

PARLIAMENT OF KENYA**THE SENATE****THE HANSARD****Tuesday, 11th October, 2022**

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

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

PRAYER**QUORUM CALL AT COMMENCEMENT OF SITTING**

The Deputy Speaker (Sen. Kathuri): Hon. Senators, I have established that we have quorum. We can start transacting our Business.

However, before we do that, I understand that the gadgets on my right-hand side have not been working for the last 10 minutes. The technical team is tirelessly doing their best to ensure they are working.

You can use the traditional methods if you want to catch my eye. You can either wink at me, raise your hand or stand up. All those are traditional methods.

Let us proceed. Clerk, read the first Order?

Sorry, there is another issue. We have a Supplementary Order Paper. Clerk, can they then get hard copies of the Order Paper if the system is not working?

(The Clerk at the Table consulted the Deputy Speaker)

Are they working now?

(A Member spoke off record)

The tablets are now working. Okay, go to the Supplementary Order Paper. It is what we are using to transact business.

(A Member spoke off record)

Serjeant-at-Arms kindly assist where possible.
Proceed.

PAPERS LAID

The Senate Majority Leader, kindly proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the table of the Senate, today 11th October, 2022.

SPECIAL AUDIT REPORTS OF THE AUDITOR-GENERAL
ON COVID-19 VACCINE ROLL OUT IN VARIOUS COUNTIES

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Uasin Gishu County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Lamu County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Nakuru County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kajiado County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Baringo County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Nairobi City County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kisumu County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Laikipia County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Homa Bay County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Siaya County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kericho County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Machakos County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Nyandarua County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Bomet County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Murang'a County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Isiolo County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Trans Nzoia County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kirinyaga County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kwale County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Nandi County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Mombasa County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Samburu County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Tharaka-Nithi County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Marsabit County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Tana River County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for West Pokot County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kilifi County as at 31st March, 2022 as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Elgeyo Marakwet County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Nyeri County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Taita Taveta County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Turkana County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Meru County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid 19 Vaccine Roll Out for Kakamega County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Busia County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Bungoma County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Migori County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Makueni County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kiambu County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Embu County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Vihiga County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kitui County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Mandera County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Garissa County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Wajir County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Narok County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Kisii County as at 31st March, 2022.

Special Audit Report of the Auditor-General on Covid-19 Vaccine Roll Out for Nyamira County as at 31st March, 2022.

CONSOLIDATED SPECIAL AUDIT REPORT OF THE AUDITOR-GENERAL
ON COVID-19 VACCINE ROLL OUT

Consolidated Special Audit Report for the Auditor-General on Covid 19 Vaccine Roll Out in Kenya as at 31st March, 2022.

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

(Sen. Cheruiyot laid the documents on the Table)

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

NOTICES OF MOTIONS

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

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion-

APPROVAL OF SENATORS TO SERVE IN THE SPEAKER'S PANEL

THAT, pursuant to Standing Order No. 20, the Senate approves the nomination of the following Senators to serve in the Speaker's Panel and to further preside over the Senate in the absence of the Speaker and the Deputy Speaker, pursuant to Article 107(1) (c) of the Constitution and Standing Order No. 18 of the Senate.

1. Sen. Wakili Hillary Kiprotich Sigei, MP
2. Sen. Veronica W. Nduati, MP
3. Sen. Abdul Mohammed Haji, MP
4. Sen. Catherine Muyeka Mumma, MP.

APPROVAL OF SENATORS TO SERVE IN THE PROCEDURE
AND RULES COMMITTEE

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

THAT, pursuant to Standing Orders Nos. 191 (2) (d) and 199, the Senate approves the following Senators nominated by the Senate Business

Committee to serve in the Procedure and Rules Committee, in addition to Senators specified in Standing Order No. 191 (2) (a), (b) and (c)-

1. Sen. Sheikh Mohammed Abass, MP
2. Sen. Joseph Nyutu Ngugi, MP
3. Sen. Beth Kalunda Syengo, MP

APPROVAL OF SENATORS TO SERVE IN THE POWERS
AND PRIVILEGES COMMITTEE

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:

THAT, Pursuant to Section 15 (1) (b) (ii), of the Parliamentary Powers and Privileges Act, and Standing Order No. 199, the Senate approves the following Senators nominated by the Senate Business Committee to serve in the Committee on Powers and Privileges, in addition to the Speaker of the Senate, who, pursuant to Section 15 (1) (b) (i) of the Parliamentary Powers and Privileges Act, shall be the Chairperson of the Committee.

1. Sen. Alexander Munyi Mundigi, MP
2. Sen. Wamatinga Wahome, MP
3. Sen. Rosalinda Soipan Tuiya, CBS, MP
4. Sen. Miraj Abdulahi Abdulrahman, MP
5. Sen. James Lomenen Ekomwa, MP
6. Sen. Shakila Abdalla Mohamed, MP

APPROVAL OF SENATORS TO SERVE IN STANDING
COMMITTEES OF THE SENATE

The Senate Majority Leader (Sen. Cheruiyot): I have another Notice of Motion, Mr. Deputy Speaker, Sir. Please give me a second.

(Sen. Cheruiyot consulted the Clerk at the Table)

Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion-

THAT, pursuant to Standing Order Nos.199 and 228, and the Fourth Schedule to the Standing Orders, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Standing Committees of the Senate as follows:

Allow me to read the names without having to refer to each of them as Senators.

