

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Wednesday, 8<sup>th</sup> March, 2023

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

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

#### PRAYER

#### DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum? Hon. Members, we are short of quorum. Kindly ring the quorum Bell for four minutes.

*(The Quorum Bell was rung)*

You may stop the Bell. We now have quorum. Clerk, proceed to read the first Order.

#### PETITION

#### DELAY IN PAYMENT OF PENSION TO TEACHERS WHO RETIRED BETWEEN 1997 AND 2007

**The Speaker** (Hon. Kingi): Hon. Senators, I hereby report to the Senate that a Petition has been submitted, through the Clerk, by Mr. Philip K. A. Too, a citizen of the Republic of Kenya and a resident of Olenguruone, Nakuru County.

As you aware Article 119(1) of the Constitution states-

‘every person has the right to petition Parliament to consider any matter within its authority including enacting, amending or repealing any legislation.

Hon. Senators, the salient issues raised in the said Petition are as follows-

(i) That 25 years have passed since an agreement was reached between the Kenya National Union of Teachers (KNUT) and the Teachers Service Commission (TSC) to increase teachers’ salaries.

(ii) The Government has neglected the plight of the retired teachers and in particular, payment of claims to the retired teachers between 1997 and 2007.

(iii) That when TSC defaulted in payment of retired teachers' dues, the teachers went to court, where upon the court awarded the retired teachers their claims through a ruling by the Rt. Chief Justice Maraga.

(iv) That the then Minister of Finance, Hon. Uhuru Kenyatta, had set aside Kshs3.3 billion in the budget of Financial Year 2011/2012 for this purpose.

(v) That many teachers have perished while their dependents are suffering and living in abject poverty.

(vi) That the petitioner has made all efforts to have the matter resolved but those efforts have been futile and the responses unsatisfactory.

The Petition therefore prays the Senate to do the following-

(i) Investigate the reasons why TSC and the Pensions Department have not worked out a plan to make payment for the retired teachers from 1997-2007.

(ii) Intervenes so that the TSC and the Pensions Department expedite the payment of the claims and lastly,

(iii) should the delay in payment be due to lack of funds, provision be made through a supplementary budget.

Hon. Senators, pursuant to Standing Order No.231, I shall now allow comments, observations or clarifications in relation to the Petition for not more than 30 minutes. It is now 2.38 p.m. So, those interventions should be done within half an hour from 2.39 p.m.

Proceed, Sen. M. Kajwang'.

**Sen. M. Kajwang':** Mr. Speaker, Sir, I rise to congratulate and thank the petitioners for deciding to bring this matter before the Senate. This is an indication that they believe that the Senate can find a solution and ensure those retired teachers are paid their dues.

Mr. Speaker, Sir, I had hoped that even before the Petition was read, you would make a Communication to mark the International women's Day which is today.

To mark today being the International Women's Day, the 8<sup>th</sup> of March is a public holiday in a number of countries. Today, we have a conference on the status of women. I hope that you will address yourself to that because we hold our women in high regard.

Back to the Petition. This is a matter that is similar to the issue of retired or former councillors. This House deliberated on this and a Committee that was led by the Senator for Laikipia looked at it in-depth, came up with a report and the only thing that failed was implementation.

I do hope that the Standing Committee on Education will learn from the Standing Committee on Labour and Social Welfare how they handled the matter of retired councillors because the issues were similar. They retired, they needed some benefits, the amount had been put in the budget, yet the Cabinet Secretary for the National Treasury, I think, was too busy writing texting messages or WhatsApp messages and did not give attention to the plight of the retired councillors.

So, I want to request Sen. Joe Nyutu who is the Chairperson of the Standing Committee on Education just to reflect on that. However, the 60 days that have been provided in the Standing Orders to deal with this matter is very ambitious. I hope that the Standing Committee on Education will drop everything because these retired teachers---I am a son of a teacher. Unfortunately, my father who was a teacher is dead. So, if he was to benefit from this pay-out, it will be posthumous. Many teachers are dying, their

children are dropping out of school and many teachers are sinking into *chang'aa* and *busaa* in the villages for lack of income and lack of upkeep.

So, I congratulate the petitioners and want to assure them that the Senate will do justice to this and that Sen. Cheruiyot who leads the Majority side will prevail upon the CS, National Treasury to pay the retired councillors and retired teachers as per the resolution of the House.

**The Senate Majority Leader** (Sen. Cheruiyot): Thank you, Mr. Speaker, Sir, for this chance. I realize that my comments almost mirror word for word with what my good neighbour, Senator for Homa Bay, Sen. M. Kajwang', has spoken about because I wanted to make my first speech today in the House to be a celebration of the girl-child and women in general and to draw your attention to the need that us as House, in future when we have the opportunity like we have today of being International Women's Day, to spare some time to speak on the plight and challenges that our women continue to face in various spheres of life.

I will follow the mood that has been set by Sen. M. Kajwang' and secondly agree with him on the Petition specifically. He speaks about it first as a Senator and I do so too. Secondly, as a son of a teacher. I am a son of a teacher too. So, I understand completely what the petitioners are asking of us, as Senate.

The fact that they brought this Petition before this House yet they know they could have exercised their right to take it to the other House and not here, is testament enough that Kenyans continue to believe that this is the Upper House, is a House of reason and that we can resolve their matters.

We may not have the powers to budget and to decide and input this into the budget, but we can use our influence and speak to the relevant bodies. On many occasions, we have spoken of the plight of our retired teachers and the need for proper consideration one, in terms of their pension and being paid what is due to them in total.

If you happen to interact with any Kenyan; a retired civil servant who visits that building down Harambee Avenue known as Bima House, they will tell you the tribulations and the frustrations that former civil servants continue to face when they are trying to chase their pension and clear this or the other; yet they gave the best of their sweat and energy to us as a nation during the time that they had the energy to do so.

For it to get to this point that they have to plead and we, as a House, have sit, deliberate and make a determination on what to do with them is unfortunate. I hope that when the Committee sits down, they will not just deliberate on the plight of teachers and retired councillors as has been mentioned by Sen. M. Kajwang' but the Public Service in general and rethink our handling of pension.

It is not as secret any more that the biggest funds that have been put together globally for development including the loans that we are taking are from pension funds; money from people that have saved during their time as they worked. Since they reaped the benefits, their countries do not have to struggle paying or raising money from the Exchequer to pay pensioners.

I know that there was an attempt in the National Assembly last term. I hope that this term, somebody comes up with it and we follow through to re-evaluate the Public Service Pension Scheme, make it contributory because it is no longer sustainable to always raise Exchequer and collect funds to finance retired civil servants. This will ensure that when you make your contributions during your time like we do as Members

of Parliament, in your retirement you can have something that will take care of you. You do not have to wait. Have the pension fund properly managed.

I see what happens in other institutions not necessarily in the Civil Service but in private practice. Those that have good pension funds that are well managed, they wait at the end of the month and receive their dues without having to chase or call any other person. I hope that we can get to that level of organization for the Public Service.

Therefore, I support this Petition and request that the Committee that shall be tasked with the duty of looking through this Petition shall consider it expeditiously and make sure that it is concluded before the 60 days statutory time.

Thank you, Mr Speaker. Sir.

**The Speaker (Hon. Kingi):** Sen. Mwaruma.

**Sen. Mwaruma:** Nashukuru, Bw. Spika, kwa fursa hii umenipa ili nichangie hili ombi ambalo limeletwa na mhusika. Kwanza kabisa niseme ya kwamba, ni haki ya kila Mkenya kuleta ombi katika Seneti. Ningependa kusema ya kwamba nashukuru kwa sababu hili swala la malipo ya walimu ambao walistaafu limechukua muda mrefu sana.

Mwaka wa 1997 walimu wa Kenya waligoma. Serikali ya Rais aliyekuwemo, Mhe. Marehemu Moi, aliwapa nyongesa ya mshahara lakini ile Serikali haikutimiza kulipa wale walimu.

Mwaka wa 2002 wakati uongozi ulikuja mpya wa Mhe. Marehemu Rais Kibaki, iliamua kulipa wale walimu malipo yao ya nyongeza ya mishahara. Lakini kuna walimu kati ya 1997 na 2002 walikuwa wamestaafu kabla ya kupata malipo yao ya nyongeza ya mishahara.

Hawa ndio watu wanaomba hili Bunge la Seneti liwasaidie ili wapate malipo yao. Nikiwa katika Kamati ya Bunge la Seneti ya Elimu ama Standing Committee on Education, tutalivalia njuga ili tuangalie ya kwamba hawa walimu ambao wamestaafu na wengine wengi vile Sen. M. Kajwang amesema, wengine washaa kufa tayari, ili wapate hiyo nyongeza, walipwe pesa yao na familia zao pia zipatwe kulipwa.

Imekuwa mtindo wa Serikali ya Kenya kutolipa wananchi wao pesa zao wakati zinahitajika. Katika hili Bunge, kuna Statement imeletwa na Sen. (Dr) Murango kuhusu makansela amabao wamestaafu na hawajapata kulipwa pesa zao. Hili ni swala ambalo tuliliangalia nikiwa Naibu wa Mwenyekiti wa Kamati ya Leba katika Bunge lililopita.

Tulielekea mpaka kwa Mhe. Ukur Yatani ambaye alikuwa Waziri wa Fedha na akaahidi ya kwamba katika bajeti, kutawekwa pesa za kulipa hawa makansela. Mpaka leo, hawa makansela hawajalipwa. Ni vizuri Serikali iheshimu wananchi wake na kuwalipa pesa zao za takrima wakati wanapozihitaji. Huo ndio utakuwa mchango wangu. Tatalivalia njuga hili swala ili hawa walimu pamoja na makansela walipwe pesa zao kwa wakati unaofaa.

Asante sana, Bw. Spika.

**The Speaker (Hon. Kingi):** Sen. (Dr) Khalwale.

**Sen. (Dr) Khalwale:** Thank you, Mr Speaker, Sir. How I wish that you would use your far-reaching powers under Standing Order No.1 so that we see a way of converting this Petition to a Motion concerning a national matter of grave importance so that a resolution can be made next week.

There is nothing to investigate or find out. This House has already made a pronouncement on this matter.

We now have a disciplined Cabinet Secretary, a whole professor at the National Treasury, a professor who was in charge of the Central Bank of Kenya, Professor Ndungu, who worked with President Mwai Kibaki that was able to pay teachers. We take advantage now that the looters of National Treasury have gone home.

Let us now pay these people with the money that is there. Who are these people? Remember we were retiring at that time at the age of 55. These are people who are between age 76 and 81. These people are alive. They are not Unfortunately, they take all the little earnings they have from their *Jua kalis* on treating arthritis, diabetes and hypertension. The male ones are treating problems of the prostate. The women are treating problems of enlarged and bleeding uterus. They need money.

Mr. Speaker, Sir, I was expecting that the Salaries and Remuneration Commission (SRC) would also remember things like these once because that is why we created a commission. Instead of doing this, they have gone on a spree of fighting politicians. They have taken away all the little allowances that Members of County Assembly (MCAs) use to get. An MCA now earns Kshs86, 000 and is now unable to operate.

The SRC had jumped and attempted to take away the non-practising allowance paid to doctors, clinical officers, magistrates and judges because they do not know that these are the things to ring-fence.

I congratulate Sen. Maanzo, Sen. Mundigi, Sen. Murango, Sen. More fire, Sen. Mwaruma and Sen. Lomenen. When I spoke to them last night, I did not know they would oblige. We agreed that we put on red ties to appreciate our women on this day of International Women's Day.

Mr. Speaker, Sir, I put on a red tie of love. Look at Sen. Beatrice, Sen. Keroche, Sen. Tabitha and all of them. They have not put on anything red. You are really discouraging.

I support.

*(Laughter)*

**The Speaker** (Hon. Kingi): Sen. (Dr.) Khalwale, instead of inviting the Chair to stretch its powers to exercise Standing Order No.1 to convert this Petition into a Motion, nothing prevents any Member here from bringing a Motion touching on this matter. Therefore, it is upon you, Members. You can prosecute this through a Petition or if anyone of you chooses, bring a substantive Motion to discuss this matter.

Proceed, Sen. Maanzo.

**Sen. Maanzo:** Thank you, Mr. Speaker, Sir, for giving me an opportunity to support this great Petition. This has been lingering on for long time for many Kenyans. It is a question former teacher and current teachers' organizations of Makueni have been asking on behalf of their colleagues.

Mr. Speaker, Sir, my late parents were first teachers before they went to preach the gospel. I can assure you that many teachers who retired those days have really suffered a great deal. The matter has been to and out of court. I have been to the Government which made an allocation which was never honoured.

If these retired teachers got their money, they would have spurred the economy, they would have made investments in agriculture, hardware, shops and would have even paid more taxes to the country. Unfortunately, without investing Kshs3.3 billion through

such brilliant people who have been teaching business and good ideas, that money was never given an opportunity.

Sen. (Dr.) Khalwale has said they have now aged and suffered diseases. Some have died out of frustrations, high blood pressure and related diseases.

Mr. Speaker, Sir, it would do a great deal even through this Petition. It can come up with a very pressurizing decision. I believe even the Government should now take some action even before we complete this Petition and have a plan. Even with the current budget, this matter must be included so that these teachers can be honoured.

