is a question of pure regulation, then it is easier for the Nairobi City County Government to solve.

However, if it a question of revenue generation, then it becomes more complex. It is because you will find the Nairobi City County Government setting targets to raise more money which then ends up affecting any other business that engages in parking.

I gave an example of Nairobi City County Government passing a Bill on 5<sup>th</sup> February, 2022. The Bill stipulated that for any business that has a parking capacity of 50 vehicles, must pay Kshs500,000. Similarly, for any business with a capacity of 100 vehicles and above, they must pay Kshs2 million. This has a ripple effect in the other areas that we talk about. What then happens is that businesses that engage in providing essential services in the City County, respond to those policies and start increasing charges.

I think the problem is the nexus between national and county laws. It then goes without saying that the latter prevails. Looking at Article 93(2) of the Constitution, Parliament consists of the National Assembly and the Senate. It does not state anywhere that it also includes county assemblies.

Mr. Temporary Speaker, Sir, it is against this context that I request that even as we think about passing this Motion and having some remedial responses, it is critical that we regulate the nexus between county and national laws. I am talking about the laws that pertains to these revenue generation laws that we see in counties.

**The Temporary Speaker** (Sen. Wakili Sigei): Next is the Senator for Nandi.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, from the outset, I support the Motion by my big brother and senior in the profession, who is also the Senator for Nairobi City County, Sen. Sifuna.

This Motion is timely. As a Senator from a rural area, I have always questioned why you have to pay for parking in a hospital because that is inhumane.

There is a famous Gengetone singer called “Mejja”. In one of his songs, he says *ni ku-bad*. He goes on to say that; *hii society ime-rot kwa sababu unalipa parking hadi kwa hospitali*. He goes on to mention other issues such as pastors demanding for offering yet their congregants are poor.

That song by “Mejja” is a Gengetone---

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Temporary Speaker, Sir. Just an important issue about our tradition. While debating, a Member should not switch from one language to the other.

I appreciate that Sen. Cherarkey was trying to speak to the words in the song. So as to convince the House that he was not changing the language, but trying to say the words in the song. He has got only one avenue and that is to sing. Can he sing? If he does not want to sing, he has to withdraw.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey, you are being invited to sing. Do you want us to find a way of playing the background sound as well? You are a senior Member of this House. Kindly continue with the language that you started with.

**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, there is nowhere in the Standing Orders where it is stated that I must sing and that there should be a soundtrack. I was just using an example of a lingual that most young people in our cities understand.

There is a singer called “Mejja” who sings Gengetone. In one of his songs, he says *ni ku-bad*. He goes on to say; *kama ni lazima ulipe parking kwa hospitali*, then society *imeoza*. It is a lingual that I am trying to put into context.

I will invite Sen. (Dr.) Khalwale also known as the “Bullfighter”, who is the Senate Majority Whip, to include a soundtrack during the Senate Business Committee (SBC) meeting. I will happily sing the lyrics on the Floor of the House.

That is how rotten the society is. Why would you ask people to pay for parking in a hospital? You can imagine carrying a sick person or somebody with an emergency case, yet you are asked to pay for parking in this city.

I do not want to mention names, but we have one of the hospitals where we are covered under our insurance service provider, which charge exorbitant parking fee. In fact, their parking fee is more expensive than what we pay in malls and at the airports or even the normal parking fees that we pay in town. That is inhumane. I support Sen. Sifuna on this, but with a lot of concern.

Article 209 of the Constitution and the Fourth Schedule talk about imposition of tax. One of the roles of county governments is management of parking spaces in our counties. The Urban Areas and Cities Act also provides for the same.

Picking, dropping and parking areas are designated, but most of the hospitals are privately owned. I do not think public hospitals charge parking fees. Parking fees are charged mostly by private hospitals, educational institutions, airports and shopping malls.

Some people impose parking fees because they want to deter people from using their spaces. Why would you charge somebody with a sick person? When you to the

Nairobi Hospital, you must pay for parking, yet you could be a patient seeking treatment, or you have a sick person, but they charge you exorbitantly.

The question is, who regulates that? Even if they charge Kshs500 per hour, I doubt if the Nairobi City County Government even gets Kshs50. In as much as Article 209 provides for own source revenue---

I heard Sen. Oketch Gicheru who is learning ropes very fast saying that county governments have been given power to tax. That is provided in the law because we have devolved functions. However, our resolutions are not implemented because we do not have a committee on implementation.

Sen. Sifuna is a Member of the Committee on Roads, Transportation and Housing. They should implement the resolution of this House, for example, after we resolve that the Governor of Nairobi City County should issue a restraining order against private hospitals from charging parking fees.

How do you charge parking fees to a sick person? Who will pay if they die? Those are some of the questions that Kenyans ask themselves. That is unfortunate.

Mr. Temporary Speaker, Sir, we also have shopping malls. Those can be exempted because they are commercial enterprises.