A. Agriculture, Livestock and Fisheries

- 1 Sen. James Kamau Murango, MP
- 2 Sen. Alexander Munyi Mundigi, MP
- 3 Sen. Wamatinga Wahome, MP
- 4 Sen. Allan Kiprotich Chesang', MP

- 5 Sen. Maureen Tabitha Mutinda, MP
- 6 Sen. Moses Otieno Kajwang', MP
- 7 Sen. Daniel Kitonga Maanzo, MP
- 8 Sen. Enoch Kiiio Wambua, MP
- 9 Sen. Beth Kalunda Syengo, MP

B. Devolution and Intergovernmental Relations

1. Sen. Sheikh Mohamed Abass, MP
2. Sen. Roselinda Soipan Tuya, CBS, MP
3. Sen. Peris Pesi Tobiko, MP
4. Sen. George Mungai Mbugua, MP
5. Sen. Mohamed Said Chute, MP
6. Sen. (Dr.) Oburu Oginga, CBS, MP
7. Sen. Richard Momoima Onyonka, MP
8. Sen. Hezena M. Lemaletian, MP
9. Sen. Catherine Muyeka Mumma, MP

C. Education

1. Sen. Joseph Nyutu Ngugi, MP
2. Sen. Peris Pesi Tobiko, MP
3. Sen. Lenku Ole Kanar Seki, MP
4. Sen. James Kamau Murango, MP
5. Sen. John Kinyua Nderitu, MP
6. Sen. (Prof.) Margaret Kamar, EGH, MP
7. Sen. Agnes Kavindu Muthama, MP
8. Sen. Joseph Githuku Kamau, MP
9. Sen. Johnes Mwashushe Mwaruma, MP

D. Energy

1. Sen. Wamatinga Wahome, MP
2. Sen. Veronica W. Nduati, MP
3. Sen. Danson Buya Mungatana, MP
4. Sen. Sheikh Mohamed Abass, MP
5. Sen. (Dr.) Boni Khalwale, CBS, MP
6. Sen. Ledama Olekina, MP
7. Sen. (Dr.) Oburu Oginga, CBS, MP
8. Sen. James Lemenen Ekomwa, MP
9. Sen. Edwine Watanya Sifuna, MP

E. Finance and Budget

1. Sen. Ali Ibrahim Roba, MP
2. Sen. Maureen Tabitha Mutinda, MP
3. Sen. (Dr.) Boni Khalwale, CBS, MP
4. Sen. Joyce Chepkoech Korir, MP
5. Sen. Tabitha Karanja Keroche, MP
6. Sen. Richard Momoima Onyonka, MP

7. Sen. Shakila Abdalla Mohamed, MP
8. Sen. Eddy Gicheru Oketch, MP
9. Sen. Mohamed Faki Mwinyihaji, MP

F. Health

1. Sen. Jackson Kiplagat Mandago, EGH, MP
2. Sen. Mariam Sheikh Omar, MP
3. Sen. Raphael Chimera Mwinzagu, MP
4. Sen. Joseph Nyutu Ngugi, MP
5. Sen. Roselinda Soipan Tuya, CBS, MP
6. Sen. Erick Okong'o Mogeni, SC, MP
7. Sen. Ledama Olekina, MP
8. Sen. Abdul Mohammed Haji, MP
9. Sen. Hamida Kibwana, MP

G. Information, Communication and Technology

1. Sen. Allan Kiprotich Chesang, MP
2. Sen. Gloria Magoma Orwoba, MP
3. Sen. Miraj Abdulahi Abdulrahman, MP
4. Sen. Karen Njeri Nyamu, MP
5. Sen. Samson Kiprotich Cherarkey, MP
6. Sen. Boy Issa Juma, MP
7. Sen. Shakila Abdalla Mohamed, MP
8. Sen. Beatrice Akinyi Oyomo, MP
9. Sen. Godfrey Atieno Osotsi, MP

H. Justice, Legal Affairs and Human Rights

1. Sen. Wakili Hillary Kiprotich Sigei, MP
2. Sen. Raphael Chimera Mwinzagu, MP
3. Sen. Samson Kiprotich Cherarkey, MP
4. Sen. Veronica W. Nduati, MP
5. Sen. William Cheptumo Kipkiror, CBS, MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Hamida Kibwana, MP
8. Sen. Andrew Omtatah Okoiti, MP
9. Sen. Catherine Muyeka Mumma, MP

I. Labour and Social Welfare

1. Sen. Julius Murgor Recha, MP
2. Sen. George Mungai Mbugua, MP
3. Sen. Karen Njeri Nyamu, MP
4. Sen. Alexander Munyi Mundigi, MP
5. Sen. Miraj Abdulahi Abdulrahman, MP
6. Sen. Mohamed Faki Mwinyihaji, MP
7. Sen. Erick Okong'o Mogeni, SC, MP

8. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP
9. Sen. Crystal Kegehi Asige, MP

J. Land, Environment and Natural Resources

1. Sen. John Muhia Methu, MP
2. Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
3. Sen. William Cheptumo Kipkiror, CBS, MP
4. Sen. Wamatinga Wahome, MP
5. Sen. Mariam Sheikh Omar, MP
6. Sen. Issa Juma Boy, MP
7. Sen. Johnes Mwashushe Mwaruma, MP
8. Sen. Agnes Kavindu Muthama, MP
9. Sen. Beatrice Akinyi Oyomo

K. National Cohesion, Equal Opportunity and Regional Integration

1. Sen. Mohamed Said Chute, MP
2. Sen. Joyce Chepkoech Korir, MP
3. Sen. Julius Gataya Mwenda, MP
4. Sen. Gloria Magoma Orwoba, MP
5. Sen. Raphael Chimera Mwinzagu, MP
6. Sen. Betty Batuli Montet, MP
7. Sen. Joseph Githuku Kamau, MP
8. Sen. James Lomenen Ekomwa, MP
9. Sen. Beth Kalunda Syengo, MP