As we honour women today, many of these people who have not been paid are women who have served this nation a great deal. A teacher, be it a primary school or a nursery school teacher, is a person who begins to build a nation by teaching children on first good manners. I am a creation of teachers and I believe many of us here are.

Therefore, Mr. Speaker, Sir, I plead with the Committee and Government to honour this particular deal and judgement so that retired teachers of this country can get their dues.

**The Speaker** (Hon. Kingi): Proceed, Sen. Murango.

**Sen. (Dr.) Murango:** Asante sana, Mstahiki Spika. Ninampa kongole Mwenye Ardhilhali aliyemba kuhusu malipo ya uzeeni na nyongezo ya mishahara ya walimu. Ni kitu kinafaa kuzingatiwa kwa maana kwa muda mrefu mambo yanayokumba waalimu mengi hayajakuwa ya kutia moyo sana.

Ya kwanza, kuna uhawilisho ambao umekuwa ukiendelea; kupelekwa eneo tofauti na bado wanalipwa mishahara ile ile. Kwa hivyo, ni vizuri hiyo nyongeza izingatiwe na ada ya walimu pia iangaliwe.

Nilikuwa nimeomba Ardhilhali ambayo ilienda kwa Kamati ya Leba na Maslahi ya Jamii kuhusu malipo ya wale madiwani waliokuwepo. Ni vizuri pia ile izingatiwe kwa sababu tunapokaa sana bila kuwalipa halafu tunalipa wakati miaka imesonga sana ni sawa tu na kumpatia mtu wembe ama kichana wakati ana na kipara kama mimi hapa. Haitakuwa na maana yeyote kwa mtu ambaye kwa maisha yote amekuwa akitaabika kwa kungojea zile fedha.

**The Speaker** (Hon. Kingi): Proceed, Sen. Ogola.

**Sen. Ogola:** Thank you, Mr. Speaker, Sir, for giving me the opportunity. I support the Petition by Philip K.A Too concerning the delayed payment of pension to teachers who retired between 1997 and 2007.

Anytime anybody now addresses pupils in school or students and you ask them how many of them aspire to be teachers, you will be surprised that many of them do not. Why? It is probably because of the miserable states they see in older parents who have been teachers and have contributed a lot to this country. When they retire after giving this service to citizens of this country, they are not able to get their pension.

Mr. Speaker, Sir, as the rest of the speakers have said, the teachers are languishing in poverty all over in their communities. Teachers by their nature in their communities are still the opinion leaders in different categories. A good number of churches leaders are retired teachers.

Mr. Speaker, Sir, they are in poverty even as they continue to lead in retirement. That gives the teaching profession a very bad image amongst our people. A number of these teachers, as other speakers have said, are sick. Others are taking care of their

grandchildren having lost their fathers and mothers. I support that the Government should prioritise payment of pension to teachers, not as a favour but as a right.

Before I sit down, I wish to honour a number of women and ensure that they are celebrated this day. I thank the Senate Majority Whip, who stated that he mobilised a number of male Senators to celebrate us by wearing red ties. We are not in red because we do not care. We only wanted to see how our male counterparts are celebrating us. It is worth noting that the Senate Majority Leader, Sen. Cheruiyot, is not in a red tie. He should wear a red tie even tomorrow and celebrate women.

Women have made great strides in this country. We celebrate all women including those in leadership and business. We also celebrate the great women who are heading families all over the country, against the hard economic times. We do not want to leave behind out single mothers. We celebrate them.

Among those we are celebrating, are great women leaders who made it to the Senate via elections. Examples are the Deputy Majority Leader, Sen. Tabitha Keroche; our senior, Sen. Kavindu Muthama; and Sen. Dullo. They should know that we celebrate them and we are struggling to come back as elected Senators.

Mr. Speaker, Sir, I support the Petition.

*(The Speaker consulted the clerk-at-the-Table)*

**The Speaker** (Hon. Kingi): Proceed, Sen. Cherarkey.

**Sen. Cherarkey:** Thank you, Mr. Speaker, Sir. I am in a red tie but the women in the House have not noticed.

*(Laughter)*

I support the Petition brought by Mr. Too. It is sad that 25 years later, some teachers have perished and their dependents are struggling. A sum of Kshs3.3 billion was allocated years ago by the former President, Hon. Uhuru Kenyatta. If we are losing Kshs15 billion in 26 minutes, what is hard for the former regime to have paid Kshs3.3 billion to teachers?

The greatest teacher of all time was Jesus Christ. The point is; this is a human rights issue and not an ordinary one. It is a labour rights issue. These teachers must be paid their dues in full. If they have beneficiaries and dependents, they must be paid.

The teachers continue to undergo a lot of challenges. We are not saying that teachers are more special than other professionals like journalists, pharmacists, engineers and lawyers. However, let them be considered in a fair way. It is very unfortunate that they cannot be paid Kshs3.3 billion while we are losing Kshs15 billion in 26 minutes.

I appeal to the Cabinet Secretary (CS), Ezekiel Machogu and our beloved President, Hon. (Dr.) William Ruto, to expedite the payment of Kshs3.3 billion to these teachers.

Finally, teachers continue to suffer, especially with delocalisation. As we talk, I am carrying a list of teachers from Vihiga, Kakamega and Kisumu counties, as well as northern parts.

Mr. Speaker, Sir, you need to give direction as we discuss this Petition. Their only crime was to demand that they be brought back to their home counties. When the

ruling Party of Kenya Kwanza came into power, the issue of delocalisation was to be removed.

Why is it that the Teachers Service Commission (TSC) directors in Vihiga, Kisumu, Kakamega and Narok counties are going rogue and denying our teachers an opportunity to be taken back to their home counties? We need to be honest.

I do not know what the Chief Executive Officer (CEO) of TSC, Ms. Nancy Macharia, is doing in office. After their names were submitted to TSC, they received warning, show cause and interdiction letters. Their only crime was to demand to be taken back to their home counties. Is it an offense to demand that you be transferred to your home county? The TSC must be called to order.

The problems that Jesus Christ faced are the same ones that teachers of Kenya are facing. We must address them as a House.

**The Speaker (Hon. Kingi):** Sen. Wambua, proceed.

**Sen. Wambua:** Thank you, Mr. Speaker, Sir. I stand in full support of this Petition by Mr. Too. Truth be told, we do not treat our teachers well. We actually mistreat them.

Reading through this Petition, you get the feeling that to a great extent, probably the Kenyan teacher is on his or her own. Twenty five years down the line after a decision was made to pay them money due to them, they are yet to receive it. They continue to die and suffer, whereas new projects are being initiated in every turn and twist and with every Government that comes in to office.

It will be remembered in this House, that in the last Session, the 12<sup>th</sup> Parliament pushed for payment of former councilors. When that matter came to the Floor of the Senate, we had more than 12,000 former councilors. Today, I think we have less than 10,000. We have lost more than 3,000 of them, while waiting to be paid their money. The previous administration committed on paper to pay them a one off honorarium of only Kshs200,000. To date, that money has not been paid.

Mr. Speaker, Sir, I urge that we begin to treat people in public service better, especially teachers and former councilors.

This Petition could not have come at a better time when this country and the world is celebrating International Women's Day.

I wish to go on record and confirm that the Senator for Kakamega County did not call me with instructions to wear a red tie.

*(Sen. (Dr.) Khalwale spoke off record)*

I am in a green tie and I salute the women of this country on this day. To all the women in the House; Sen. Tabitha Mutinda, Sen. Mariam Omar, Sen. Orwoba, Sen. Lemaletian, Sen. Shakila Abdalla, Sen. Ogola, Sen. Kavindu Muthama, Sen. Beth Syengo, Sen. Tabitha Keroche, the clerk-at-the-Table and the serjeant-at-arms including Ms. Sarah; I salute you. I wish you every bit of success in this life and beyond.

**The Speaker (Hon. Kingi):** Proceed, Sen. Munyi Mundigi.

*(Laughter)*



**Sen. Munyi Mundigi:** Bw. Spika, yangu ni machache. Bila walimu hapa Kenya, sisi hatungekuwa hapa. Hatungekuwa na Rais. Dunia nzima, yeyote anayefanya kazi amepitia mkononi mwa mwalimu.

(Applause)

Kama kuna mtu ananyanyaswa katika Kenya ni mwalimu. Walimu wanapatikana vijijini, kanisani, shuleni na kila pahali. Walimu wanakumbwa na shida wanapoenda *retire*. Imekuwa shida. Kwa hivyo, naunga mkono mwalimu aangaliwe mambo yake.

Kama ilivyofanyika mwaka uliopita, walimu walipigwa *transfer* na pia wakatenganishwa na familia zao. Wakati serikali ya Kenya Kwanza ilipata mamlaka iliapa kuwarudisha walimu Hao kwa shule zao na ikawa haijafanyika. Kulipaswa kuwa na mkutano mkubwa wa walimu ulioandaliwa na Kamati ya Elimu ya Seneti. Lakini jambo la ajabu ni kuwa waandalizi hawakuhudhuria kikao hicho. Kwa hivyo, mwalimu anaendelea kunyanyaswa. Ningeomba hatua ichukuliwe ili kuonekana kutakuwaje.

Walimu wale wako Kitui, Tharaka-Nithi na wanatoka Embu, hawajarudishwa Embu. Imekuwa ni shida. Shida hiyo haiko Embu peke yake, iko katika kaunti arobaini na saba. Bunge ina mamlaka ya kuangalia vile Wizara ya Elimu itabadilishwa ili waweze kufanya kazi vizuri. Kuongezea, *departments* zote zijue kuwa mkubwa anapoitwa na Seneti, anafaa ahudhurie kikao. Kwa hivyo, ninaomba Seneti ichukulie hatua wale watu ambao hawatatii wito wa kamati za Seneti.

Asante.

**The Speaker** (Hon. Kingi): Hon. Senators, the half an hour meant for this Petition is long spent. However, now that today is a big day to our female colleagues, I will allow those who are on the queue of the female gender to make their contributions. We will start with Sen. Kavindu Muthama and thereafter Sen. Beth Syengo and then we leave it at that.

**Sen. Kavindu Muthama:** Bw. Spika, asante kwa kunipa fursa hii ya kuchangia Ardhilhali hii ambayo imeletwa Seneti na Bw. Philip K.A. Too. Ni jambo la kuhuzunisha sana kuona walimu wetu ambao wanafanya kazi kubwa sana ya kutoa ujinga kwa wanadamu; wanastaafu na hawapati haki yao.

Wakati mtu anafanya kazi anatarajia kwamba atakapostaafu atapata marupurupu yake ya kujiendeleza katika maisha ya uzee. Mtu anapofikisha miaka 60 na kustaafu huwa anategemea yale marupurupu yake. Ni ajabu kuona ya kwamba kutoka mwaka wa 1997 mpaka mwaka wa 2007, kuna walimu walistaafu na mpaka sasa hawajalipwa.

Bw. Spika, ninaunga mkono hii ardhilhali ili walimu hao walipwe marupurupu yao. Ngingependa pia kugusia swala la madiwani ambao walistaafu. Iisemekana kuwa watapewa marupurupu yao ili kujiendeleza. Kutoka wakati mjadala huo uliletwa katika Seneti na Sen. Wambua mpaka leo hakuna jambo lolote ambalo limefanyika.

Bw. Spika, ninaomba Rais wetu Bw. William Samoei Ruto, pamoja na *Cabinet Secretary* (CS) wa Elimu waangalie swala hili ili walimu na madiwani wale ambao walistaafu wapokee malipo yao.

Asante, Bw. Spika, kwa kunipa fursa hii.

**The Speaker** (Hon. Kingi): Proceed, Sen. Beth Syengo.

**Sen. Beth Syengo:** Thank you, Mr. Speaker, Sir. I also rise to support the Petition on the payment of dues for the retired teachers.

Mr. Speaker, Sir, I am a former teacher. It is demoralizing to see how teachers are treated yet they contribute to community development. They are the ones who are living in the community every day and time. When the retired teachers do not receive their dues, it makes them unproductive and unempowered.

Teachers who retired between 1997 and 2007 are now aged. My colleagues have already indicated that people retire, of course, when they are aged. The Government has been giving social support to the elderly, why not also pay dues to teachers who have retired and they have aged? Allow me to recognize female teachers on this special day of International Women's Day. There are teachers who are women and supporting families. I wonder why the Teachers Service Commission (TSC) delocalized female teachers.

The female teachers who were delocalized are meant to teach in different parts of this country, which are very far from their communities, yet they are the ones who are supposed to support the families. This is contributing to marriage break ups because these women are working very far, leaving their husbands behind. This is not right and it is causing family break ups.

I request the TSC Chief Executive Officer (CEO), Madam Nancy, to think about delocalization. As one of us said, I am also holding a list of delocalized teachers from Kitui County who have been taken to Meru, Embu and Kirinyaga which is very far from their families. They are crying daily on how they are supposed to contribute to support their children. This is because some are young teachers who are still in child bearing age and they cannot support and bring up their children together with their husbands.

Finally, today is our day. The 'bull fighter', Sen. (Dr.) Khalwale, indicated that this life requires both genders. Men should support women. I urge fellow female Senators to organize a way of recognizing men who support women. We will give them a certificate of recognition.

Mr. Speaker, Sir, I thank you.

**The Speaker** (Hon. Kingi): Very well, we do appreciate the female Senators and we pray for the best for you.

As your Speaker, I request that at the rise of the House, the female Senators should make way to my office so that I give you a message of appreciation.