You and I are Members of the County Public Accounts Committee (CPAC). We want counties to meet their revenue targets by having own source revenue streams.

I do not think hospitals in Bomet County charge parking fees. There could be a mall in Bomet Town. Bomet Town is big, but I do not know whether they have a mall. I need to go and check.

The only place I disagree with Sen. Sifuna is on shopping malls. I hope our resolutions will capture that because we want our counties to meet their revenue targets by having several streams of own source revenue. We can exempt educational institutions, hospitals and airports.

You may have an emergency at the airport and that is provided for. However, we have shopping malls in the counties. We can agree that when a person goes to a shopping mall and pay, for example, Kshs200 as parking fees, at least a third of that amount should go to the county government, so that they can meet their own source revenue targets.

We also have essential services. You will remember that during the previous session, there was a time the Ministry of Interior and Coordination of National Government issued regulations on Corona Virus Disease (COVID-19). Some drivers were to be issued with letters to show that they were offering essential services.

When we make a resolution, as a rider, we should state that if a person is driving an ambulance or any vehicle offering essential services, we should have a provision within the regulations to exempt them. Such people should be given priority to pass even when there is traffic. Ambulances should not use the same lanes like other vehicles.

We should make proposals to cater for such vehicles on roads. It is good that Sen. Murkomen, who is the incoming Cabinet Secretary, will seize this matter.

The fourth one is physical planning. The Government is keen on affordable housing. Even as people build apartments and other big buildings, they must ensure that there is parking because it is essential.

I do not know whether that was the design, maybe the City Senator will inform me tête-à-tête whether it is by design that when you go to some estates, you will find people parking their vehicles on the main road. As we push for affordable housing---

I was disappointed, unless my eyesight failed me. I did not see the Secretary-General when the President visited Soweto B in Kibra. I do not know whether he was there.

**Sen. Sifuna:** On a point of information, Mr. Temporary Speaker, Sir.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherargei, do you want to be informed by Sen. Sifuna?

**Sen. Cherarkey:** It appears the information is vital.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Sifuna, go ahead.

**Sen. Sifuna:** Mr. Temporary Speaker, Sir, I want to confirm that I was unable to attend that ceremony because at that very same time and day, we had the election of the Chairman of the Committee on Public Accounts (CPAC) which I was attending to.

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey, kindly wind up your contribution to the debate.

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. I have spotted the incoming CS for Environment and Sanitation, Sen. Soipan, the first Maasai girl to be a CS in this country. I know she would like to make her exit speech. The queen of the north is also very excited. It is called girl power.

I understand where Sen. Sifuna was. He voted for me to be the Vice-Chairperson of CPAC. I will pass that information to the Head of State. I will tell him that the reason as to why Sen. Sifuna was not able to attend was because he was electing me as the Vice-Chair of CPAC. In future, he will be invited to attend such events.

Finally, and in the interest of time, I agree with the resolutions of this House. Charging parking fees in hospitals and other areas of essential services should be stopped. Counties should be more creative. Most of them say that they increase charges so as to deter people from using their parking spaces. However, they need to have other mechanisms to determine the people who have parked their vehicles and are not seeking their services.

I congratulate Sen. Sifuna. This is an essential Motion. When it comes to Division and voting, we shall support and hope it brings change to our cities, towns, villages and rural areas.

Allow me, so that I do not come back to congratulate Sen. Soipan---

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Cherarkey, allow her first to give her Statement then you can give your congratulatory remarks.

**Sen. Cherarkey:** Okay, Mr. Temporary Speaker. I am excited for her just like all the Maasais.

Thank you, Mr. Temporary Speaker.

**The Temporary Speaker** (Sen. Wakili Sigei): Hold on to your excitement, Sen. Cherarkey.

Hon. Members, I now call upon the Mover of this Motion to reply.

Sen. Sifuna, kindly proceed.

**Sen. Sifuna:** Thank you, Mr. Temporary Speaker, Sir. I rise to reply. I want to thank all my colleagues who have contributed to support this Motion.

The only point I want to add from all the beautiful contributions that have been made is that people should not think that this Motion only concerns Nairobi because it was moved by the Senator of Nairobi City County. I have heard some Senators say in



their submissions that this is a problem in Nairobi City County. These essential services exist everywhere.

I started by saying that the Motion was motivated by my conversation with the hustlers who drive taxis in Nairobi, the Uber drivers. This situation is found in other counties as well. If you have ever been to Kisumu International Airport, you must have noticed that you will be required to pay for parking as soon as you check in. It does not matter how long you stay. This is a problem across the country; at JKIA, Wilson Airport, Kisumu International Airport and even in Eldoret.