L. National Security, Defence and Foreign Relations

1. Sen. William Cheptumo Kipkiror, CBS, MP
2. Sen. Karen Njeri Nyamu, MP
3. Sen. Julius Murgor Recha, MP
4. Sen. Lenku Ole Kanar Seki, MP
5. Sen. George Mungai Mbugua, MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Joseph Githuku Kamau, MP
8. Sen. Tom Odhiambo Ojienda, SC, MP
9. Sen. Abdul Mohammed Haji, MP

M. Roads, Transportation and Housing

1. Sen. Paul Karungo Thangwa, MP
2. Sen. Peris Pesi Tobiko, MP
3. Sen. John Kinyua Nderitu, MP
4. Sen. Mohamed Said Chute, MP
5. Sen. (Dr.) Steve Lelegwe Ltumbesi, MP
6. Sen. Enoch Kiiio Wambua, MP
7. Sen. Moses Otieno Kajwang', MP
8. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP

9. Sen. Edwin Watenya Sifuna, MP

K. Trade, Industrialization and Tourism

1. Sen. Lenku Ole Kanar Seki, MP
 2. Sen. Onesimus Kipchumba Murkomen, EGH, MP
 3. Sen. Jackson Kiplagat Mandago, EGH, MP
 4. Sen. Tabitha Karanja Keroche, MP
 5. Sen. Paul Karungo Thangwa, MP
 6. Sen. Crystal Kegehi Asige, MP
 7. Sen. Andrew Omtatah Okoiti, MP
 8. Sen. Betty Batuli Montet, MP
 9. Sen. Hezena M. Lemaletian, MP
- There is another Notice of Motion.

APPROVAL OF SENATORS TO SERVE IN THE COUNTY PUBLIC ACCOUNTS COMMITTEE, THE
COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS COMMITTEE AND THE
COMMITTEE ON DELEGATED LEGISLATION

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to give Notice of the following Motion-

That, pursuant to Standing Order Nos.193, 194, 195, and 199, the Senate approves the following Senators nominated by the Senate Business Committee to serve in Select Committees of the Senate as follows –

A. County Public Accounts Committee

1. Sen. Samson Kiprotich Cherargei, MP
2. Sen. John Muhia Methu, MP
3. Sen. Mariam Sheikh Omar, MP
4. Sen. Julius Gataya Mwenda, MP
5. Sen. Moses Otieno Kajwang', MP
6. Sen. Fatuma Adan Dullo, CBS, MP
7. Sen. Richard Momoima Onyonka, MP
8. Sen. Edwine Watenya Sifuna, MP
9. Sen. Andrew Omtatah Okoiti, MP

B. County Public Investments and Special Funds Committee

1. Sen. Onesimus Kipchumba Murkomen, EGH, MP
2. Sen. Paul Karungo Thangwa, MP
3. Sen. Maureen Tabitha Mutinda, MP
4. Sen. Miraj Abdullahi Abdulrahman, MP
5. Sen. Eddy Gicheru Oketch, MP
6. Sen. Ledama Olekina, MP
7. Sen. Hamida, Kibwana, MP
8. Sen. Tom Odhiambo Ojienda, SC, MP
9. Sen. Godfrey Atieno Osotsi, MP

C. Committee on Delegated Legislation

1. Sen. Julius Gataya Mwenda, MP
2. Sen. Danson Buya Mungatana, MP
3. Sen. Gloria Magoma Orwoba, MP
4. Sen. Joyce Chepkoech Korir, MP
5. Sen. Julius Murgor Recha, MP
6. Sen. Daniel Kitonga Maanzo, MP
7. Sen. Mohamed Faki Mwinyihaji, MP
8. Sen. Betty Batuli Montet, MP
9. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP

I thank you.

The Deputy Speaker (Hon. Kathuri): Let us go to the next Order.

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS DURING
OPENING OF THE 13TH PARLIAMENT

THAT, pursuant to the provisions of Standing Order 27 (6), the Thanks of the Senate be recorded for the exposition of public policy contained in the Address of the President during the Opening of the 13th Parliament delivered on Thursday, 29th September, 2022.

(Sen. Cheruiyot on 05.10.2022)

(Resumption of Debate interrupted on 06.10.2022)

The Deputy Speaker (Hon. Kathuri): According to the records, the Senator for Kiambu had 13 minutes. Sen. Karungo, please proceed.

Sen. Thangw'a: Thank you, Mr. Deputy Speaker, Sir, for remembering that I had 13 minutes left since I had only consumed about three minutes when the Motion was on the Floor.

Regarding the President's Address, I would like Members to look at Paragraph 16. The President said that his administration will rely on oversight by the House to make sure that the public gets value for every cent invested in every policy, programme and project.

That clearly shows that the President respects separation of powers in the Arms of Government and recognizes that this Senate will provide oversight. President Ruto is not afraid of criticism and he would want us to state things as they are for him to run the Government.

He is on record saying that he was once advised by Hon. Muite, who is my county constituent, that criticizing your own Government is part of showing support to that Government. This, therefore, tells us that the President wants us to execute our mandate without coercion or any intimidation.

I can recall Senators, especially from the Azimio la Umoja One Kenya Alliance side, complaining of the impunity of former Cabinet Secretaries (CSs). They also said

that the CSs were not honouring summons from either this House or the National Assembly. I am happy that the President provided a solution by asking this House to amend its Standing Orders so that they can be appearing before us to answer questions on matters development or on the dockets under them.