*(Sen. M. Kajwang' applauded)*

Sen. M. Kajwang', I said lady Senators. I hope some of you will not go wearing---

*(Laughter)*

This is the only day that we celebrate women. Let them have their day, please!

*(Applause)*

Hon. Senators, pursuant to Standing Order No. 238(1), the Petition should be committed to the relevant Standing Committee for its consideration, in this case, I direct that it be committed to the Standing Committee on Education.

In terms of Standing Order No. 238(2), the Committee is required, in not more than 60 days from the time of reading the prayer, to respond to the petitioner by way of a report addressed to the them and laid on the Table of the Senator.

I thank you.

Hon. Senators, pursuant to Standing Order 45(2), I beg to re-arrange today's Order Paper. Instead of moving to Order Nos. 5, 6 and 7, we immediately go straight to Order No. 8 and dispense with it. Thereafter, we can go back to the business of the House as contained in the Order Paper.

Clerk, call out that Order.

## MOTION

### ADOPTION OF REPORT ON THE NOMINATION OF DR. SUSAN JEMTAI KOECH TO THE POSITION OF THE DEPUTY GOVERNOR OF THE CBK

**Sen. Tabitha Mutinda:** Thank you, Mr. Speaker, Sir. Today, being the International Women's Day, my Chairman of the Standing Committee on Finance and Budget has given me the honours, as the Vice Chairperson, to move. I will proceed.

I beg to move -

THAT, the Senate adopts the Report of the Joint Sitting of the Standing Committee on Finance and Budget of the Senate and the Departmental Committee of Finance and Planning of the National Assembly on the nomination of Dr. Susan Jemtai Koech for the appointment of the position of the Deputy Governor of the Central Bank of Kenya, laid on the Table of the Senate on Tuesday, 7<sup>th</sup> March, 2023; and pursuant to Section 13B(1) of the Central Bank of Kenya Act and Section 8 of the Public Appointments (Parliamentary Approval) Act, approves the nomination of Dr. Susan Jemtai Koech for appointment of the position of the Deputy Governor of Central Bank of Kenya.

Mr. Speaker, Sir, I call Sen. (Dr.) Khalwale to second.

**Sen. (Dr.) Khalwale:** Thank you. Mr. Speaker, Sir, I rise to second this Motion as moved. I was privileged to sit in the vetting Committee of the two Houses.

The young woman who has been identified to be the Deputy Governor of the Central Bank of Kenya lives up to the bill. I found her academically qualified, professionally competent and with a vast history of experience in the banking sector.

While addressing us, she told us that her deoxyribonucleic acid (DNA) is banking. I not only second her for appointment but also wish her good luck, so that she eventually moves on to become the first woman governor of the Central Bank.

*(Question proposed)*

**The Speaker** (Hon. Kingi): Hon. Senators, we may have to limit the time each speaker stands to contribute in order to save on time. The Order Paper is fairly bulky. I will limit the contribution of each speaker to three minutes.

**Sen. Kisang:** Thank you, Mr. Speaker, Sir. This is a wonderful day for the women. We are celebrating International Women's Day and for the first time, we are debating and approving a woman to be the Deputy Governor of the Central Bank of Kenya (CBK). This is good.

Dr. Susan Koech is experienced with over 30 years in the banking industry. She has a PhD, as well as a Masters and Bachelors in business administration. She is also a member of the Kenya Bankers Association (KBA) and several professional bodies. She has the experience and is suitable.

She is a Kenyan citizen who does not have any dual citizenship. We had some challenges last year on the same when someone was appointed as an ambassador but they had a dual citizenship.

Dr. Susan Koech is competent. We are asking the two Houses to approve and the President to appoint her to that position. She should look at our CBK especially on forex where we have issues. Traders and business people who import goods to the country have complained that there is shortage of forex in the country.

I hope that as soon as she reports, she will team up with the Governor of the Central Bank and ensure that we have enough forex in the country so that businesses do not stop doing what they are supposed to. She is suitable for that position.

Mr. Speaker, Sir, therefore, I request this House to approve her nomination so that she is appointed, as soon as possible, to take that mantle and help the country. I support the Motion and request Senators to support it.

**The Speaker** (Hon. Kingi): Sen. Kavindu Muthama.

**Sen. Kavindu Muthama:** Thank you, Mr. Speaker, Sir, for the opportunity. I join my colleagues to first congratulate Dr. Susan Koech for her appointment as the Deputy Governor of the Central Bank of Kenya.

I am grateful to our President because he has appointed several women in different positions. I am proud of every woman climbing the ladder because for many years, women were left behind. However, recently many women are climbing the ladder.

Mr. Speaker, Sir, when Dr. Susan Koech enters that office, she should make women proud by working hard and delivering on the mandate and the honour she has been given by the President.

I also take this opportunity to congratulate every woman inside and outside this country on this day we are celebrating International Women's Day.

It is an honour for women. Without women, there would be no people in this world because men cannot produce on their own. Women are precious because they have the wombs that carry the seeds given by men.

I congratulate all women because they carry seeds and deliver the nations of the world.

Mr. Speaker, Sir, I support.

**The Speaker** (Hon. Kingi): Sen. Beth Syengo.

**Sen. Beth Syengo:** Mr. Speaker, Sir, I also rise to support and congratulate Dr. Susan Jemtai Koech on her nomination to the position of Deputy Governor of the Central Bank of Kenya (CBK).

Records in this country and elsewhere show that when women are given heavier duties, they are able to perform and excel outstandingly. We have a lot of confidence in this nomination and I support it. The fact that Susan exhibited outstanding skills in her

former duties is good enough. That has made us be sure that given the position, Susan Koech is going to perform and make women and the whole nation proud.

I support.

**Sen Kinyua:** Asante Bw. Spika kwa kunipa fursa hii. Nataka kuchukua muda huu kusema ya kwamba ninaunga mkono mjadala huu. Leo ni sadfa kwa sababu leo ni siku ya wanawake ulimwenguni na tena siku ya leo ndio jina lake limeletwa hapa. Hii inamaanisha ya kwamba yeye akiwa kama mwanamke na kulingana na vile imesemekana amebobea katika kazi yake.

Akikuwa Naibu wa Gavana wa Benki Kuu ya Kenya anafaa atilie mkazo kwa sababu wakati huu kama Serikali tunapitia majanga mazito kwa sababu watu wengi wako na shida. Ni juzi tu tumesikia ya kwamba Serikali iliyokuwepo walikuwa wakipigia watu simu wakiwaambia ni mpaka wafanye hivi na vile vingine.

Mimi nina hakika ya kwamba Dr. Susan, yeye ni jasiri, hatapokea simu ambazo hazipaswi kuwa zikimfanyisha kazi yake. Yeye afuate sheria zilizowekwa katika Jamhuri ya Kenya.

Kuna mazoea ya watu wengine kuwapigia wengine simu lakini ninajua ya kwamba Serikali yetu ya Kenya Kwanza haitakuwa na ule mtindo. Tumesema vizuri ya kwamba mtu afanye kazi kwa mujibu wa sheria iliyowekwa. Nina hakika ya kwamba Dr. Susan atafanya ile kazi kwa ujasiri.

Kwa vile yeye anaingia katika Benki Kuu ya Kenya na hao ndio wanaoshughulikia pesa, akumbuke ya kwamba tumezungumzia hapa kinaga ubaga kuhusu waalimu na shida wanazopitia.

Sio walimu peke yao, hata madiwani wamekuwa wakipitia katika janga hili. Tumelivalia njuga, tumeliongea lakini jambo hili linatakiwa kutiliwa maanani. Kwa sababu yeye atakuwa anashughulikia mambo ya fedha, waangalie na waone ya kwamba walimu na madiwani ambao wamestaafu wamelipwa pesa zao.

Watu wengi wanakuwa wafisadi wanapofanya kazi kwa sababu wanahofia wakistaafu hawatalipwa pesa zao. Wanafuatilia wimbo ambao umeimbwa na Samba Omar Mapangala ati “Vunja mifupa kama meno ingali ipo”. Unapata mtu anaanza kufanya ufisadi sasa kwa sababu anajua hata akistaafu hatalipwa mapato. Anataka kujitajirisha kwa njia isiyo safi.

Mimi ninaunga mkono na ninaomba Seneti hii imuunge mkono Dr. Susan Jemtai Koech aweze kupatiwa huu wadhifa. Mimi sina shaka rohoni mwangu kwamba ataweza kufanya kazi kwa uweledi na uzoefu.

Ninashukuru.

**Sen. Shakila Abdalla:** Thank you, Mr. Speaker, Sir. I rise to support the nomination of Dr. Susan Jemtai Koech. I am among the ones who were in the panel that interviewed her. I noted that she was very eloquent, very confident and she seemed to know exactly what she was going to do.

Therefore, I want to congratulate and wish her the best. We believe that what a man can do, a lady can do better. We have confidence in her. We are very happy for her nomination and believe that she will deliver. She would deliver as a woman because she will always make sure that she protects her space and name, for her to deliver and build the name of a woman.

Mr. Speaker, Sir, I support.

**Sen. Mariam Omar:** Thank you, Mr. Speaker, Sir, for giving me this opportunity. I congratulate Dr. Susan Koech on her appointment as Deputy Governor of CBK. If she goes through the whole process of appointment, that shows she is qualified for the job.

We also thank our President. We have confidence in his decision to nominate Dr. Susan Koech to that position and we are sure that there must be also other women in the pipeline coming.

Mr. Speaker, Sir, I thank you also for recognizing women in the House, giving them opportunities and also recognizing International Women's Day.

I thank you.

**Sen. Wamatinga:** Thank you, Mr. Speaker, Sir, for giving me this chance. I also rise to support the appointment of Dr. Susan Jemtai Koech to become the next Deputy Governor of CBK. Today, being Women's Day, this is a major milestone for this country.

I would also want to thank the administration of Kenya Kwanza. They have indeed shown that women have shattered the glass ceilings. They have indeed demonstrated that their commitment and the charter they signed with women was not a campaign gimmick, but proof of their commitment towards empowering women to take up roles in major positions and become major decision makers.

Mr. Speaker, Sir, we will be looking forward to a time when in this country, people will not look at where you come from, your name, your gender, but the qualification. This is the first step in the right direction when we, as a country, say that we will have a woman in the second position of command in one of the most important institutions that monitors this country's economy, the Central Bank of Kenya.

My prayer to the leadership of CBK, coming at a time when we are hearing that the former regime ferried billions of dollars in cartons and some of them were coerced to sign or withdraw the money, would be that moving forward, let nobody ever stand again and say that I was coerced or did it under duress because when Kenyans suffer, we all suffer.

Therefore, it is my wish that together with the Governor of CBK, they will be able to formulate sound fiscal policies that will get us from the situation that we in are today. This country has very great potential. Going by the number of graduates and the number of people who are PhD holders, both men and women, we have what it takes to be able to formulate policies that can change this country, but the impediment has always become the political class.

I am happy to be a Member of the Kenya Kwanza Government, which is committed to liberating this country economically. I am even happier to see that women have been given powerful positions. Therefore, moving forward, I am looking at a time when we will not be suffering from these problems of mismanagement of our economy.

Mr. Speaker, Sir, I support.

**The Speaker** (Hon. Kingi): Sen. Tabitha Keroche, you may proceed.

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

I also want to take this opportunity to congratulate Dr. Susan Koech. Looking at her qualifications, she has what it takes to run that office. I also want to congratulate her for making history by being the first Deputy Governor.

It has taken long; 59 years and we now have the first woman Deputy Governor at the Central Bank of Kenya (CBK). However, I know being the International Women's Day, we appreciate that we have come from far as women and we are where we are today.

We appreciate the women that have been there before us in Parliament. We have heard them talk. We cannot forget hearing Martha Karua saying she was the first woman to get into Parliament. I think there was no toilet meant for women. So, we have come from far. We should celebrate them and be happy even as we are talking of the International Women's Day.

We also thank the men. They are now changing their attitude towards the women leadership. I believe women will take their space. We can now say that the sky is the limit, as is said.

I support the appointment of Dr. Koech and urge all our Senators to support it.

**The Speaker** (Hon. Kingi): Sen. Tobiko, please, proceed.

**Sen. Tobiko:** Mr. Speaker, Sir, although I have not contributed to the Motion, I support the good lady like everybody else.

I am stand under Standing Order No.95 to move that the Mover be now called to reply.

**The Speaker** (Hon. Kingi): Hon. Senators, I need to dispose of that point of order. Therefore, I will proceed to put the question. Those in support of what the hon. Senator has just advised will proceed in the usual manner to say 'aye' and if opposed, you say 'nay,' and we go back to the debate.

*(Question that the Mover be now called to reply put and agreed to)*

*(Sen. Cheptumo spoke off record)*

**The Speaker** (Hon. Kingi): Sen. Cheptumo, you are out of order. You are a seasoned Member of Parliament. You will get away with that today but, please, be warned.

Before I proceed, Sen. Sifuna, kindly make your way to the Chamber.

*(Sen. Sifuna walked into the Chamber)*

*(Applause)*

May the Mover of the Motion proceed to reply.

**Sen. Tabitha Mutinda:** Mr. Speaker, Sir, I take this opportunity to thank my colleague Senators for their positive contribution towards this debate. As the Vice Chairperson of the Committee on Finance and Budget, we had an opportunity to vet Dr. Susan Koech and true, she is very qualified.