I agree with Sen. Crystal Asige that indeed persons with disabilities require even more time to transfer from the vehicle to the wheelchair. That exacerbates the charges they are required to pay at this particular points. I have had the privilege of working and campaigning for the Member of Parliament for Westlands, who is also the Chair of the disability league in my political party, Hon. Timothy Wanyonyi. I have seen first hand how difficult it is for that transfer to occur. Mind you, Hon. Wanyonyi has an army of people he has to move around with for him to do those transfers quickly. You can imagine a Person Living with Disability (PWD) who does not have the same capacity as Hon. Wanyonyi.

This Motion addresses all the concerns for essential services rendered across the country. Sen. (Dr.) Khalwale said that the matter is a Nairobi issue. In fact, Kenyatta National Hospital is not even a county hospital. It is a national referral hospital and there is no reason as to why they should charge people coming for their services parking fees.

With those brief remarks, Mr. Temporary Speaker, Sir, I beg to move.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Senator for Nairobi City County. Pursuant to Standing Order No. 84(2), I make a determination that this matter does not affect counties.

*(Question put and agreed to)*

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Members, before we call for the Next Order, we will go back to the Statements and I will invite Sen. Soipan, the nominee CS, to give her Statement to the House.

Hon. Senator, take the Floor.

## PERSONAL STATEMENT

FAREWELL SPEECH BY CS FOR ENVIRONMENT  
AND SANITATION NOMINEE, SEN. SOIPAN

**Sen. Soipan:** Thank you, Mr. Temporary Speaker, Sir, for this golden chance. I would like to first congratulate you. I have not had the opportunity to see you in that seat since you were elected. I have served in that position in the National Assembly (NA). It is a good place to serve the House and Kenyans.

Hon. Temporary Speaker, I take this time to express my gratitude to the Almighty God for giving me an opportunity to serve this country in many positions of honour. There is the maiden speech and this should be my farewell speech in the Senate.

I have been a Member of Parliament (MP) in the NA since 2013. This marks my third term as an MP. I am so grateful to the people of Narok County, who propelled me to these positions right from when I got elected as the Women Representative for Narok County in 2013. I served for two terms. I am also grateful to my party, the United Democratic Alliance (UDA) party for affording me an opportunity to join the Senate this year.

Mr. Temporary Speaker, Sir, it is an honour to have a feel and make my contributions from both Houses of Parliament of Kenya.

Before I pen my resignation as a nominated Senator, I felt like I needed to be here to thank you colleagues for the short stint of time that we have been together in this honourable House, serving as a nominated Senator, a Member and Vice Chairperson of the Committee on Devolution and Inter-Governmental Relations.

To add on, I have also served as a Member of the Committee on Health of the Senate and a Member of the Powers and Privileges Committee.

It is an honour, a very short stint indeed. However, I was really looking forward to being here with you colleagues and to make a marked difference in discharging the roles of representation, legislation and oversight as a Member of this House.

Nevertheless, Hon. Members, I have once more been bestowed with a very high honour. I am grateful to God, my party leader and the President of the Republic of Kenya his Excellency William Ruto and indeed the people of Narok County.

Without the support of the people of Narok County, I would not be here. It is again a big honour, being the first ever Maasai woman to be nominated and heading to be appointed as CS.

Since the advent of this country and in the whole world, there has never been any other Maasai woman who has held this honourable position.

*(Applause)*

I thank God and our party leader, the President.

As I go on for my appointment, it will not only go down in history, but it will also motivate and push other girls in this country to dream bigger and work harder while knowing that it is possible to be at the apex bodies of decision making and policy implementation of this country.

I am very grateful for this.

I wish all the Hon. Members of the fourth Senate well.

I have been nominated to one of the very important dockets of Cabinet. The docket of Environment and Forestry, carries many issues that are of grave concern not only for the Kenyans, but the globe. Matters of climate change and the need to revamp the greening of our country, restore our forests and our very fragile ecosystems hold the lives of Kenyans together.

Hon. Members, you are all aware and feeling the pinch of the current effects of prolonged droughts. Particularly in the arid and semi-arid regions, people are in the verge of starvation and all these are linked intricately to the docket for which I am due for appointment.

Hon. Members, with that, I know the Committee on Lands, Housing and Environment of this House will be one that I will be working very closely with.

Additionally, concerning the general membership of House, I know there are many issues that are of concern to your constituents that will be under my docket as CS for Environment and Forestry.

I promise an open door policy where we can interact and work closely together, complement our efforts to make lives better for our people in Kenya.

I will also be looking forward to your support. I am ready to support and work together with you all. I am also seeking and hoping that I will get the maximum support that I need to be able to discharge my duties as the CS.

Finally, it is a great moment of honour to the women of Kenya. Looking at the composition of our Cabinet, as it is right now, it is unprecedented. We are heading in the right direction as a country where women are finding a pride of place in very critical tables in this country where they make decision that will turn around the lives of Kenyans.