There was a question on whether that is possible. I would like to put across a question, so that as we deliberate this issue, maybe it is going to provide guidance. This House, especially the previous Senate, will go down in history as one that had many impeachment proceedings.

I can recall that we used to have strangers in the House during impeachment proceedings. We used to have lawyers interacting with Senators through points of order. We had governors who came to this Senate to answer questions.

Therefore, as we ponder about the issue of the CSs coming to this House, probably there is a way. I do not believe that now that an olive branch has been extended to us, we should refer to CSs as strangers.

We know that the CS for National Treasury and Planning reads the Budget in the National Assembly. Do we refer to him as a stranger at that particular time yet he appears before us?

We should find a way of inviting CSs to ask them questions. Sometimes the reason they do not listen or honour the summons could be that they have no respect for the committees. However, when invited by the House, I believe no one would refuse to come. The same should be replicated in the county governments, whereby County Executive Committee Members (CECMs) should also appear before Members of County Assemblies (MCAs).

I am a former CECM in Kiambu County Government. I think the Senate should use me as a case study because I worked both as an MCA and later on in a different county government as a CECM.

When you invite CECMs or CSs at a committee level, they rarely give their all. This is because sometimes people are interested but you only need to talk to the chairperson and everything is okay. However, when you invite them to the House, they will have respect for every Senator, regardless of which committee that a Senator is a Member.

Mr. Deputy Speaker, Sir, there is something that I liked in the President's Address which I would want to put across. I would like to inform this House that in 1913 the 'white settlers' or the British colonialists called for a meeting to investigate why the Kenyans had refused to attend to the farms of these 'white settlers'.

After they did this investigation, they realised that people did not feel like appearing in front of the 'white settlers' because the working environment was not a good environment. Despite them getting their pay, they were being harassed and intimidated, so they refused to work. Why am I giving you this story? That is the first commission of enquiry in this country where they checked to find the solution to a problem.

Mr. Deputy Speaker, Sir, in our campaigns, we promised our people that a commission of enquiry would be formed to look into the issue of State capture. I did not find that in the President's Address. However, I believe it is something we can deliberate on as a Senate and ask the President to form this kind of commission so that we can investigate. This is so that even Senators do not always complain here that the executive

was not appearing in front of this Senate. The Cabinet Secretaries could not honor summons. We, therefore, would want to find out what happened.

When I was growing up, I used to watch a program called *Vioja Mahakamani*. When the judge of *Vioja Mahakamani* was rendering a sentence, she used to say; “*Ili iwe funzo kwake na wengine*” meaning, for it to be a lesson to the person who is being sentenced and the others. So that it serves as a lesson to the incoming Cabinet Secretaries and other Government officers, we need to form that commission of enquiry on matters State capture.

Mr. Deputy Speaker, Sir, the President talked about the Judiciary. We agree with him that if you do not fund the Judiciary, they are going to be a puppet of the Executive. If you are a victim to a government that is rogue, the Judiciary is your best friend. So, we should empower the Judiciary by giving them resources.

There was an issue here that was raised in the previous debates, the issue of agriculture. I am happy that the President is putting a lot in the agriculture sector because this is the backbone of our economy.

There was an issue of Genetically Modified Organisms (GMOs). I would want to weigh in and ask this House to at least do a little bit of research before opposing the issue of GMOs. My grandfather who died before I was born, was a dealer in GMO products. I believe even today, in every village, there is a man or a woman who is dealing in GMOs in this country.

What I am talking about is that there is an old man somewhere who takes an Avocado tree, splits it in the middle then brings another branch from another Mango or Avocado tree and puts them together. That is genetically modifying that Avocado tree. That is what we call grafting. Therefore, before we fight this idea, we should do a little bit of research and get to understand what it means when the Cabinet approves the GMO or biotech crops.

I heard a Senator saying that GMO brings cancer. Nobody knows. If at all there is evidence, we are willing to adopt that evidence. A country called Zambia grows cotton that is a GMO crop. Swaziland and Zimbabwe, also grow the same. I believe no one would get cancer by wearing a T-shirt that has already been developed from cotton that is a GMO kind of crop.

Mr. Deputy Speaker, Sir, as I wind up, I ask this House to do a bit of research. At least we have been given the mandate to legislate so that we can say, if we agree that GMO foods should be allowed in this country, we can come up with a law and say whether it is cotton, corn or any kind of crop.

Finally, it was said that the Senate Oversight Fund would be established in this House. This fund will help because the way things are today, this Senate is probably a puppet of the Auditor-General. We wait for the governor to expedite and use all the county monies, then we wait for the Auditor-General to do his audit and when they bring that report here, we start asking governors questions. Where were we when all these things were happening?

Mr. Deputy Speaker, Sir, I believe, with the Senate Oversight Fund, we will have our own auditors, researchers and advisors so that once we do oversight, we are able to get it from the stem and the root.

Thank you very much for the opportunity and I am happy to serve the people of Kiambu as their Senator.

Sen. Sifuna: Thank you very much, Mr. Deputy Speaker, Sir. First, I want to avail myself of the protection of both Standing Order No. 121 and of the Chair. This is because in the course of this debate, we have seen a lot of interruptions especially from our friends on the Majority side. I do not think that there was an intention on their part to allow us to debate this particular Speech.

The Deputy Speaker (Sen. Kathuri): Order Senator.

Sen. Sifuna: Having sought that protection---

The Deputy Speaker (Sen. Kathuri): What is the protection that you need from the Chair because you are already protected and covered by the brand? What else do you need from me?