She is a PhD holder, a holder of a Masters Degree in Strategic Management and Business Administration from Moi University. She exhibited that in a very exemplary manner. Her leadership and communication skills are very clear.

She also achieves on matters Chapter Six of the Constitution. She had all the documentation including certification from the Kenya Revenue Authority (KRA) and Ethics and Anti-Corruption Commission (EACC). She is very clean.

She is well versed on matters banking because she has been in that industry for the last 30 years. She has been able to understand monetary matters as far as the banking industry is concerned.

Mr. Speaker, Sir, Dr. Koech has very high levels of interpersonal skills, including performance management. I believe with all this avers in her knowledge and experience, she is going to perform.

I am also proud to state that in this great day – the International Women’s Day - she is the first woman to step in as the Deputy Governor of CBK. We look forward for bigger promotion on her position as the future Governor CBK.

She is also a Member of the Kenya Institute of Management (KIM) and the Kenya Institute of Bankers (KIB). She has been able to understand the monetary space that she is in.

Mr. Speaker, Sir, with those many remarks, I beg to reply.

**The Speaker** (Hon. Kingi): Senators, can you, please, have your seats so that we proceed and conclude this matter.

Pursuant to Standing Order No.84 (2), I make a determination that this matter does not affect counties. Therefore, voting shall be by acclamation.

*(Question put and agreed to)*

Next Order.

## PAPERS LAID

### REPORTS ON FINANCIAL STATEMENTS OF VARIOUS COUNTIES

**Sen. Tabitha Keroche:** Mr. Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, 8<sup>th</sup> March, 2023-

Report of the Auditor General on the Financial Statement of County Government of Bomet County Revenue Fund for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Kitui County Executive for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Kitui County Assembly for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Makueni County Executive for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Makueni County Assembly for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Makueni County State and Public Officers Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Makueni County Emergency Fund for the year ended 30<sup>th</sup> June, 2022.



Report of the Auditor General on the Financial Statement of Baringo County Executive for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Baringo County Assembly for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Baringo County Assembly (Members) Car loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Baringo County Assembly (Staff) Car Loan and Mortgage Fund for the year ended 30<sup>th</sup> June, 2022.

Report of the Auditor General on the Financial Statement of Machakos County Executive for the Year ended 30<sup>th</sup> June, 2022.

*(Sen. Tabitha Keroche laid the documents on the Table)*

**The Speaker** (Hon. Kingi): Next Order.

### NOTICE OF MOTION

#### APPROVAL OF SITTINGS OF THE SENATE OUTSIDE NAIROBI COUNTY

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

THAT, AWARE that the Senate of Kenya is established by Article 93 of the Constitution and its main role, as set out at Article 96, is to represent, serve and protect the interests of the counties and their governments;

FURTHER AWARE of the critical role that the Senate plays in the interlinkage between the National and County levels of government;

COGNIZANT of the need to enhance the interaction between the Senate and county governments, as a means of bringing the Senate closer to the counties and the general public;

ACKNOWLEDGING the success made during the sittings of the Senate outside Nairobi, held in Uasin Gishu and Kitui Counties in September, 2018 and in September, 2019, respectively;

APPRECIATING the recommendation of the Senate Business Committee that a Sitting of the Senate be held away from the traditional premises in Parliament Buildings, Nairobi, during the term of the 13<sup>th</sup> Parliament, with the objective to—

- 1) promote the role and work of the Senate and enhance public awareness regarding the Business of the Senate;
  - 2) highlight existing and new opportunities for engagement in the legislative process;
  - 3) develop and strengthen partnerships at the county level of government;
- and

- 4) provide an opportunity to members and staff of county assemblies to learn and share best practices with Senators and parliamentary officers;

NOW THEREFORE, pursuant to Article 126(1) of the Constitution, the Senate resolves that its Plenary and Committee sittings be held in the counties for a one-week period within the month of September in every Session of the 4<sup>th</sup> Senate, except during an election year; and further that a programme of sittings outside Parliament Buildings in Nairobi be drawn, to ensure that such sittings take place in different counties of the Republic.

Thank you.

**The Speaker** (Hon. Kingi): Next Order.

## STATEMENTS

**The Speaker** (Hon. Kingi): Proceed, Sen. Veronica Maina

### THE INTERNATIONAL WOMEN'S DAY

**Sen. Tabitha Mutinda:** Thank you, Mr. Speaker, Sir. On behalf of my colleague, Sen. Veronica Maina, I rise pursuant to Standing Order No.52(1), to make a Statement on a matter of general topical concern.; the International Women's Day. The day is observed annually on 8<sup>th</sup> March. This year's theme is, "Innovation and Technology for Gender Equality".

Kenya has made progress towards gender equality in recent years. However, there is still much work to be done. Technology and innovation can play a crucial role in advancing gender equality in Kenya, by creating new opportunities for women, promoting their empowerment and increasing access to resources and information.

Mr. Speaker, Sir, here are some examples of how technology and innovation can help promote gender equality in Kenya-

(1) Property ownership

Land tenure: Technology can help women secure land tenure by providing them with digital land registries and documentation systems that recognize and protect their property rights.

Inheritance: Technology can also help women inherit property by providing them with online tools to register and enforce their inheritance rights.

- (2) Digital financial inclusion: Digital financial services can increase women's access to finance and financial services, including mobile banking and microfinance. This can help women entrepreneurs to start or grow their businesses, improve their financial literacy, and increase their economic independence.

- (3) Entrepreneurship: Technology can also help women entrepreneurs by providing them with tools and platforms to start and grow their businesses, access markets and connect with customers.

- (4) E-learning and skill development: Technology can provide women and girls with access to education and skills training, especially in remote or rural areas. Online courses, webinars, and e-learning platforms can increase access to education and skills training for women and girls.

- (5) Healthcare technology: Technology can help to improve women's health outcomes by increasing access to healthcare services, information and resources. Mobile health applications and telemedicine can help to bridge the gap in healthcare access for women in rural areas and remote patient monitoring can improve the quality of care for pregnant women and new mothers.
- (6) Gender-based violence prevention: Technology can be used to prevent and respond to gender-based violence, including online harassment and cyberstalking. Mobile applications and hotlines can provide women with a safe and anonymous way to report abuse and access support services.
- (7) Political representation: Innovation and technology can also play a significant role in promoting gender equality in political representation. As we work towards ensuring that we implement the two-thirds gender principle in Parliament, here are some ways that technology can be used to advance gender equality in politics:
  - (a) Social media platforms can be used to raise awareness on the importance of gender equality in political representation. Women can share their stories and experiences, while also promoting their political campaigns and ideas to a wider audience.
  - (b) Data analytics can be used to identify gender-based biases in political campaigns and election outcomes. This information can be used to develop more targeted strategies to address these biases and promote gender equality.
  - (c) Training and education: Online training and education programmes can help women build the skills and knowledge needed to succeed in politics. This can include programs on public speaking, campaign management, fundraising, and policy development.
  - (d) Virtual campaigning can provide a more accessible and cost-effective way for women to reach voters. This can include virtual town hall meetings, online debates, and social media outreach.
  - (e) Political Apps can provide women with information about their local representatives, policies and voting record. This can help women make more informed decisions when it comes to elections.

Mr. Speaker, Sir, in conclusion, technology and innovation can play a vital role in promoting gender equality in Kenya. By increasing access to resources, information, and services, technology can help to empower women, promote their economic independence, and improve their health outcomes. By leveraging technology, we can create a more inclusive and gender-equal society.

Happy International Women's Day to all!

**The Speaker** (Hon. Kingi): Sen. Kibwana, you may proceed.

STEPS TAKEN TO ACHIEVE KENYA'S GREENHOUSE  
GAS EMISSION REDUCTION TARGETS AS SET OUT IN NDCs

**Sen. Shakila Abdalla:** Mr. Speaker Sir, I stand on behalf of Sen. Kibwana to request for a Statement on the implementation of National Determined Contributions (NDCs).

Mr. Speaker Sir, I rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on Lands, Environment and Natural Resources on the steps

taken to achieve Kenya's greenhouse gas emissions reduction targets as set on the National Determined Contributions (NDCs) updated in 2020.

In the Statement, the Committee should-

(1) Table a progress report on the achievement of the greenhouse gas emission reduction target set in the NDCs stating whether its implementation is consistent with Kenya's national development priority.

(2) Inform the Senate on measures put in place by the relevant government agencies in ensuring the private sector is aligned with the goals of the NDCs stating the support and incentives provided to encourage private sectors investment to clean energy and sustainable development.

(3) Provide information on the level of funding allocation to the implementation of the NDCs, indicating how the funding has been utilized.

(4) Outline measures if any, to strengthen the monitoring and reporting mechanisms for the NDCs and in ensuring accountability and transparency by all stakeholders.

(5) State measures if any, to ensure the implementation of the NDCs does not have adverse effects on vulnerable communities, stating the support provided to these communities to adapt to the impacts of climate change.

(6) Indicate the progress made in implementing the adaptation goals as outlined in the NDCs, stating measures in place, if any, to ensure the vulnerable communities are effectively supported.

I thank you.

Mr. Speaker Sir, there is another statement.

THE PROPOSED ENERGY TARIFFS  
APPLICABLE FROM THE YEAR 2022 TO 2026

**Sen. Shakila Abdalla:** Mr. Speaker Sir, I rise pursuant to Standing Order No. 53(1) to seek a Statement from the Standing Committee on Energy on the proposed energy tariffs applicable from 2022 to 2026.

In the Statement, the Committee should-

(1) Outline the criteria used and factors considered in calculating the proposed energy tariffs noting the rising cost of living amidst unreliable energy supply.

(2) Table a report on the proposed energy tariffs in comparison to the current tariffs, stating reasons for the changes.

(3) State the current energy mix and how the proposed energy tariffs will impact households, businesses and industries, outlining measures if any to reduce carbon emissions and promote sustainable development in Kenya.

(4) Outline targeted measures if any to encourage the adoption of renewable energy sources such as solar and wind power for home usage, while indicating their impact on the proposed energy tariffs on the overall cost of production on the local industries.

(5) State mechanisms in place to ensure appropriate allocation of funds, detailing ways in which the revenue generated from the proposed energy tariffs will be utilized.

(6) Outline plans by the Government if any to increase access to electricity in rural areas and how the proposed energy tariffs will facilitate the efforts.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Those two Statements stand committed to the relevant Departmental Committees for consideration.

Sen. Crystal Asige, you may proceed.

REPRESENTATION OF PWDs IN COUNTY  
ASSEMBLIES

**Sen. Crystal Asige:** Mr. Speaker, Sir, I rise, pursuant to Standing Order 53 (1) to seek a Statement from the Standing Committee on National Cohesion, Equal Opportunity, and Regional Integration on the matter of representation of PwDs in the County Assemblies.

In the Statement, the Committee should –

(1) Apprise the Senate on the current number of PWD representatives nominated to the County Assemblies pursuant to the provisions of the Constitution in Article 54(2) and 177(1)(c).

(2) Shed light on allegations that the county assemblies of Laikipia, Kwale, Kilifi, Meru, Isiolo, Marsabit, Taita-Taveta, Wajir, Tharaka-Nithi, Machakos, Makueni, Turkana, West Pokot, Trans Nzoia, Uasin Gishu, Baringo, Narok, Kericho, Bungoma, Nyamira and Nairobi lack PwDs representation, in violation of the Constitution, seven months after the elections, outlining immediate measures to regularise the situation.

(3) Cause an audit into the composition of the seats allocated to PWDs in all the 47 County Assemblies, stating compliance and adherence to Article 54(2) and 177(1)(c) of the Constitution.

(4) State steps in raising awareness among relevant stakeholders in ensuring the progressive implementation of Article 54(2).

I thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Faki, you may proceed.

**Sen. Faki:** Thank you Mr. Speaker, Sir. I wanted to add an issue to the Statement sought by Sen. Crystal Asige. First, I thank her for bringing that Statement in pursuit of the rights of PWDs.

The relevant Committee in considering this aspect of the Statement, they should also consider whether the nominations, which have been done in those counties comply with the law. This is because, the law says that the nomination should not exceed one-third of the elected Members of the County Assembly (MCAs).

There are some County Assemblies that have more than a third of nominated Members serving in those Assemblies, which in essence it shows that if they were to vote in the Assembly, the elected MCAs of the Assembly will be defeated in an election.

Therefore, I want the Committee to include whether the nominations comply with the one-third rule as to the number of the nominated MCAs

I thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Mwaruma, you may proceed.

OWNERSHIP STATUS AND ADJUDICATION  
OF KISHAMBA B LAND IN VOI SUB-COUNTY

**Sen. Mwaruma:** Mr. Speaker Sir, I thank you for this opportunity to raise this Statement on the ownership status and adjudication of Kishamba B land in Voi Sub County, Taita-Taveta County.

Mr. Speaker, Sir, I rise, pursuant to Standing Order 53 (1), to request for a Statement from the Standing Committee on Land, Environment and Natural Resources on the ownership status and adjudication of Kishamba B Land in Voi sub-county, Taita-Taveta County.

In the Statement, the Committee should-

(1) Inform the Senate whether Kishamba B land in Voi Sub-County is community, private or public land and provide legal ownership documents in support of the same.