As a Member of the Cabinet, I am not there as a woman CS, but as a CS. However, I want the women of Kenya to take note that the time has come for us to step up, take our positions and take advantage of the leadership that we have at this opportune moment. Currently, our Government is opening up all the spaces necessary for women to take charge of the destiny of Kenya.

Since my seat here was on an affirmative action position, where I was holding brief for the women of Kenya, I want to believe that my colleagues here who are nominated Senators will take their space bravely and courageously.

*(Applause)*

Do your work without fear. You are not less than any other Senator elected in this House. That is not to say that I do not take cognisance of the fact that there is a big difference between one who has faced the electorate to get elected. However, for being in this House, women have a clean slate to make their mark and leave foot prints for that other next woman to come and take that space as you go for something bigger.

Thank you very much, Mr. Temporary Speaker, Sir.

Hon. Colleagues, I will miss you all so much, but you are free to visit me in my office. If at any time, I am called to appear or provide any sort of support to the Senate, be assured that I am ready and willing because we need a concerted effort to be able to deliver for the people of Kenya.

*(Applause)*

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you very much, Sen. Soipan.

I assure you the rate of the desire by the Hon. Members to contribute to your Statement and probably congratulate you will keep us here for quite some time.

I would like to urge Hon. Members to take the minimum time possible to comment to the Statement by the Sen. Soipan. I am capping it at three minutes, maximum per Senator. Three minutes is generous. Let us try to do so under two minutes. If you must say something, say it under two minutes. My list is quite long.

Let us now, listen to Sen. Mandago, Uasin Gishu County.

**Sen. Mandago:** Mr. Temporary Speaker, Sir, I take this opportunity to congratulate, Sen. Soipan, for her nomination and subsequent approval by the National Assembly to the CS for Environment and Forestry.

This is a very important docket in this country considering that this nation has witnessed significant changes in our weather patterns. The CS will be holding a docket that is so critical to human life in this century.

I urge the CS to ensure that our forests are safe. We promise to work closely with her in terms of legislation to make sure that the water towers in this country are not only increased but also protected.

I hope the CS will support Uasin Gishu County with its Eldoret City Marathon which is meant to create awareness in terms of climate change and increase the forest cover.

I encourage the Cabinet Secretary (CS) to make sure that Government institutions do not do public relations with tree planting, but rather engage in tree growing.

We have seen several organizations mobilize resources, take very good pictures and get very good publicity. However, three, or four months down the line, we have no trees in the places where they had gone to plant.

Mr. Temporary Speaker, Sir, I congratulate the CS and wish her well as she serves this country in a very critical docket that is equally important to our wealth.

Congratulations *Waziri Mhe*. Soipan.

**Sen. Sifuna:** Thank you, Mr. Temporary Speaker, Sir. Let me also take this opportunity to congratulate the Cabinet Secretary (CS) for Environment and Forestry on her appointment. We have not got a chance to interact in this House. However, we have brushed shoulders on the political fields in Narok.

I am very happy that you are taking over from your clan's man - the former CS hon. Tobiko. You know very well how we passionately fought for the protection of the Mau Forest. It was a hot political topic.

On that one, I can assure you *Waziri* that you will always have the support of the Senate Minority side. We believe in the protection of our environment, and water towers as alluded to by Sen. Mandago. On that one, you will never find any resistance from our side.

We will be looking for you as well to support us on our environmental issues here in Nairobi. You understand that we have had a big problem with the Nairobi River ever after the era of the late hon. Michuki. Since then, we have not had any serious effort in terms of cleaning that river and ensuring that there is no encroachment. We have a problem with air and noise pollution.

I know that the President yesterday said that some of these things are to be left to the county Governments. However, that is why your Ministry exists. You will need to support the county Governments as well to execute this mandate.

You have said that this particular Cabinet is unprecedented because of the number of women nominated. I remind you that the responsibility of those of us who get an opportunity whether it is in this House or in the Cabinet as you, is to hold the door for the others. Please remind the President that he committed to the women of this country that 50 per cent of the Cabinet is going to be women.

So, when you get into that Cabinet room, when you count the numbers, if they are not half, please remind the President of his promise to the women of Kenya.

I thank you, and wish you all the best.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you very much, Sen. Sifuna. Sen. Orwoba, proceed.

**Sen. Orwoba:** Thank you, Mr. Temporary Speaker, Sir. This is a surreal moment. Many do not know that Sen. Soipan was very instrumental in signing the Women's Charter. She also ensured that they were well-represented and brokered a deal for them.

She was at the forefront in proposing to let there be fifty percent CS slots for women in the Charter. I am very young in politics and have had a few mentors here and there who have held my hand.

When it came to politics during the last eighteen months, Sen. Soipan who is now *Waziri* has been my big sister. Any other time that I had conflicts here and there, I used to run to her and ask her to guide me. She needed to show me what were we supposed to do.