Sen. Sifuna: Mr. Deputy Speaker, Sir, I want to avail myself to that protection because of what we have seen in previous debates. However, allow me to continue.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Sifuna, because you are eating into your time.

Sen. Sifuna: Mr. Deputy Speaker, Sir, as it has been noted by our colleagues who have gone before me in this debate, we have come from a very acrimonious election. The results of that election show you that, in fact, the country is very evenly divided amongst the various political formations in the country.

What that means is that even as we congratulate the people who won, there are a lot of people in this country who are still hurting from the result of the election. It is only fair that everybody be accorded their time to be able to heal at their own pace. I do not think anybody can force anyone to move on with life at the pace at which they want.

It is, therefore, at that particular point that I want to start by addressing those of us who did not vote for the current President of the current Government. I want to make it clear that there is nothing wrong with us. There is nothing wrong with anyone who supported Raila Odinga or voted for Baba or for the coalition called Azimio. We know what people are going through at the moment. I want to tell them that even this will come to pass. There are more than enough moments that Baba has been vindicated and this is not going to be any different.

Having said that, I want to pick up from where the President was speaking about this election. In my view as a Senator, they say "with great power comes great responsibility". If we want this country to move on faster, the responsibility is greater on those who are calling themselves the victors than those who did not win the election.

When the President comes to address the nation or to speak to parliamentarians the way he gave his first Address, it is our request and expectation that the President will demonstrate some magnanimity and some grace and remember that the election is behind us now. So, in my own opinion, he should be discouraged. Those of us who are his friends like, Sen. Cherargei, should dissuade the President from throwing in unnecessary jabs when he is speaking to the nation like the ones he was throwing during his Address to the Parliament on who was the opposition candidate and the Government candidate. It was unnecessary. We need to move on from this particular election.

Mr. Deputy Speaker, Sir, allow me to address the things that I heard the President say and the things that I did not hear him say.

The Deputy Speaker (Sen. Kathuri): Sen. Sifuna, you wanted protection from the Chair, yet you are the one causing your insecurity. Please, let us avoid a lot of points of orders because many Senators in this room want to contribute to this Motion.

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

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, what is out of order and which Standing Order are you quoting?

Sen. Cherarkey: Mr. Deputy Speaker, Sir, it is on an unrelated issue, understanding Standing Order No.1 which, of course, you have powers to. If you have noticed, we are disadvantaged on this side because our cards are not functional. Therefore, we are unable to raise any matter either as a point of order or any other issue.

Can you direct the officers from Information and Communications Technology (ICT) to ensure our cards are functional? The way Sen. Sifuna is going, we might need some necessary and important interventions at some point.

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, any time you want to raise any issue, just catch the Speakers' eye and you will be given that opportunity. Alternatively, rise up from your seat or put your hands up. All those traditional methods are acceptable.

Sen. Sifuna, please proceed.

Sen. Sifuna: Mr. Deputy Speaker, Sir, you can see why I took the earliest possible opportunity to seek your protection. I know exactly what I am expecting on this Floor this afternoon.

Let me conclude that particular point that I was making. All of us now recognise that we have one leadership in the country. In fact, as Secretary General (SG) of the Orange Democratic Movement (ODM), I have said this before and I want to put it on record. None of us in ODM or in the opposition or minority party want this President or Government to fail.

(Applause)

We are here to ensure that we provide the necessary supervision on this particular Government so that they succeed.

Mr. Deputy Speaker, Sir, first, let me join the President in congratulating all the extra women who were elected as Members of Parliament (MPs) in the individual constituencies. We know that it has been a difficult process in this country to try and make sure that we achieve gender parity especially in the National Assembly. As the SG of ODM, I am very proud that out of those six extra seats that women got in the National Assembly, two of them came from ODM.

I am happy that in this House, we have leaders of political parties. I have counted at least three SGs in this Senate. I am sure they will share in my disappointment. This is because when Sen. Tobiko was speaking to this point, she urged that political parties need to do more in order to encourage more women to participate in elections and end up being elected. I am sure the SGs in this House can share in my experience. In fact, if we do not re look at the entire architecture of how people get elected to individual posts, then it will be very difficult for us to achieve the gender parity that we are looking for.

This first past the post system simply does not work if you want to achieve gender parity in the Houses of Parliament. I hope that even as people continue to ask political parties to do more, we can have a relook at the entire architecture so that we do not just blame political parties for not doing enough to have women elected.

I was happy to hear that the President expects bi-partisan support for his agenda. That bi partisan support can only come when we see the sort of respect that I was speaking about and the realisation that he is now the leader of the entire country and not partisan positions being advocated out there.

Mr. Deputy Speaker, Sir, I also heard the President speak about having more resources to the Judiciary which will allow expeditious settlement of corruption cases. It has been raised on this Floor by colleagues on the Minority side that we, in fact, need to hear more about the plans of this Government to be able to fight the scourge that is corruption.

We do not believe that increasing resources to the Judiciary alone is the solution to the question of corruption. You cannot argue that the only problem we are facing as a country when it comes to corruption is the question of slow resolution of those cases in the Judiciary.

Mr. Deputy Speaker, Sir, I remind the country that even within the Judiciary, the problem of corruption exists. So, if you prescribe a solution, it has to be wholesome to ensure that we fight this monster once and for all.

I was also very disappointed because the President has chosen to abandon some of the protections that were in place to cushion members of the public from the high cost of living. I was very disappointed that he has chosen to abandon the subsidies that were in place prior to the election when it comes to the price of fuel and food.

Mr. Deputy Speaker, Sir, as we speak right now, we have a lot of Kenyans who are still suffering. We were promised by the President himself during his campaign that he would be ready on day one to tackle the problems that are afflicting our people, especially on the high cost of living.