(2) Explain whether the Kishamba B managing committee, constituted during establishment of the land as a group ranch still exists, stating the law upon which the management committee is established.

(3) Apprise the Senate of the adjudication status of the land, stating whether orders were given to subdivide Kishamba B land, specifying the dates the orders were given, compliance by the management committee to meet the deadline and actions against the committee in the event of non-compliance.

(4) Finally, provide a statement of account for Kishamba B for the last five years, detailing the compensation received by the management committee on behalf of Kishamba B from the Kenya Railway Corporation, the Kenya Electricity Transmission Company (KETRACO) and other Government agencies for land alienated for Government use.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Proceed, Sen. Faki.

KUKATWA KWA UMEME KATIKA HOSPITALI  
KUU YA PWANI

**Sen. Faki:** Asante Bw. Spika. Nimesimama kuambatana na Kifungu cha 52(1) cha Kanuni za Kudumu za Seneti kuzungumzia swala la dharura ambalo ni kuzuijiwa ama kukatwa kwa umeme katika Hospitali Kuu Ya Pwani, yaani *Coast General Hospital*, hapo jana, tarehe 7, Machi, 2023.

Bw. Spika, hospitali hii ndiyo taasisi kubwa ya afya katika eneo zima la Pwani. inahudumia Mombasa, Kwale, Kilifi, Tana River, Lamu na Taita Taveta. Kwa hivyo, utendakazi wake unaangaziwa Pwani nzima Kwa jumla. Kudorora kwa huduma katika hospitali hii kutasababisha maafa kwa wengi ambao tegemeo lao ni hospitali hii.

Bw. Spika, kuna huduma muhimu katika hospitali hii zinazoendeshwa na vifaa vya umeme, kama vile vyumba vya wagonjwa mahututi, vitanda vya watoto wachanga waliozaliwa kabla ya wakati, huduma za picha na vile *CT Scan*.

Bw. Spika, ni kosa la jinai kwa Kampuni ya Umeme, kukata umeme kwa taasisi kama hospitali. Maafa yoyote yatakatoyotokea itakuwa ni jukumu la wakurugenzi wa kampuni hiyo kujibu mahakamani.

Kwa hivyo, inapaswa swala hili liangaziwa kwa haraka, ili waliosababisha kukatwa kwa umeme wachukuliwe hatua, ili iwe funzo kwa wengine.

Bw. Spika, hivi majuzi, hospitali hii imekuwa katika vyombo vya habari kutokana na kifo cha kijana wa miaka 17, Emmanuel Chiringa, kutoka eneo la Mwele, Rabai, Kaunti ya Kilifi, ambaye alikuwa amelazwa hospitalini humo baada ya kudungwa chanjo dhidi ya Korona alipokuwa shuleni. Kijana huyu alikuwa amesubiri matibabu kwa siku kadhaa kabla ya kufariki.

Bw. Spika, malalamiko ya madaktari yamekithiri, huku wengine wakisimamishiwa mishahara wakati wako kwenye mafunzo yao na wengine kuzuiliwa kuanza kazi baada ya kumaliza mafunzo.

Bw. Spika, vile vile, kuna kuharibika mara kwa mara kwa vifaa muhimu kama vile *CT-Scan* na vifaa vinginevyo ambavyo husababisha wagonjwa kukosa huduma.

Bw. Spika, hospitali hii ndio tumaini la wananchi wengi katika eneo zima la Pwani, kwa hivyo, ni muhimu iweze kutoa huduma bora ili kuokoa maisha.

Kwa hivyo, ningeomba Taarifa hii iwasilishwe kwa Kamati ya Kudumu ya Afya na walichunguze swala hili kwa undani ili mambo yaliyoshuhudiwa juzi yasirudiwe.

Asante, Bw. Spika.

**The Speaker** (Hon. Kingi): Proceed, Sen. Mandago.

**Sen. Mandago:** Mr. Speaker, Sir, I rise to support the Statement by Sen. Faki of Mombasa, on the disconnection of power in Coast General Hospital, by Kenya Power.

Kenya Power has had a tendency of disconnecting electricity to critical installations, particularly in counties and the audacity to try and force counties to pay bills, some of which need verification.

I stand here to say that a number of bills that Kenya Power sends to counties are not accurate. They are inflated. What they bill counties have been found to be higher than actual consumption, whenever an audit or reconciliation is carried out by county government staff.

It is, therefore, wrong for Kenya Power to disconnect power to a critical installation like a hospital. Hospitals have Intensive Care Units (ICU) and nurseries for children that are born premature. Is Kenya Power intentionally killing those children, whose parents and doctors have worked to ensure that their lives are saved using provided technology that is run by electricity? The behaviour by Kenya Power of disconnecting electricity to critical installations must be stopped.

In any case, Kenya Power has caused citizens of this country to run into losses because of errant electrical supply. So many people have lost their fridges, television and radio sets. No Kenyan has ever decided to stop consuming power from Kenya Power. They should be sensitive on things that touch on human life.

In future, we should consider as a nation to remove the monopoly of Kenya Power by inviting other players to supply and distribute power in this country.

I support the Statement by Sen. Faki.

**The Speaker** (Hon. Kingi): Proceed, Sen. Boy.

**Sen. Boy:** Bw. Spika, asante kwa kunipa fursa hii, ili niweze kuunga mkono Taarifa iliyosomwa na Seneta wa Mombasa.

Kusema kweli, ni jambo la kusikitisha kwa Kenya Power kukata umeme katika Hospitali Kuu ya Pwani.

Kaunti za Pwani kama vile Kwale, Kilifi, Malindi, Tana River na Lamu zinategemea hospitali hii. Ukiangalia kwa undani, nalaumu sana Kenya Power.

Mwaka juzi kabla twende kwenye uchaguzi, sehemu za Kombani, Kwale, waliambiwa mapema kwamba, kuna nguzo iliyoanguka chini na italeta athari ya mtu kufa. Waliwacha mpaka mtoto akapita, akakanyaga hiyo kitu na wakafariki akiwa na mama yake, kwa sababu ya kupuuza.

Leo, tunaskia wamekata umeme katika Hospitali ya Makadara. Hili ni jambo ambalo kiongozi yeyote atakaye simama hapa hata kubaliana nalo.

Kwa hivyo, wale waliofanya kitendo hicho, awe afisa, meneja au mkurugenzi wa umeme katika sehemu ya Pwani, ajue kwamba siku moja, baba, mtoto au ndugu yake atakuwa mgonjwa na ataenda katika hospitali hiyo ya Pwani. Tunakemea jambo hilo.

Waliofanya kitendo hicho ni lazima wachukuliwe hatua. Tunategemea hospitali hii kutibu watu wetu wa Pwani. Leo tunasikia jambo hili. Kesho itakuwa ni Msambweni au Kilifi, kesho kutwa iwe ni Taita-Taveta na kesho kutwa Tana River.

Bw. Spika, tunawakemea, haswa maofisa waliofanya jambo hilo. Lazima nia yao ijulikane? Ilikuwa ni kuuwa watoto *ICU* ama watu wakubwa kwenye *theatre*? Sisi viongozi katika Seneti hili tunalaani kitendo hicho.

Naunga mkono Taarifa ya Sen. Faki. Hatua kali inafaa ichukuliwe kwa Kenya Power.

Asante, Bw. Spika.

**The Speaker** (Hon. Kingi): Proceed, Sen. Thang'wa.

**Sen. Thang'wa:** Asante sana, Bw. Spika. Najiunga na wenzangu kuunga mkono Taarifa iliyoletwa na Seneta wa Mombasa, Sen. Faki.

Bw. Spika, tungetaka wao wenyewe wafike mbele ya Kamati ambayo utapatia kazi kuchunguza swala hili ili watuelezee kwa nini wao hawana utu wa kujua kwamba hospitali ni sehemu ambayo inahitaji umeme kila siku. Kama tunafanya hivyo, ni vizuri pia Kaunti, sana sana magavana, watafute njia mbadala ambayo itasaidia hizi hospitali kuwa na umeme wa kujisimamia.

Mahali kama Mombasa, najua mambo ya Solar ama kutumia jua inahitajika. Najua Gavana mwenyewe akijua hospitali yake vile ilivyo, itabidi waweke kwenye bajeti pesa ya kununua *solar*. Hata kama sio hospitali yote, katika kile chumba cha watoto wanaweza tumia *solar*, ndio wale watu wa Kenya Power, kwa sababu hawana utu, wakifanya kitu kama hicho, Gavana mwenyewe atakuwa amefanya jambo la kusaidia watu wake waliomchagua.

Nakumbuka wakati Rais William Ruto, alikuwa anatoa hotuba yake katika Bunge zote mbili wakati alipochaguliwa, alisema watakubalia vijana, akina mama na watu wengine kutengeneza vikundi vyao kwa jina lingine *Cooperatives*. Wale ambao wanaweza kutengeneza umeme kupitia maji, jua au njia nyingine yeyote, watapatiwa nafasi wawe wakiuzia Serikali ule umeme ama stima.

Ningeomba serikali za kaunti, hata kama tunalaumu wale ambao hawana utu, hatuwezi kuwa tukilia kila siku. Kila siku asubuhi tunaamka kulaumu huyu au yule. Sisi wenyewe tunayo kaunti kule mashinani, zinafanya nini? Hata kama stima imezimwa, hakuna kitu ama mtu amezuia gavana wa kaunti yeyote kuanzisha kampuni yake ya umeme katika zile hospitali ili tuwache kuilaumu Kenya Power.

Bw. Spika, kabla hawajapata ule utu, tuangalie vile sisi kama Seneti, vile tunaweza washurutisha magavana kabla hatujapitisha pesa zao. Tunaweza kusema lazima



wachukuwe hatua kuhakikisha kuna umeme, maji na pia barabara za kupitia kwenda hospitali, ili ambulansi ama piki piki zikipeleka watu hospitali, waweze kufika vizuri.

Hata hivyo, naunga mkono hiyo *Statement* ya Sen. Faki. Lazima Kenya Power wafike mbele ya hiyo Kamati. Wakati huu wasitume wawakilishi. Wafike wenyewe ndio wajibu swala hilo.

Asante sana, Bw. Spika.

**Sen. Shakila Abdalla:** Asante, Bw. Spika. Nimesimama kuunga mkono Hoja ya Sen. Faki.

Masikitiko ni kwamba katika kitendo kilichofanyika na Kenya Power, wale waathiriwa ambao ni *innocent* ndio ambao wataumia. Wale wagonjwa ambao ni waathiriwa wa kitendo hicho ni wagonjwa wenye kufanyiwa *dialysis*, watoto katika *theatre operation* na kadhalika.

Wale ni watu ambao kwamba hawana hatia. Kwa nini waathirike kulingana na kitendo cha Kenya Power? Kwa hivyo, Kenya Power inapoenda kukata umeme, ni muhimu wazingatie ile sehemu wanayoenda kukata umeme, ni wangapi wataathirika kwa kile kitendo ambacho watatekeleza. Kukatia mtu umeme kwa nyumba au sehemu za biashara ni kitendo ambacho kinaeleweka. Lakini kukata umeme katika sehemu kama hospitali ni lazima wawe na mpango maalum wa kuweza kupeana *notice* ya kutosha ama kudhibiti umeme kwa sababu ya wale waathiriwa ambao wataathirika kwa kile kitendo chao ambao hawana hatia ya wao kuathirika kulingana na kukatwa kwa umeme.

Pia naunga mkono Mheshimiwa alivyosema kwamba kuna umuhimu kuwe na mbinu mbadala ya kuweza kuwa na umeme mbadala badala ya kutegemea Kenya Power. Kenya Power kwa sababu ni monopoly, wanajaribu sana kutesa watu hapa nchini. Unabandikwa *bills* kubwa kubwa, huna njia ni lazima ulipe. Wananchi na wafanyi biashara wanalipa *mabill* makubwa makubwa.

Wananchi wanalipa ushuru karibu mara mbili au tatu. Unalipa ushuru wa nchi na Kenya Power. Kwa hivyo Kenya Power ni lazima iwe na mipangilio ya kukosa kungandamiza mwananchi, kwa sababu hawana njia ni wao pekee yao ambao wanafanya hiyo shughuli.

Kwa hivyo, mimi naunga mkono na ninasema kwamba ni lazima hatua ya dharura ichukuliwe dhidi ya wale ambao wamefanya kitendo kama hicho. Hii ni kwa sababu wameadhibu watu ambao hawana hatia.

Asante, Bw. Spika.

**Sen. Wafula:** Asante sana Bw. Spika. Yale ambayo tunajadili sasa, kwangu mimi ni kidonda ambacho kimekuwepo katika kaunti za humu Kenya kwa sababu, iwapo serikali za kaunti zinajua kwamba kuna pesa za umeme ambazo lazima zilipwe. Kwenye bajeti ama katika usimamizi wa hospitali, lazima wawe wanajua kwamba gharama ya umeme ni pesa fulani na iwapo hakuna umeme katika zahanati ama hospitali hizo ni yapi yapaswa kufanywa kuhakikisha ya kwamba kuna umeme?

Katika hospitali zakibinafsi wako na *transformer*. Pia, wako na mashini za kusaidia vyumba vya wagonjwa mahututi na vyumba vya upasuaji, kuhakikisha kwamba kuna umeme katika hospitali hizi.