This is a surreal moment because when we started, the intention was not that she would be a CS. It was just all about pushing for women empowerment during the campaigns and to ensure that at the point when government gets into place, women would be at the table. I am so happy that she got to be nominated as a CS and is now at the table, particularly in the Ministry of Environment and Forestry.

*(Amber light on)*

It is going to be a game-changer.

Climate is not a myth. Global warming is real. We needed someone like Sen. Soipan to show people that we can make changes and a turnaround. It is not public relations as Sen. Mandago has said that we plant trees so that we can be seen on television. It is about real change and about understanding the dynamics of that sector. I am certain Sen. Soipan is the right person for that job.

Just on a very light note, when we negotiated the Women's Charter, there was a lot of back and forth on representation---

*(The microphone went off)*

**The Temporary Speaker** (Sen. Wakili Sigei): Kindly allow 30 seconds for the hon. Senator.

**Sen. Orwoba:** Thank you, Mr. Temporary Speaker, Sir. When we were negotiating for that Women's Charter, there was a lot of back and forth. *Waziri* fought for the women. The Women Charter is a product of that fight. I am glad that she is a beneficiary of the same.

Congratulations *Mhe. Waziri*.

**Sen. (Dr.) Khalwale:** Thank you, Mr. Temporary Speaker, Sir. It is my pleasure to congratulate my "kid sister". More accurately, she is my kid sister-in-law. I invite you on 26<sup>th</sup> of November to come to Kakamega. The guest of honour is going to be the Deputy President of the Republic of Kenya – "Riggy G" when we shall have the Kakamega Annual Forest--

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

**The Temporary Speaker** (Sen. Wakili Sigei): What is your point of order, Sen. Sifuna?

**Sen. Sifuna:** Mr. Temporary Speaker, Sir, as far as I know, no individual was elected as the Deputy President known as “Riggy G”. Who might be the Senator for Kakamega be referring to?

*(Laughter)*

**Sen. (Dr.) Khalwale:** Thank you, Mr. Temporary Speaker, Sir. These youths confuse me. Sen. Sifuna, Sen. Soipan, Sen. Orwoba and you Mr. Temporary Speaker, Sir, are all youths. So, when I try to talk your language, you now disown me.

*(Sen. (Dr.) Khalwale laughed)*

Anyway, on a serious note CS Soipan, the Deputy President hon. Rigathi Gachagua will be the chief guest. I will host you. Do not worry about the bills. I will take care of them, including those of the Deputy President. We would like you to make the day a success.

We are coming to plant trees. Kakamega Forest is the last remaining tropical forest after the Guinea-Congo Equatorial Forest. It is a success because it is a natural forest. We would like you to move away from the plantation forests because they are not diverse. Their ecology is poor.

The late hon. Professor Wangari Maathai died and that was a legacy. Today you are becoming CS for Environment and Forestry when we have got 3.5 hectares of forest land. As you exit, we would like to have doubled that number. We will give you space to grow forests in Western Kenya.

Before I forget, we have Mt. Elgon Forest in Bungoma. It is the most abused forest, but nobody talks about it. Why? This is because the Provincial Administration, senior officials and other civil servants in Nairobi do logging there and there is nobody to complain.

Mt. Elgon is starting to look very ugly while it used to be very beautiful. I was thinking that Sen. Sifuna will be speaking about Mt. Elgon because that is his home. However, as they do, he has now migrated to the city. We do not even know whether he will get married. It is a big problem.

With those many remarks, I support the appointment.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, very much Sen. (Dr.) Khalwale. Sen. Sifuna, hold your horses. It is done.

*(Laughter)*

For purposes of Sen. (Dr.) Khalwale’s comments, you have done your time. May you sit down. I invite---

*(There was a technical hitch)*

**Sen. (Dr) Khalwale:** --- he has got a wife. However, where I come from, we do not recognize one wife. Until you get other wives, is when we shall say that you are married.

*(Laughter)*

**The Temporary Speaker** (Sen. Wakili Sigei): Sen. Lemaltian, the Floor is yours.

**Sen. Lemaltian:** Thank you, Mr. Temporary Speaker, Sir. I congratulate my sister, Hon. Soipan, the incoming CS for the Ministry of Environment and Forestry.

This is a very serendipitous moment for us as Maa youth, women and the girl-child. Not only because she is a deserving CS, but also because she has just literally shattered the glass ceiling for all of us. She has achieved something most of us thought is unachievable. At least not for this time. She has just raised the bar so high.

Many of you might not understand the kind of emotions that we are going through right now, seeing one of our own, with our own name and speaking our language, going to the Executive. I am hoping that she will mentor more young girls to occupy various positions.

Mr. Temporary Speaker, Sir, regarding the docket she holds, I know that for a long time, Kenyans and the world have not known or truly understood that pastoralists are the biggest conservationists. The fact that majority of these forests are across the pastoralists land, coming from the great Mau, Kirisia and Marsabit forests as well as Mount Kulal. This is a very serene and spectacular undiscovered gem in the North of Kenya.