I would not have had a problem if the President maintained those subsidies for the time being as he tries to find his way around the Government and find the solutions that he believes will work so that we cushion our people from the high cost of living.

Mr. Deputy Speaker, Sir, he also announced a reduction in the price of fertiliser as a way of trying to reduce the cost of living. We have now been told to expect the next crop. Kenyans are supposed to go hungry or suffer for the duration it takes to raise a fresh crop of maize and that immediately that is here, we will use the new fertiliser and the prices of food will go down. We have been asked to tighten our belts.

Sen. Cherarkey, while in an informal setting, told me that the new crop of maize is almost here. I do not know how long it will take using the subsidised fertiliser for us to be able to have a new crop. Therefore, we are all waiting.

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

The Deputy Speaker (Sen. Kathuri): Sen. Sifuna, do you want to be informed by your colleague friend?

Sen. Sifuna: Mr. Deputy Speaker, Sir, I want to warn him that before he informs me, he should know that I am also a farmer.

The Deputy Speaker (Sen. Kathuri): Please take your seat.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, with all due respect to Sen. Sifuna, the last time he referred to us as rural Senators. So, I do not know whether there is farming in Nairobi City County.

I want to clarify an issue of maturity of crops. I appreciate that where he comes from, they also plant maize. However, we have a new high breed that is produced by

National Cereals and Produce Board (NCPB) that can be ready within three months. So, does not necessarily mean nine months or one year.

The Deputy Speaker (Sen. Kathuri): Inform him of the name of that new hybrid.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, the name of that hybrid is H512a. It can mature within three months and not the normal five months. So, when we say you get cheaper fertiliser, it can mature within that three months and Kenyans can harvest the crop.

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

Sen. Sifuna: Mr. Deputy Speaker, Sir, I doubt that I have any more information than I left with when I went to sit down but I thank my brother for the effort.

We had a plan as well for reduction of the cost of living. We believe there is an alternative path to reducing the cost of living and especially the cost of food.

We have had occasion to have conversations with farmers in the Rift Valley and they pointed out that the problem has largely been, one, the reliance of rain-fed agriculture which has become very unreliable given the scourge of climate change.

Number two, in fact, certain practices, mainly corruption within the food industry have dissuaded many farmers from planting their crop. They sometimes end up with a good harvest but are unable to market it because there are senior people within the Republic, who then take up the quota that was to be allocated to these farmers.

I also believe that if we wanted to ensure food security, we need to move away from rain-fed agriculture. We want to see a plan on irrigation, especially the revival of projects that had collapsed, including the ones in Tana River, Galana Kulalu and others, to ensure food security.

We have a lot of problems with the proposal that we have heard from the Government side of introducing Genetically Modified Organisms (GMOs) as a way of ensuring food security. In other jurisdictions, whenever there is a controversy that scientists on both sides do not agree on any particular point, they usually encourage people to teach the controversy.

Mr. Deputy Speaker, Sir, they we have been challenging my brothers and friends on this side to table evidence, to show that there are no issues of safety in GMOs. I encourage that you allow people debate the controversy.

The Deputy Speaker (Sen. Kathuri): Sen. Sifuna, there is an intervention from the Senator for Kisii. Sen. Onyonka, is it an intervention or do you want to contribute to the Motion?

Sen. Onyonka: My apologies, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Okay, thank you. Proceed Sen. Sifuna.

(The amber light was switched on)

Sen. Sifuna: Mr. Deputy Speaker, Sir, I conclude, as I see my time is almost up. The decision such as the lift on the ban of GMOs is a radical policy pronouncement. We have told the Majority side, that we believe it is a matter upon which further public participation ought to have been undertaken before the decision was made.

I refer the House to Article No. 10 of our Constitution. It states that whenever any State officer, public officer or any person makes or implements public policy decisions, they are tied down to complying with the national principles and values as set

out in Article 10(a), including patriotism and participation of the people. We do not believe that that decision was subjected to that process.

Finally, I know that if I give my own opinion here, on some of these things, it will be dismissed. I want to inform the House that I am a Catholic. Catholics take policy positions from the Pope. The Pope speaks to these issues through letters to his Bishops called encyclicals.

Mr. Deputy Speaker, Sir, the Pope has already issued an encyclical on the question of GMO foods. If you allow me, I would like to read an excerpt from that particular encyclical.

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

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I rise on Standing Order No. 101 on content of speech. I extrapolate Standing Order No. 101(2).

You had given direction on this matter of GMOs. In fact, if I remember, you directed the Senator of Vihiga to produce evidence on that issue of GMOs. I think that matter had been dealt with.

I do not know why Sen. Sifuna is introducing issues of arguments, when he knows very well that what he is trying to do is casting aspersions on the Government lift on GMOs. It is like anticipating debate. The Government is yet to issue guidelines on the lift of GMOs ban.

Mr. Deputy Speaker, Sir, I request Sen. Sifuna to desist from introducing something that is not even part of the Speech of the President. Why is he shooting in the dark, not knowing where he is aiming at?

Thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Sifuna, you have less than one-and-a-half minute.

Sen. Sifuna: Mr. Deputy Speaker, Sir, with all due respect, this is the reason why I was asking for your protection. I am not introducing any matter. I am addressing myself to the President's proposal on food security. I am allowed by the Standing Orders to read brief references from authorities like the Pope. The other Senators who spoke did not avail authorities from their faith.

I would like to read the encyclical. It is available on the website. If you are unable to access the website because you are a rural Senator, I can get one for you from Bishop Anyolo's office.