Nimefanya utafiti kidogo huko nyuma na nikagundua kwamba zile pesa ambazo kidogo kidogo hutozwa wagonjwa na kuwa na hazina katika hospitali, baadhi ya magavana wametoa hizo pesa kuenda kwenye kibindo kikubwa cha kaunti. Hivi kwamba

kulemaza uwezo wa madaktari katika hospitali kugharamia umeme na mambo madogo madogo ambayo yanaweza okoa maisha ya Wakenya.

Sasa, Kamati ya Afya katika Seneti lazima tuangalie mfumo wa kiuchumi ambao utasaidia hospitali kuu katika kaunti zetu kujisamamia na kuhakisha kwamba hakuna kupoteza maisha kutokana na ubadirifu wa pesa ama uzembe wa magavana katika kaunti.

Vile vile, swala hili linaangazia mstakabali kati ya shirika la umeme na taasisi mbali mbali za serikali. Msimamizi wa Shirika La Umeme Mombasa, lazima awe na heshima na kumtafuta gavana ama msimamizi wa kiwanda ama hospitali na kumueleza; ndugu yangu siku zimefika na lazima ulipe deni. Una mpango gani wa kulipa? Wakubaliane ili pasikuwe na shida ama kupoteza maisha ya watu.

Mimi naunga mkono Hoja ambayo ndugu yangu Sen. Faki ameleta. Lakini katika Kamati ya Afya, lazima twende pale mashinani na tuhakikishe kwamba mifumo ya fedha, umeme na kugharamia umeme wa kushughulikia mashine mbali mbali katika nchi hii yasisimamishwe kwa sababu ya pesa.

Mwisho, tukiendelea hivi, utasikia Shirika la Umeme limekata umeme katika kituo cha polisi. Ikikata umeme katika maeneo ya usalama, hapa ni kuwapa majambazi nafasi ya kutawala miji yetu. Sasa ni lazima tuwe na mfumo wa mstakabali kuhakisha kwamba serikali na Shirika la Umeme zinongee ili Wakenya watoza ushuru wasihangaika na kufa kwa makosa ambayo sio yao.

Asante sana, Bw. Spika.

**Sen. Crystal Asige:** Thank you, Mr. Speaker, Sir. There is a saying that goes: “The only way for evil to triumph is when good men watch and do nothing.” I believe that, as Senators, this House has been given a very special mandate of oversight.

I thank Sen. Faki for the Statement because that is exactly what he is doing. He is not letting something that is completely bewildering to all of us here go unanswered.

I believe it is one thing for KPLC to cut power from a kiosk, cyber cafe, even from my own home if there are issues of payment, for example, but it is quite another to cut power from a hospital. A hospital is a place where people go to seek treatment every single day. It is where there are laboratories carrying out very important work and experiments in order to enrich the lives of our citizens. Hospitals take care of children and people who have lifelong conditions. There are people who need machines to breath.

I join hands with every single Senator who has contributed to the Statement. It is abhorrent to hear that a hospital has gone without power for any period.

In addition to what Sen. Mandago suggested; there should be a policy in place that gives hospitals and other essential institutions amnesty in this regard. It is shocking that we are even having this debate that there is a hospital in Mombasa or anywhere else in the country that has its electricity disconnected. Electricity gives life to the people who are seeking services in that essential institution. If it is not me, somebody else should heed my cry in this House to bring a policy of this sort.

Thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Sen. Kinyua.

**Sen. Kinyua:** Asante, Bw. Spika, kwa kunipa fursa hii. Nasimama kuunga mkono Taarifa iliyoletwa na Sen. Faki kuhusu ukakatwa kwa umeme katika hospitali ya Mombasa.

Bw. Spika, swali langu ni hili: Je, wagonjwa wanalipa wanapoenda kutibiwa katika hospitali hii ya Mombasa? Kama hawalipi, jibu la swali langu litakuwa tofauti.

Hospitali hizi zetu tunazojadili hapa, mtu akifariki hupelekwa katika chumba cha kuhifadhia maiti. Watu wanapoenda kuchukua mwili, hulipa kiwango fulani cha pesa. Ikiwa wagonjwa hulipa wanapotibiwa na miili inapochukuliwa kutoka chumba cha kuhifadhia maiti katika hospitali hii, pesa hizo huenda wapi?

Nimemsikiliza Sen. Thang'wa akisema kuna hela zinatengwa na Seneti za hospitali za kaunti zote nchini. Kuna pesa za Mombasa, Laikipia na kaunti zingine. Pesa hizi huwa zinaenda wapi? Ninakashifu ule ukataji wa nguvu za umeme na Kampuni ya Nguvu za Umeme Nchini.

Bw. Spika, tujiulize maswali ambayo ni mazito. Wale ambao wanaohusika na msimamizi wa hospitali zetu, kwa nini hawalipi deni au bili ya stima? Ningependa Mwenyekiti aulize kama kulikuwa na notisi na ya siku ngapi kabla ya kukata stima katika hospitali hiyo kwa ajili ya wale wagonjwa walio katika vyumba vya wagonjwa mahututi. Je, kuna maadishi kuhusu notisi iliyotolewa?

Waswahili husema, mgala muue na haki umpe. Leo tutasema stima zisikatwe mahospitalini. Kesho tutasema stima isikatwe katika vituo vya polisi kama vile alivyosema Seneta mwenzangu.

Bw. Spika, Seneti imetenga pesa ambazo zinazoenda katika kaunti zetu. Sisi kama maseneta tunazembea kazini ikiwa hatutahakikisha kuwa walimu wetu wa chekechea wanalipwa mishahara yao, Kampuni ya Nguvu za Umeme Nchini inalipwa madeni yake na huduma nyingine kufanyiwa wananchi.

Nampongeza Sen. Faki kwa kuleta Taarifa hii. Inafaa iwe funzo kwa kaunti zetu zingine ndio magavana wajue wana jukumu la kuhakikisha kila deni limelipwa.

Bw. Spika, ulikuwa gavana wa Kaunti ya Kilifi na unajua vile mgao wa fedha kutoka Serikali Kuu hucheleweshwa. Mashirika ya Serikali yanafaa kujadiliana na hospitali zetu badala ya kukata stima bila notisi. Nakemea Kampuni ya Nguvu za Umeme Nchini sababu huwa na mbio kukata stima ya yule ambaye hajalipa. Hata hivyo, ukitembea nyumba zetu, vyakula vinaoza sababu stima hupotea kila mara. Juzi, Kenya nzima kulikuwa na giza. Hakuna mtu yeyote aliyepata fidia kutoka kwa kampuni hii. Mimi nilikuwa nimelipa deni yangu ya stima yangu. Kwa hiyo, haikuwa makosa yangu ila ya kampuni.

Jokovu langu au kifaa chochote kikiharibika sababu ya nguvu za umeme kupotea, nina haki kulipwa fidia sababu hiyo si shida yangu bali ni ya kampuni ya umeme.

Jambo hili tutalifuatilia mpaka vitongojini ndio tuone ya kwamba tumepata suluhu la kuhudumu. Tukinyamaza na kusema ni watu wa Pwani wanaangamia, kampuni hii itakakata stima Kilifi, Makueni, Nairobi na kaunti zote nchini. Watakapofika Laikipia, hakuna mtu yeyote atakuwepo kusema Laikipia tunamalizwa.

Ninaunga mkono.

**The Speaker** (Hon. Kingi): Sen. Kinyua, naamini kwamba umetumia lugha sanifu ya Kiswahili.

Sen. Mwaruma.

**Sen. Mwaruma:** Asante, Bw. Spika, kwa hii fursa umenipa ili kuunga mkono Taarifa ya Seneta wa Mombasa, Sen. Faki, kuhusu kitendo cha Kampuni ya Nguvu za Umeme Nchini cha kukata stima katika hospitali ya Rufaa ya Mombasa. Ninakikashifu kitendo hicho kwa kinywa kipana kwa sababu ni cha kufa na kupona. Suala la kukata stima katika hospitali ya rufaa Mkoa wa Pwani, ni la kutamausha, kuhuzunisha na ni lazima tulikashifu vilivyo.

Wale walio katika ile hospitali ni wake, waume au watoto wetu. Mtoto wako akiwa katika ile hospitali, akifa unaweza kuzaa mwingine, lakini yule tayari ashakufa. Mke wako akiwa katika hospitali akifa kwa sababu ya ukosefu wa stima, unaweza kumuoa mwanamke mwingine lakini wa kwanza atakuwa ashakufa. Mume wako akiwa hiyo hospitali akifa, unawezaolewa na mtu mwingine, lakini yule mwingine ashakufa tayari.

Bw. Spika, hili swala---

**The Speaker** (Hon. Kingi): Sen. Cherarkey, hoja yako ya nidhamu ni nini?

**Sen. Cherarkey:** Bw. Spika, nimesikia Sen. Mwaruma akisema ati mke akifa, unaeza oa mwingine, ashakum si matusi? Kwani anamaanisha maisha yalipotezwa si muhimu sababu unaeza kuoa na kzaa mtoto mwingine? Hiyo ni heshima?

Kulingana na Ibara ya Katiba, maisha ni muhimu na huanza kutoka kuchukua mimba kwa mama. Maneno yake hayaambatani na Katiba ya Kenya.

Je, huu ni ungwana?

*(Laughter)*

**The Speaker** (Hon. Kingi): Sen. Mwaruma, nataka kwanza ufafanue kauli yako, kama matamshi yako ni kweli vile Sen. Cherarkey alivyonyukuu. Ikiwa ni kweli ndivyo ulivyozungumza, itabidi uyafutilie mbali kwa hotuba yako maanake maisha ya binadamu wote ni sawa. Maisha ya mama au mtoto yote ni sawa. Kumpoteza mke au mtoto ni kupotea maisha. Hakuna maisha mazito au mazuri kushinda mengine.

Pengine, amekunukuu kimakosa. Utatwambia.

**Sen. Mwaruma:** Bw. Spika, ni katika hali ya kukashifu kitendo cha Kampuni ya Umeme Nchini cha kukata stima. Hiki kitendo kinaweza kupelekea maafa na huwezi kupata maisha ya yule mtu ambaye umempoteza. Maisha ya mtoto yakipotea, huwezi pata mtoto mwingine kama yule. Bibi akifa, huwezi kupata bibi mwingine kama yule. Ndio maana ni kitendo cha kukashifu kwa kinywa kipana.

**Sen. (Dr.) Khalwale:** Hoja ya nidhamu, Bw. Spika.

**The Speaker** (Hon. Kingi): Ni nini, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** Bw. Spika, tunamwelewa Mhe. Mwaruma kama mmoja wa viongozi ambao wamezaliwa katika kabila linaloelewa Kiswahili, *the great people of Taita Taveta County*.

Ikiwa kweli alimaanisha kwamba unaweza zaa baada ya mtoto wako kufa, atwaambie. Kama alimaanisha kwamba unaweza oa baada ya mke wako kufa, atwaambie. La sivyo, lazima ayaondoe matamshi yake kwa rekodi ya Seneti. La sivyo, atakuwa ameonyesha madharau kwa Katiba yetu na pia umuhimu wa maisha ya binadamu.

**The Speaker** (Hon. Kingi): Sen. Mwaruma, jieleze. Je, umesema kwamba heri upoteze bibi kwa sababu unaweza kuoa mwingine?

*(Laughter)*

Maanake mimi sikumsikia akizungumza hayo. Kulingana na hoja ya nidhamu, ni kama wamekusikia ukisema hivyo. Jieleze tu ili tuendelee.

**Sen. Mwaruma:** Asante, Bw. Spika. Katika kupinga na kukashifu kitendo cha Kampuni ya Umeme Nchini cha kukata umeme, tunaweza kupoteza maisha. Hilo ni

kweli. Ukipoteza maisha ya baba yako, huwezi kupata baba mwingine kama yeye. Ukipoteza maisha ya mke wako, hayo maisha ya yule mke wako wa kwanza yamepotea. Unaweza ukoa mwingine, lakini yule wa kwanza, ameenda. Hivyo ndivyo nilivyosema.

Ni kauli mbiu kwa sababu ya kutilia mkazo katika kukashifu kitendo cha Kampuni ya Umeme Nchini cha kukata umeme ilihali huduma ya afya katika hospitali, inategemea stima.

**The Speaker** (Hon. Kingi): Sen. Mwaruma, ukipoteza babako halafu mamako aolewe na mwanaume mwingine, si yule ni babako pia?

*(Laughter)*

Kama vile umempoteza mke na ukaoa mke mwingine.

**Sen. Mwaruma:** Bw. Spika, ni katika kukashifu kile kitendo kwa sababu maisha yatapotea.

**The Speaker** (Hon. Kingi): Sawa, endelea tumekuelewa.

**Sen. Mwaruma:** Bw. Spika, hata kama mama yako ataolewa na mume mwingine na upate baba mwingine, yule mzee ashakufa tayari.

Ningependa kujihusisha na matamshi ya Sen. Mandago ya kwamba jambo hili lilitokea kwa sababu ya ukiritimba wa kampuni hii ya umeme. Inafaa tulate Mswada katika Bunge hili ya kuwapa watu wengine haki ya kusambaza umeme. Hili tendo la kampuni hii ni kwa sababu ya ukiritimba; kwamba ni wao peke yao ambao wanasambaza umeme. Kungekuwa na mashirika mengine ambayo wanashindana nao labda hilo tendo halingetokea.