I know and hope that Sen. Soipan will prove and show the whole world that pastoralists are the greatest conservationists. That will put to notice many organizations that are exploiting people in the name of conservation. Having a worthy and capable CS like her in officer, will be enough proof for us to continue rallying for protection of forests and---

*(Sen. Lemaltian's microphone went off)*

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Lemaltian.

Hon. Senators, the interests that you are exhibiting in this is massive. I will try my best to be as fair as possible.

Sen. Chesang, you may have the Floor.

**Sen. Chesang:** Thank you, Mr. Temporary Speaker, Sir. On behalf of Trans Nzoia County, mine is to just congratulate Sen. Soipan. I also thank her for inspiring young women out there, who think that women cannot do. She is a great example of what a man can do, a woman can do better.

I am also an environmental advocate. I have a foundation dealing with mostly environmental issues. You should be seeing me soon in your office from time to time. Please, do not lock your doors on me.

May God bless her.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Chesang.

Sen. Methu, you may have the Floor.

**Sen. Methu:** Thank you, Mr. Temporary Speaker, Sir. First and foremost, I am very impressed by the way you have been conducting this session. I first congratulate

Sen. Soipan on her well-deserved win. As somebody has mentioned, she has shattered the glass ceiling. She is the first Masai woman to ever be appointed to Cabinet.

I am very privileged to serve as the Chairman of a Committee that will directly deal with the Ministry that she is going to serve in. I am the Chairperson of the Committee on Land, Environment and Natural Resources. I am very happy that I will be dealing with my colleague.

The current CS for the Ministry of Health, Sen. Mutahi Kagwe, has always been very proud to refer to himself as a Senator. Therefore, Sen. Soipan and Sen. Murkomen should carry the flag of the Senate high.

Besides the many issues that Hon. Soipan will be dealing with, I wish to personally appeal to her, that Nyandarua County borders the Aberdare Range. The Aberdare Range is a major source of rivers and waters that come to Nairobi City, Nakuru and many other counties.

Sen. Soipan, be gracious enough to allow the people of Njeta, Ndunyu Njeru and Njambini in Nyandarua County, to help you in afforesting the Aberdare Range Forest. Allow them to take care of the young trees that are growing in the said forest.

We have had a problem with the previous CS, who was not very kind to the people of Nyandarua County. We want to go to the Forest to take care of the young trees. We just want the latitude to take care of our trees. The President has made a clarion call to all of us, that we need to plant---

*(The red light on the timer went off)*

Just another second please.

The President has given a target to each one of us to plant 150 tree in order to reach the national target. The people of Nyandarua County will be more willing to plant--

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*(Sen. Methu's microphone went off)*

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Methu.

Sen. Kibwana, you may have the Floor.

**Sen. Kibwana:** Thank you, Mr. Temporary Speaker, Sir. I am a lady of few words. I congratulate our sister. We are proud of her. Kindly, my sister, you have escalated and are up there. Kindly, remember the women down here and empower them.

I know for all the good reasons, you have been nominated for your hard work. We wish you the best. We will be waiting for you.

As I had requested Sen. Murkomen, I also request for an appointment with you so that we can discuss issues out of the Senate. All the best.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Kibwana.

Sen. Cherarkey, you may have the Floor.

*(An Hon. Senator stood)*

Sorry, proceed.



**Sen. Cherarkey:** Mr. Temporary Speaker, Sir, no one can question your wisdom in those decisions. Sen. Waziri, Soipan Rosalinda Tuya, is the only one who refers to me as “Super Senator.” Congratulations on behalf of the great people of Nandi County and we wish you well.

I thank His Excellency the President. He did not make a wrong choice. We believe in you. We worked together when you were in the Speaker’s Panel in the ‘Lower’ House. You graduated and came to the ‘Upper’ House, the House of union and we are proud of you. On behalf of the many Maasais, we wish you well. I know you will be an inspiration.

Mr. Temporary Speaker, just allow me say two things so that I cede ground for other colleagues. We hope there will be protection of the water towers. The issue of Mau Forest, should be resolved conclusively. Mr. Temporary Speaker, I know this also affects your County of Bomet, Kericho and even Nandi.

Secondly, we still have many forest evictees in Nandi County who have been lined up for compensation. I request the CS to look into compensation of forest evictees. Others were evicted in the 1960s and 1970s. Others were evicted later in the early 2000s and after. They should and must be compensated.

Third, we beg you to properly look into the issue of the Shamba System. We want to own the forest while we produce food. Some of us in Nandi have three forests with Nandi North, Nandi South and Nandi Central having one each where we can have the shamba system. When the crops are ready, we cede ground and move out from those forests.