The Pope says-

“Although no conclusive proof exists that GMO cereals may be harmful to human beings and in some regions their use has brought about economic growth which has helped to resolve problems, there remains a number of significant difficulties which should not be underestimated. In many places, following the introduction of these crops, productive land is concentrated in the hands of a few owners due to “the progressive disappearance of small producers, who, as a consequence of the loss of the exploited lands, are obliged to withdraw from direct production”.

Mr. Deputy Speaker, Sir, he further says-

“The most vulnerable of this become temporary laborers and many rural workers end up moving to poverty stricken urban areas. The expansion of these crops has the effect of destroying the complex networks of ecosystem,

diminishing the diversity of production and affecting regional economies, now and in the future.”

He concludes on this particular topic by saying-

“Certainly, these issues require constant attention and a concern for their ethical implication. A broad responsible, scientific and social debate needs to take place, one capable of considering all the available information and of calling things by their name. It sometimes happens that complete information is not put on the table; a selection is made on the basis of particular interests, be they politico-economic or ideological. This makes it difficult to reach a balanced and prudent judgement on these different questions.”

It is not my words. This is the Pope, the head of the Catholic Church saying that we need to have a debate---

The Deputy Speaker (Sen. Kathuri): Your time is up. However, I am happy we have the Motion on placement of Members of this House to Committees. The Government will now engage this House on the final steps on GMOs and any other policies.

I wish that you could go to the Agriculture, Livestock and Fisheries Committee, where you can be very efficient and advise the Government on what should be done. However, as the Senator of this House, you can be a friend of that Committee. You can be invited when they sit, so that you can try to persuade the Government on the thinking of the Pope.

(Sen. Sifuna spoke off record)

The Deputy Speaker (Sen. Kathuri): Your time is up but I am saying you have another opportunity.

(Laughter)

(Sen. Omogeni spoke off record)

The Deputy Speaker (Sen. Kathuri): Sen. Omogeni, it is an advice that I am giving.

You had said that we have several Secretary Generals (SGs). Let us get the opinion of Sen. Veronica Maina. It is her time to contribute. She is the first one on my list from this other side. I have my list here and she is top on the list.

What is it Sen. Tabitha Mutinda? I have the list here on my desk. Proceed, Sen. Veronica Maina.

Sen. Veronica Maina: Mr. Deputy Speaker, Sir, I thank you for this opportunity that I have to comment on the President’s Speech, which was delivered during the opening of the 13th Parliament, on 29th September, 2022. It was in exercise of his constitutional mandate under Article 132(1) of the Constitution of Kenya.

During this Address, he noted that the institution of Parliament was affirmed through the reelection of many Members of Parliament (MPs), who were able to come back especially to the National Assembly. A record of 193 Members were able to make it back.

This was equally an endorsement by the Kenyan voters, that any leader who was willing to perform to the expectations of wananchi, would find it easy to make their comeback to the National Assembly or Senate.

Mr. Deputy, Speaker, Sir, commendably in that Speech, H.E. the President noted that six more women had been re-elected to the National Assembly. This marked a growing manifestation of confidence among Kenyans in women leadership.

The increasing number of women in governance and leadership structures in Kenya, means that Kenyans are willing to work and advance towards gender equity and parity in public and private institutions. Much consideration must be given by all institutions in the Republic of Kenya, in the course of recruiting their leadership or workforce, to be more inclusive and allow women to be part of the equation. It is because women make a very good business case any time they are included.

There is no way we can talk about sustainable development when over 50 per cent of the population is being left behind. Women have proved that they are equally as good as their male colleagues. We would ask all women who have had ambition to fight for any seats, not to shy away but compete at equal per with our brothers, fathers and sons.

The nation has invested a lot of resources in educating the girl child. It beats logic that we invest the same amount of money in educating both the boy and girl child and then when it comes to access to opportunities, we segregate and choose to see one gender as opposed to the other. On a bare minimum, we must continue to equalise the opportunities for both men and women and boys and girls.

On several occasions, gender Bills were presented to the National Assembly but all the six were defeated. I believe the 13th Parliament has a great, special opportunity to correct this anomaly. It has to ensure next time gender Bills or any legislation to support Article 27(3) are presented, the Houses of Parliament must support and pass them, so it--- Women to contest in every position.

I will not overemphasize the participation of women. However, we call upon all the institutions to support women in the course of their career. Women should be supported in promotion to different positions and in management positions, so that we do not have women only working on peripheral roles.

Mr. Deputy, Speaker, Sir, the Speech of H.E the President also resonated very well with the words of our National Anthem. Peace and unity must continue to be the pillar of democracy. In spite of the divisions that we had during the just concluded electoral period, H.E the President extended an olive branch to all Kenyan voters from different political divides. He invited all to cross that rank and work together with him and build one nation.

He talked of one nation where we are no longer defined by our political affiliations; but by an understanding that we are all Kenyans, equal and deserve to harness the resources that are in our beautiful nation. Peace is the cornerstone for a sustainable democracy and peace will serve as the highest guarantee for the growth of our economy.

The President hit a much needed---

The Deputy Speaker (Sen. Kathuri): Sorry, Sen. Veronica Maina. There is a point of order.

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

The Deputy Speaker (Sen. Kathuri): Proceed to prosecute your point of order.

Sen. Onyonka: Mr. Deputy Speaker, Sir, the Hon. Senator is actually reading a Speech. That is not allowed under the Senate Standing Orders.

The Deputy Speaker (Sen. Kathuri): She is using a note book for reference. From where she is, it is impossible to read word by word. Sen. Veronica Maina, avoid looking down, at least look at me.