Kwa upande mwingine ni lazima tujiulize swali hili. Je, Serikali ya Kaunti ya Mombasa imejizatiti namna gani kuhakikisha madeni ya kampuni hii yameliipwa?

Ndio maana ninasema ya kwamba hii Taarifa ikipelekwa kwa Kamati ya Afya, ni lazima wadau wote waje, wakiwemo wakurugenzi wa kampuni ya umeme na viongozi wa Kaunti ya Mombasa. Waje watueleze ni kwa nini stima inaweza kukatwa katika taasisi muhimu kama hospitali.

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

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

Bw. Spika wa Muda, vile wasemaji wengine wamesema, Hospitali ya Rufaa ya Mombasa inategemewa na kaunti zote za pwani. Hata kuna wagonjwa wanaotoka nchi za nje kuja kutafuta matibabu katika hospitali hii ya Mombasa.

Kwa hivyo, ninaunga mkono. Kamati husika itakapoangalia hii Taarifa, ningependa na mimi nialikwe kama mhusika mkuu kwa sababu watu wangu wa Taita Taveta huenda hospitali hii kwa matibabu. Huenda miongoni mwao kuna watoto wadogo waliozaliwa au wagonjwa walio katika hali mahututi. Wanaweza kupoteza maisha yao kwa sababu ya utepetevu wa utendakazi wa wakurugenzi na wafanyikazi wa kamuni hii.

**Sen. Kinyua:** Hoja ya nidhamu, Bw. Spika wa Muda.

**The Temporary Speaker** (Sen. Abdul Haji): Je, ni hoja ya nidhamu, Sen. Kinyua?

**Sen. Kinyua:** Bw. Spika wa Muda, mwanasheria, Seneta wa Kaunti ya Nandi, alisema maisha huanza wakati wa uzalishaji. Ni vizuri hilo liondolewe katika rekodi zetu. Ninasema hivyo kwa sababu nakala yetu itaonyesha vile na ninajua yeye ni mwanasheria. Anaweza akanukuliwa katika korti ilihali anajua maisha huanza wakati mwanamke amepata mimba.

(*Sen. Cherarkey spoke off record*)

*'Conception'* sio uzalishaji.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey ulisema hivyo?

**Sen. Cherarkey:** Ndio, Bw. Spika wa Muda.

**The Temporary Speaker** (Sen. Abdul Haji): Kama ulisema hivyo, tafadhali futilia mbali kutoka kwa rekodi yetu.

**Sen. Cherarkey:** Bw. Spika wa Muda, ninaomba kuchangia. Sijui neno *'conception'* linasemwa vipi kwa lugha ya Kiswahili. Mwenzangu anazidi kunipoteza anaposema maisha yanaanza wakati wa kutunga mimba. Nilifikiria yanaanza wakati wa *'conception.'* *'Conception'* inamaanisha wakati mwanamume na mwanamke wanapolala pamoja.

Unasemaaje kwa lugha ya Kiswahili kwa sababu mwanamume na mwanamke wanapolala pamoja, basi hapo ndipo maisha yanaanza. Yani *'conception'* ama uzalishaji.

Ukisema kutunga mimba, unajuaaje kuwa mwanamke ameshika mimba wakati huo. Kuna mchakato ambao unahitajika hapo. Iwapo katika Kiwahili sanifu uzalishaji ina maana tofauti, mimi ninaomba neno la Kiswahili lile ambao lina maana ya *'conception.'*

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, ninafikiri ungesema wakati mwanamke amepata mimba, ndio maisha yanaanza.

**Sen. Cherarkey:** Bw. Spika wa Muda, ninafikiri tu ni dakika kadhaa baada ya mwanamke kupata mimba ndio maisha yanaanza.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. (Dr.) Khalwale, what is your point of order?

**Sen. (Dr.) Khalwale:** Bw. Spika wa Muda, huu mjadala ni muhimu kwa sababu yote tunayozungumza hapa yanawekwa katika rekodi. Kwa hivyo, ninaomba ndugu yangu, Sen. Cherarkey, akubali. *'Conception'* ni wakati mbegu ya mwanamume inaungana na ya mwanamke katika nyumba ya uzazi.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, utarekebisha maneno yako kwanza.

**Sen. Cherarkey:** Bw. Spika wa Muda, ninakubaliana na Seneta wa ndume kutoka Kaunti ya Kakamega, kwamba maisha yanaanza wakati mbegu ya mwanamke na mwanaume zinapokutana.

Kwa heshima kubwa, ninaomba *HANSARD* irekebisha matamshi hayo.

**The Temporary Speaker** (Sen. Abdul Haji): Asante, Seneta.

Sen. Kavindu Muthama, ungependa kuchangia?

**Sen. Kavindu Muthama:** Asante, Bw. Spika wa Muda, kwa kunipa fursa hii kuchangia Taarifa hii ambayo imeletwa na Seneta wa Kaunti ya Mombasa.

Bw. Spika wa Muda, ni tabia mbaya sana kwa kampuni ya umeme kukata stima katika hospitali za kaunti. Ninakumbuka kwamba katika Kaunti ya Machakos, mwaka uliopita, umeme ulikatwa ilhali kulikuwa na wagonjwa waliokuwa kwa *oxygen*.

Nilipigiwa simu nikaambiwa niende huko hospitalini kwani kulikuwa kumeharibika baada ya stima kukatwa kwa muda wa siku mbili. Mama yule aliaga dunia mara tu nilipofika Kaunti ya Machakos. Kabla sijafika hospitalini, nilimpigia *County Executive Committee Member* (CECM) wa Kawi katika Kaunti ya Machakos. Nilimuamurisha kwamba nikifika hapo, nipate stima imewaka hospitalini. Hakika, stima hiyo ilikuwa imekatwa maksudi. Nilipata wamewakisha stima. Hospitali ililipa deni yao na stima ikarudishwa.

Kabla hao watu wa kampuni hii hawajakata umeme, ni vizuri wawe wakiwasiliana na mazimamishi wa kaunti na kuwapa fursa ya kulipa deni ya umeme. Ni kweli kuwa kampuni hii ya umeme haitaendelea kusambaza umeme tu bila malipo lakini ni makosa sana kwao kukata umeme kwa hospitali. Magavana wengine hawaajibiki kulipa deni au bili za stima za hospitali za kaunti zao ili watu wetu wanaendelea kuumia bure katika hospitalini zetu.

Sen. Faki, ninakushukuru kwa kuleta hii Taarifa hii. Niko katika harakati za kuchukua rekodi ya watoto na watu wazima walioaga katika hospitali ya Machakos wakati kampuni hii ya umeme ilikataa stima. Nitaleta Taarifa hapa kwa maana hao watu lazima wafidiwe na kampuni ya umeme. Ni lazima walipwe. Sen. Faki, Seneta wa Kaunti ya Mombasa nakusihi ufanye uchunguzi na kubaini ikiwa maafa yoyote yalitokana na kukatwa kwa huo umeme katika hospitali hiyo ya Mombasa. Ikiwa kuna watu walikufa, lazima walipwe.

Ni lazima watoto waliokuwa kwenye *incubator* waliaga, watu waliokuwa katika kitengo cha *Intensive Care Unit* (ICU), waliokuwa wanafanyiwa *dialysis* na wale ambao walikuwa kwa *oxygen*, lazima waliteseka na wegine kuaga dunia. Watu hao lazima walipwe. *Kenya Power* na magavana lazima waajibike. Ninaomba Sen. Faki unisikilize maana ni wewe umeleta Taarifa hii hapa Seneti. Lazima ufuatilie suala hili kwa kina katika Kaunti ya Mombasa. Pia mimi naahidi kuchunguza suala hili katika Kaunti ya Machakos. Naomba pia maseneta wengine wafuatilie suala hili katika kaunti zao.

Sen. Faki, ni lazima ufuatilie ujue ni watoto wangapi wakifa kutokana na kukatwa kwa umeme; wale walikuwa kwenye *incubator*, kwenye *oxygen*, kwa ICU na wale walikuwa wanafanyiwa *dialysis* ili ulete hiyo hesabu vizuri hapa tunapoendelea na huu mjadala. Kamati itakapowaalika hapa Seneti wahusika wote ni sharti uwe na hesabu kamili. Pia mimi nitaleta hesabu ya watu wote walioathirika katika Kaunti ya Machakos.

Bw. Spika wa Muda, ninaomba watu wote waliohusika, wachukuliwe hatua kali na ile kamati ambayo kauli hii itakabidhiwa itinde haki.

Naomba kaunti zote kuzingatia umeme wa *solar panels* kwa hospitali. Hospitali zingine hazina hata *generator as a backup*. Stima ikienda, *generator* inafaa kuwaka *automatically* ili tuwache kupoteza maisha ya watu wetu. Wanapaswa kutilia maneno haya maanani. Kaunti zetu ziko na pesa kwa hiyo wanaweza kununua *generators* za nguvu na kuweka *solar panels* ili watu wetu waache kupoteza maisha.

Bw. Spika wa Muda, ninaunga mkono hii Taarifa hii na ninakashifu hiki kitendo cha kampuni ya umeme.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Murgor, please proceed. Tafadhali, keep time.

**Sen. Murgor:** Asante, Bw. Spika wa Muda.

I am very grateful for the opportunity you have given to me to share my thoughts along with my colleagues.

Mr. Temporary Speaker, Sir, you will agree with me and most of those that have faced the power cut in their houses, there is a very reckless and negative attitude from the officers of the Kenya Power (KP). Whenever those officers come, they do not care what your situation is as long as you do not have the money or you have not cleared your bill, they will recklessly mistreat you and never care about requests of any kind.

I believe this comes about because of one company monopolising everything about power. It is my very strong opinion that the nation should find alternative people to provide power so that there is at least some sort of competitiveness in provision and supply of power.

The other thoughts in my observation of these people is the fact that money is driving them crazy such that they do not care whether somebody will die as a result of them disconnecting power or whatever will happen. They have become almost as reckless as the 'matatus' on our roads who just care about money such that they do not think that they are carrying people in their vehicles. It is almost like they have bags of maize in those vehicles.

My other observation is that in that recklessness and carelessness, they do not care about a child who is in an incubator needing that power. The attitude as they go to the hospital such as our colleague Sen. Faki is expressing about in this Statement, is that money driven attitude makes them not care whether there is a child in an incubator or whether there is somebody on oxygen that is really depending on power or any other situation in a hospital or anywhere else.

It is time for us to get an alternative group so that there is competition in provision of power. You can imagine the attitude and the situation of looking for money and not minding about the citizens lighting their houses, streets and so on. They are supposed to be providing power. It is the responsibility of the company that is providing power to light the streets and provide power to be connected into people's homes. It is they who provide that needed commodity.

I believe the attitude in KP should be changed. As a company that is making money, apart from making money, their attitude should also be selling so that there is persuasion and marketing in the process of selling. That means an attitude of seeking the attention and involvement of the consumer.

Mr. Temporary Speaker, Sir, I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Cherarkey, you may proceed. You have two minutes, please.

**Sen. Cherarkey:** Bw. Spika wa Muda, utaniruhusu dakika tatu kwa sababu niko na mambo mawili. Kwanza, ninataka kumshukuru, Sen. Faki, wa Kaunti ya Mombasa kwa kuleta Taarifa muhimu. Nilishangaa nilipoona kwenye vyombo ya habari kampuni ya umeme imezima umeme kwa sababu ya mambo kadha wa kadha.

Umeme ni muhimu sana. Ningependa Bunge la Seneti au Kamati husika ihakikishe imetoa makataa kwa kampuni ya umeme. Ikiwa kunaye aliaga dunia kwa sababu ya ukosefu wa umeme katika Hospitali Kuu ya Mombasa mhusika anafaa kuchukuliwa hatua ya kisheria. Mambo kama haya yanaharibu uchumi. Hii ni *economic and health sabotage*.

Hili ni swala la haki za kibinadamu. Kuna watoto waliotegemea umeme huo na pia madawa yalikuwa yanategemea jokofu ili yatumike kwa muda fulani. Kwa hivyo, hii ni hasara kubwa.



Ninauliza kampuni ya umeme katika taifa hili la Kenya iwasiliane na hospitali zetu wanapokata umeme na washirikiane na wasimamizi wa hospitali zile ili tusipoteze maisha.

Nafikiri kampuni ya umeme imepitia changamoto nyingi. Mvua inapokaribia kila wakati umeme unapotea. Tunapata malalamishi ya *transformers* ambazo hazifanyi kazi nchini. Vile vile, hakuna *metres* ambazo wanawekea wananchi kutoka kaunti za Garissa, Mombasa au Nandi kuwezesha nguvu za umeme kuwafikia. Kuna shida kubwa katika usimamzi wa kampuni ya umeme.

Ninaomba Seneti na Kamati husika iwachukulie hatua kali za kisheria na wazipe ridhaa familia ambazo zimepoteza watu wao.

Katika Taarifa hii ya ndugu yetu, ameongeza kuwa kuna utepetevu wa wafanyikazi wa hospitali hio. Kaunti ya Mombasa inayoongozwa na gavana inafaa kuchukuliwa hatua kali. Kwa sababu hakufai kuwa na utepetevu katika utoaji wa huduma za afya hospitalini ya *Coast General Hospital* ambayo ni hospitali kubwa ya rufaa inayohudumia kaunti nyingi katika sehemu za Pwani.