Mr. Temporary Speaker, Sir, finally because my time is up, we have the issue of climate change. I know she is seized of that matter and the President is interested. Sen. Soipan must rein in the National Environment Management Authority (NEMA).

The issue of Environmental Impact Assessment (EIA) must be looked at properly. We should increase our forest cover by planting trees in order to increase from 7 to 10 per cent.

Mr. Temporary Speaker, Sir, with those many remarks, I congratulate Sen. Soipan and wish her well. I hope she will create a special space for the Senate.

**Sen. Ali Roba:** Mr. Temporary Speaker, Sir, I rise to congratulate Sen. Soipan Tuya. I have no doubt that she is up to the task. I also support what Sen. Lemaltian has shared in terms of pastoralists in the ASALs. Environmental degradation caused by climate change and global warming is having a toll on the traditional conservation exercise.

Whereas in many other areas in this country trees are planted so that they can naturally grow, in the ASALs, we are required to grow trees. We plant trees and after care of about three years, it becomes a meaningful forest. I have risen to bring that point to Sen. Soipan’s attention.

While we have put it into practice in some of the counties, it is worthwhile and it could help if there was legislation that required all Government projects to include mandatory tree planting. That should be part of the Bill of Quantities (BQ). We tried that in Mandera and it turned out extremely well in terms of the impact on environment.

Mr. Temporary Speaker, Sir, I thank and congratulate her. We also look forward to working with her. *Pongezi.*

**Sen. Korir:** Mr. Temporary Speaker, Sir, I take this opportunity to thank my colleague, Sen. Soipan, whom we served together as Women Representatives. She is also my neighbour whom I have known for some time. Sen. Soipan's father is the area Member of Parliament (MP) for Narok South Constituency where I was born. We have interacted several times.

Sen. Soipan is brilliant, polite and hardworking. I know there are many challenges in the environment docket that she is going to head, ranging from drought, soil erosion and infrastructure. However, with her input, this country will change.

Mr. Temporary Speaker, Sir, I do not want to say much, but I know my colleagues who have been nominated are up to the task and we wish them all the best. I know the country is set to have a new outlook.

**Sen. Murgor:** Mr. Temporary Speaker, Sir, I would like to pass my congratulatory message to Sen. Soipan Tuya for being appointed CS.

Sen. Murkomen said that he came from a humble family. I want to imagine that a Maasai girl must have come from such a background. For that matter, I thank the President of the Republic of Kenya for looking into rare cases and picking from uncommon situations and areas such that there is an elevation of people from such kinds of backgrounds into the national level, so that they are recognized nationally.

I wish Sen. Soipan all the best as she prepared to start serving this country.

I served as the Assistant Minister to the late Hon. John Michuki and he was driven into tree planting. He challenged me to do the same in my constituency. Nowadays you will find trees along the roads, but when you go inside a forest, you will realise it is bare just like the head of Sen. (Dr.) Khalwale. Sen. Soipan should make a point of planting trees on such bare heads like this one, so that forests become thick.

**Sen. Mungatana, MGH:** Mr. Temporary Speaker, Sir, I interacted closely with the *Waziri* Senator for the first time at the gym. She is fit. I know she is up to the task and she will do her work properly.

Congratulations as you take up the new responsibility. We request you to have a special look at Tana River because we have a problem with Mathenge trees that were introduced. They have literally overshadowed the natural forest cover because they grow very fast. They have endurance and have destroyed vegetation. We need some solutions.

Previous Ministers tried various ways, but they did not help. We believe that with your leadership, you will resolve the Mathenge menace in Tana River County which is killing all the local vegetation.

We started charcoal burning in order to get rid of Mathenge trees, but we were told we cannot burn charcoal. Therefore, we need an innovative way of resolving the matter using local ideas. We believe that is one way of resolving the matter.

**Sen. Tobiko:** Mr. Temporary Speaker, Sir, I take this opportunity to congratulate Sen. Soipan for her successful appointment as the Cabinet Secretary for Environment and Forestry.

This is nostalgic for me, considering that I know the road that she has travelled to be where she is today. I know the bumps and the potholes in her journey. It is not easy for a Maasai girl to reach where Sen. Soipan has reached.

Our expectations on you are high. The obsession of the Maasai community will not only be on the Mau Forest, but we expect you to duplicate the Mau in many areas. We also need a Mau Forest in the desert in Kajiado.

Mr. Temporary Speaker, Sir, I have asked my community to stop the obsession with Mau Forest. We should create forests in other areas because Kenya needs these forests. We need to address the climatic changes.

When my people elected me as a Member of Parliament (MP), I told them that some people would put the blame on me when it does not rain because a woman was elected as an MP. My sister, you are the CS for the Ministry of Environment and Forestry. You have a huge task. If the rains fail, they will say that is happening because a woman is the CS.

You must work twice as hard as any other CS. You have our prayers. We wish you well. We will support you in every way possible. We know you will perform.

I congratulate you on behalf of the Maasai girls who look up to you as a role model.

**The Temporary Speaker** (Sen. Wakili Sigei): *Waziri*, I would definitely have said as much, but I cannot, owing to where I am at the moment. Before you make your final comments, on behalf of the Senators who would have also wanted to do as much, I congratulate you. We wish you well as you take over this Ministry. God bless you.

As your colleagues earlier on told us, we will make sure that we invite you if there is an opportunity for you to come back. We can invite you even for purposes of Statements as a CS for us to have an opportunity to share with you in this House.

I wish you well and the very best. I know you would like to make your final comments. Please go ahead.

Sen. Soipan, before you make your final comments, Sen. Beth Syengo also wants to congratulate you. Sen. Beth Syengo, I know the system has failed, but we will not fail you as a House. We will give you an opportunity. Go to the dispatch box and congratulate your sister.

**Sen. Beth Syengo**: Thank you, Mr. Temporary Speaker, Sir. I was sad that I was going to miss this opportunity to congratulate my sister. *Waziri*, congratulations. It cannot be emphasized enough how proud we are of her and how happy we are as a community.

We were proud to have her as one of the Maa girls in this House. Matters climate change, women empowerment, environment and guarding our water towers are very important to us, as a community, women and this nation.

I must also mention that she made us proud by the way she tackled the questions during the vetting process. She did so well. She knew exactly what she were in for and we are proud of her.

Congratulations, my sister. We will pray for her and we are behind her. We wish her all the best.

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Beth Syengo for those accolades. *Waziri*, it is your turn to give your last comments.

**Sen. Soipan**: Thank you, Mr. Temporary Speaker, Sir and my colleagues for the kind words, congratulations and encouragement. I feel better right now. I previously had a bit of anticipatory homesickness for leaving you people behind.

From listening to my colleagues, I can deduce some interest in the docket because it touches on matters affecting their respective constituents. I will make sure that they can take me up on this and I will have an open door policy.

Sen. Sifuna, has talked of some issues and he must have heard me talk about the Dandora eye sore during my vetting. Nairobi River is one of those spaces we want to pick up from where the late Hon. Michuki left. We will not do that because Nairobi City County is the only place affected, but it is a test case that we want to start with. It is a big city.

The problem of waste management is so big, but we will start with Nairobi City County. I know many people have tried working on the Dandora dumpsite, but listening to Sen. Sifuna, with his support and the support from Nairobi City County leadership, something can be done.

On matters global warming, climate change and pollution, one can never say that they are polluting the environment for somebody else. When we pollute and destroy our environment, we are destroying it for ourselves. So, we have no choice, but to start with ourselves in salvaging the situation of the environment in this country. We have to contribute to the global efforts to turn back the adverse effects of climate change.

Hon. Members, thank you very much. For my sisters from the Maa community, it cannot be over emphasized that a simple village girl is today going to sit in the apex of a decision making table of this country. I am praying, hoping and committing that I will expand the space for that next girl to come through wherever I go.

*(Applause)*

Thank you very much and God bless you. We shall be meeting in other arenas because I will soon be making my final exit from this House.

*(Applause)*

**The Temporary Speaker** (Sen. Wakili Sigei): Thank you, Sen. Soipan. Once again, congratulations. We wish you, Godspeed.

Hon. Members having had consultations on what ought to have been our next Order, which is the Motion by Sen. Kibwana, we have agreed to defer it to the next sitting.

## MOTION

### PROMOTION OF MENTAL HEALTH FACILITIES FOR MOTHERS

THAT, AWARE THAT according to the World Health Organization, globally 10 percent of pregnant women and 13 percent of women who have just given birth experience a mental condition, referred to as perinatal depression, which is higher in developing countries with 15.6 percent during pregnancy, and 19.8 percent after child birth;

FURTHER AWARE that women who go through still birth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

NOTING THAT integrating mental health care into primary healthcare settings requires training in psychiatric care and providing

consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

APPRECIATING THAT the Health Act under section 6 (1) (b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

NOW THEREFORE, the Senate urges the Ministry of Health in collaboration with the Council of Governors to:

(i) ensure that all county health facilities with maternity wings, allocate a separate ward for recovery for the mothers who have gone through still birth or those that have lost their babies during delivery;

(ii) facilitate continuous mental health training and the provision of counselling support in the perinatal wards for all primary care providers in all counties;

(iii) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,

(iv) establish counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal and postpartum depression.

*(Motion deferred)*

## ADJOURNMENT

**The Temporary Speaker** (Sen. Wakili Sigei): Hon. Senators, there being no other Business on the Order Paper, the Senate stands adjourned until Thursday, 27<sup>th</sup> October, 2022, at 2.30 p.m.

The Senate rose at 6.07 p.m.