Kwa hivyo, wanafaa kuchukuliwa hatua ili malalamishi haya yakome. Maswala ya afya ni *devolved function* ambayo iko kwa Ratiba ya Nne ya Katiba. Kama kaunti zitashindwa kusimamia maswala ya afya katika taifa la Kenya, itakuwa ni kosa kubwa sana.

Ninaunga mkono na kumshukuru, Sen. Faki. Ikiwezekana, Kamati husika ya maswala ya Afya inafaa kuzuru Kaunti ya Mombasa ili tujue hali ilivyo mbashara. Wanasema vitu kwa *ground* ni tofauti. Kwa hivyo, inabidi Kamati iingilie kati na kushugulikia mambo haya.

Bw. Spika wa Muda, ninashukuru kwa kunipa fursa hii. Ninampa kongole na heko, Sen. Faki.

**The Temporary Speaker** (Sen. Abdul Haji): Asante sana, Sen. Cherarkey. There being no other Senators. There is a Communication from the Chair.

## COMMUNICATION FROM THE CHAIR

### VISITING DELEGATION FROM BUNGOMA COUNTY ASSEMBLY

Hon. Senators, I would like to acknowledge the presence in the Public Gallery of a visiting delegation from Bungoma County Assembly. The delegation comprises eight clerk assistants and two legal officers who are undertaking a training at the Centre for Parliamentary Studies (CPST).

Hon. Senators, on behalf of the Senate and on my own behalf, I extend a warm welcome and wish them a fruitful visit.

Proceed, Senator for Bungoma County.

**Sen. Wafula:** Asante sana, Bw. Spika wa Muda. Nilikuwa nimeketi hapa kama nimetulia tuli nikisikiza na nikaona sura ambazo nazijua. Wamenyonga tai na mabinti wamekula vyema na nyuso zao nyororo kama watu wa Kaunti ya Bungoma.

Ninashukuru sana kuja kwao hapa kwa sababu ugatuzi kuafiki malengo yake ni lazima viongozi katika Bunge la Kaunti la Bungoma na kaunti nzima wajue kuifanya kazi yao na majukumu yanayoambatana na matarajio ya wananchi. Pia, wajumbe wa *ward*

wanapochangia pale mashinani, viongozi hawa ndio huhakikisha maoni na maelezo ya viongozi yanawekwa kwenye vitabu inavyotakikana.

Najivunia uchapa kazi wao. Nimekuwa kule vijijini kwa muda mrefu nikifanya kazi na aliyekuwa Seneta wa Kaunti ya Bungoma. Tulikuwa tunazuru Bunge la Kaunti akiwahudumia au kutoa hotuba za mwaka baada ya mwaka.

Huu ni wakati wangu kuwakaribisha katika Bunge la Seneti na kuhakikisha kupitia, Bw. Spika, na uwezo niliopewa kikatiba na wananchi wa Bungoma kutembea na nyinyi aste kuhakikisha kuwa mnatimiza majukumu yenu pasipo tisho, ubaguzi, au bugdha yeyote.

Ninawakaribisha katika Bunge la Seneti mmejionea kwa macho yenu kwamba mambo yanafanywa sawasawa.

Nitatembea na nyinyi kule nyumbani kuhakikisha kwamba shilingi ya mtozwa ushuru wa Bungoma inafanya kazi. Kupitia Spika wenu, Bw. Situma, mchapakazi mwenzangu, ninajua mko mikononi ya mtu mungwana ambaye si mbadhirifu kama kupe lakini mtu wa moyo mweupe kama pamba.

Karibuni sana watu wangu wa Bungoma. Najivunia nyinyi kuwa hapa. Mungu awabarikie na mjihisi mko katika Bunge ya viongozi ambao wanatajriba ya kisiasa na taaluma mbalimbali ambapo sheria zinatungwa vizuri.

Asante kwa kunitunuku nafasi hii ya kuwakumbatia kupitia kipaza sauti watu wangu wa Kaunti ya Bungoma.

Asanteni na Mungu awabariki.

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

**Sen. Cherarkey:** Thank you, Mr. Temporary Speaker, Sir. I do not want to risk because the Senator for Bungoma County is good in Kiswahili unlike his predecessor, the current Speaker of the National Assembly, who was good in English.

On behalf of the great people of Nandi County, I take this opportunity to welcome the members of the County Assembly of Bungoma. I know they are in the Senate to learn the parliamentary best practices.

I extend a warm welcome to them and state that all the Committees under your guidance and through your office, will facilitate and ensure they are given the necessary support to ensure that when they report back to their work stations, they will be able to discharge their duties with professionalism, ensure it is *mwananchi* centered and be proud of themselves.

I assure them that Members of County Assembly (MCAs) are the first line of defense for the ordinary mwananchi and that is why when there is a problem in the village, the first person the people will go to is their local MCA; be it issues of school fees, development, funerals or any other problems that they face. The first line of defence on the ground is the MCAs. They play the primary oversight role.

In conclusion, it is unfortunate that the country and, especially the Salaries and Remuneration Commission (SRC) continues to look down on MCAs. They are treated with contempt.

The SRC does not want MCAs to be well resourced. It is against the best practices if they are not well-resourced and motivated. If Bungoma County is getting billions of shillings, they can oversight the governor at that level.

MCAs are well resourced to oversight the governor so that when a cattle dip is built, when an Early Childhood Development Education (ECDE) project is being built,

when hospitals and dispensaries are being built, the people and the MCAs of Bungoma are able to do their oversight properly.

The SRC must be called out. I agree on the issue of car grants that the Members of the National Assembly and the Senate are not taxed. Why is the SRC operating in a discriminatory manner by telling them that they must tax their car grant which is against the best practices that we have?

There was a Gazette Notice that was issued by SRC to cut down on their allowances yet these are the people who do a lot of work. I can tell you when you see those MCAs, some of them are earning less than Kshs20,000 or Kshs15,000, but they are able to go around the village for harambees and other activities. We should give them the respect they deserve. These are not the ordinary councillors that were there in the past. These are MCAs with a Speaker, a county assembly, a county government and a county executive.

I want to assure the MCAs of Bungoma that so long as I am still in the House of the Senate and Parliament, I will always champion for the best interests of the MCAs wherever they are. Be it in Bungoma or any of the 47 counties, you can always hear my voice pushing, not only for you to get the best, but to get to serve your people at the lowest level in Bungoma.

Finally, I went to campaign in Kabuchai - I do not know whether the area Senator knows - and I ended up sleeping in Bungoma Police Station during the era of our former President. I slept in Bungoma Police Station. I had campaigned in Kabuchai. I have learned a few lessons.

I want to thank the people of Bungoma because as I was sleeping in Bungoma Police Station, they were gracious enough. They brought me a lot of food, they visited me. So, I will always be grateful to them. I do not know the reason why I was put in a police cell up to date. However, what I appreciate is that they were very hospitable and they visited me.

At that time, the United Democratic Party (UDA) had a candidate for Ford Kenya. We did not know that Ford Kenya would come and join Kenya Kwanza and form the Government. I want to express my gratitude. I travelled around Kabuchai and interacted with those people in Bungoma and I really want to be grateful that the lessons that I picked in Bungoma will remain.

I hope that one day I can go back to Bungoma Police Station and assist in repainting and at least do something there because that was the fourth time in my life whereby I was sleeping while standing. I have been arrested. You know almost all police stations in Nairobi I know them by name and what they look like. That was the only time and I really want to thank them.

Finally, I want to thank them for giving us the Speaker of the National Assembly, your former Senator, hon. Moses Wetangula. We served with him here with distinction.

The Temporary Speaker also served with him when he joined us and also during the beginning of the term. We thank you for giving us Sen. Wetangula. The Presidential vote to be honest was won and lost in Bungoma. You are the people who ensured President William Ruto was elected the fifth President.

Please, pass our regards to the great people of Bungoma that we will work together in Kenya Kwanza. Do not worry about the noise. I heard Sen. Wafula saying

that Ford Kenya will remain an independent Party. Those are in-house issues and we will sit down to iron them.

We value you as members and a family in Kenya Kwanza, I want to assure you from where I stand and knowing the heart and the mind of the President that Bungoma will always remain in a special place in the President's heart. I want to assure you that there are many development agendas that we will push for the benefit of the great people of Bungoma under the Kenya Kwanza Administration.

It is good that you read the signs. If you had stayed in Azimio, you would still be on the roads throwing stones. With those very many remarks, allow me to welcome them and wish them well. We hope we can take tea after this and compare notes.

Congratulations and all the best.

I thank you.

**The Temporary Speaker** (Sen. Abdul Haji): Seneta Mundigi, nimekuona. Unataka kukaribisha wageni?

**Sen. Mundigi:** Bw. Spika wa Muda, ningependa kuwakaribisha MCAs wa Bungoma kwa hiki kikao cha Seneti. Ninawashukuru kwa vile mmekuja kuona ile kazi tunafanya hapa. Hata ukisikia kuna malumbano kidogo, tukiingia kwa hiki kikao huwa tunakuwa kitu kimoja.

Pili, kama kuna watu wanafaa waheshimike ni MCAs kule mashinani. Wakati huu katika Kenya kuna janga la njaa. Yule mtu anaumia kabisa ni MCA. Mara nyingi nimekuwa nikienda nyumbani na yale nimekuwa niyaona kule kutoka siku ya Ijumaa hadi Jumatatu yamefanya nikaanza kuwaonea MCA huruma kwa sababu watu walikuwa wanakuja kwangu wakiwa wengi na mimi ni Seneta.

Niliona ya kwamba katika kila kijiji mtoto akigonjeka lazima MCA akuwe hapo kumhudumia. Katika mambo ya kanisa, MCA yuko hapo. Ni jambo ya ajabu. Ni aibu kubwa sana kwa sababu hata Seneta wengi hawajawahi kwenda kusema asante kwa kanisa na MCAs wamepanga laini. Kama Embu County, wako 30 MCAs na kila wiki wanaenda kusema asante kwa kanisa.

MCA mwenyewe yuko na mambo ya matanga, karo, na kila kitu na unaona ule mshahara anaupata. Kwa hivyo, Seneti ni vizuri tukae chini tutee MCAs waweze kupata hela nyingi kwa sababu ya ile kazi wanafanya kule mashinani.

Pia MCA ndiye anafanya kazi kubwa kuangalia vile gavana anafanya kazi. MCAs huangalia kila kitu, wanapigana kule hata saa ingine wanaambiwa wamekula pesa. Kwa hivyo, mimi niko katika mrengo ya kuunga mkono MCAs waweze kusaidiwa na mambo ya pesa kwa sababu, wanafanya kazi kona zote za kaunti. Kwa hivyo, ningependa kuwapongeza MCAs wote nchini Kenya. Ninaomba Mungu awasaidie mpate hela nyingi.

Asante.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Wafula, you have a point of order?

**Sen. Wafula:** Kwa hoja ya nidhamu, Bw. Spika wa Muda. Watu wana mbwembwe kuzungumzia mambo ya wajumbe wa wadi. Lakini vijana ambao wako mbele yangu ni wachapa kazi wa Bunge la Kaunti ya Bungoma.

Ijapokuwa tunawatetea MCAs wetu ambao wanatekeleza wajibu ambao unastahili kupewa shukrani, lakini hawa wachapa kazi lazima mambo yao vile vile yaangaziwe katika maeneo yao ya kazi. Kwa mfano, lazima wapandishwe madaraja baada ya muda;

wapewe nafasi ya kuendesha magari ya kifahari; wapewe nafasi ya kupata matibabu katika hospitali na gharama mbali mbali.

Nadhani hawa watu lazima pia mambo yao yaangaliwe. Ama namna gani? Sasa tuko hapo na nyinyi tuhakikishe kwamba MCAs wanapojivunia kuwa MCAs, wachapa kazi katika mabunge 47 nchini Kenya, wao vile vile waweze kupata matunda ya jasho lao na tuongeze pesa katika mabunge haya ili wasimamizi wa Mabunge haya, wapatie vijana wetu nafasi ya kupandishwa mishahara na kujivunia na safari mbalimbali; kufanya utafiti mbalimbali, ili pia wengine wakiomba kazi katika Bunge la Kitaifa mimi nitakuwa tayari kuwashika mkono wakuje hapa wang'are kama hawa wetu wa Seneti na wachape kazi na tujivunie kwamba Bungoma iko na wachapa kazi.

Asante sana, Bw. Spika wa Muda.

**The Temporary Speaker** (Sen. Abdul Haji): Sen. Mariam Omar, what is your intervention?

### QUORUM

**Sen. Mariam Omar:** Thank you, Mr. Temporary Speaker, Sir. I rise pursuant to Standing Order No.34 which states:

“Quorum of the Senate or of a Committee of the Whole Shall be fifteen Members.”

I see that we are few in the House. So, maybe we can ring the bell so that the others will come.

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

Clerk, can you confirm the quorum? Clerk, let us ring the quorum bell for five minutes.

*(The Quorum Bell was rung)*

### ADJOURNMENT

**The Temporary Speaker** (Sen. Abdul Haji): Hon. Senators, pursuant to Standing Order No.41, there being no quorum, the Senate stands adjourned until tomorrow, Thursday, 9<sup>th</sup> March, 2023 at 2.30 p.m.

The senate rose at 5.30 p.m.