Sen. Veronica Maina: Mr. Deputy Speaker, Sir, I will try to balance that. H.E the President hit a reconciliatory tone, by inviting everybody from the other side of the political divide, to join and work together towards the growth of our nation.

The Speech also points towards issue-based politics. For the first time in the Republic of Kenya, Kenyans had an opportunity to judge political parties based on ideological issues. This has laid a foundation for our politics to shift to a different level, where political parties can now come up with an ideology that Kenyans understand. From there, Kenyans can then choose which side of the divide they want to support. I applaud this as growth towards a mature democracy in our nation.

The President also undertook to be loyal and committed himself to do the best that he can for Kenyans. That speaks of his personality and character. Kenyans can have confidence that the President who now reigns is amiable, a Christian and a father figure who has a very forgiving personality. Nobody needs to be afraid in Kenya.

Initially, many people had used politics that would point towards them being afraid of what would happen if the President took over power. Looking through that Speech, you could tell that the kind of a personality that has taken over as the President of the Republic of Kenya, is a man who fears God and can be trusted. If people are willing to work together with him, we will see a nation like no other in Africa. Kenya is our home and it is the best place that anybody can be anywhere in the whole world.

Mr. Deputy Speaker, Sir, we invite every Kenyan to start thinking positively and consider the bottom-up economic model, which is captured very well in paragraphs 19, 20 and 21. That is the vision that shows where Kenya is moving.

I can only compare it to what China did when they utilized the cottage industry to build their economy. If you look at those paragraphs, you will see that *Wanjiku, mama mboga, kinyozi* and the teacher have been reaffirmed. That reaffirmation is not just a booklet or scripted words; but a programme that is being carried out by the Kenya Kwanza Government, under the leadership of the President.

The Kenyan farmer has been truly affirmed through the reduction of the price of fertilizer. I will also pick out on the fisherman, who falls within the wider context of the blue economy. It is one of the new emerging areas where young people can find jobs within an economy that has not been fully harnessed in Africa.

Kenya has an opportunity as a coastal State to harness the wealth that is in the oceans. We can find out if there is oil in the ocean and harness the potential we have.

Mr. Deputy Speaker, Sir, it is my belief that what is laid out in this Speech is an executive summary of the manifesto that will be implemented by the Kenya Kwanza Government. Anybody reading through the lines can see the vision we have for Kenya, to move it from where we are to a developed country in the world.

On behalf of Kenya Kwanza and the United Democratic Alliance (UDA) Party. I want to invite our friends from the minority side to join hands with us. They should continue being the opposition party, speak out objectively and critique what they think is not correct. However, they should come in and build the country together with Kenya

Kwanza Government and this nation will remember them for what they will have done. This is for the future of our generations and all of us.

Thank you.

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Veronica Maina. Let us have Sen. Oketch Gicheru. It will be good if you can save a few minutes for the other Senators to contribute.

Sen. Oketch Gicheru: Thank you, Mr. Deputy Speaker, Sir for this opportunity. I am here cognizant of Article 1 of the Constitution which states that all power belongs to the people of Kenya. Sub Article 2 of Article 1 recognizes that the people of Kenya will exercise their sovereign power either directly or indirectly through their democratically elected officials.

I appreciate that I am here by virtue of donation of that power by the people of Migori County. Therefore, I would like to thank the people of Migori County for sending me to this House.

Being akin to my maiden speech, I would like to take this opportunity to congratulate all the Members of this August House, who also enjoy the privilege of donated power by the people.

Mr. Deputy Speaker, Sir, I congratulate you for earning the respect and the responsibility donated to us under Standing Order No. 13 to elect you as the Deputy Speaker of the House.

We are here, today, to talk about the President's Speech and to contribute to it. This Speech as my sister, Sen. Veronica Maina, has said, is part of the function required of the President under Article 132(1)(a) of the Constitution which states that the President shall address the opening of each newly elected Parliament.

In that view, my address will be based on the inactions and actions of Government which is public policy. Therefore, I will be looking at what I think was intrinsically good in that Speech. I will also address three other issues that were good but can be improved in terms of approach; rethinking the approach the President gave.

Lastly, I will look at two issues that the President inadequately addressed but are critically important in the function of addressing any newly elected Parliament.

There are two things that I found to be intrinsically good and we should support as a House. In line 48 of the President's Speech, he recognized that climate change is a serious emerging complexity in our country and it needs to be addressed. He said that climate change has hugely contributed to the issue of drought in Kenya and I agree with the President on this. As a House, we should spend more time inducting policies that can contribute to issues of global warming. The President talked about the use of fossil fuels which contribute to about three quarters of greenhouse emissions which we need to address as a country.

As a House, it is critical that we look at issues of waste management and try to bring about and influence policies that can make Kenya to be a more circular economy. Thirdly, we should look at how we can deal with the issues of loss of biodiversity and should constantly work together to put Kenya in the map where it earns carbon credit.

In line seven and 17 of his Speech, the President talked about the need of us improving accountability to the electorate. I agree with him on this because it is critical that we recognize the people who put us in office. People have spent time talking about

the issue of having Cabinet Secretaries appearing before the House. This is an important thing that we can support.

Standing Order No. 267 mandates the Committee on Procedure and Rules to explore such issues and to amend the Standing Orders to allow the Cabinet Secretaries to come to this House. On this Floor, Senators have argued using Article 153(3) of the Constitution which requires the Cabinet Secretaries to appear before Committees of the House.

In the spirit of accountability to the electorate, we should explore Article 153(4)(b) that requires the Cabinet to regularly furnish the House with full reports. The Article refers to Parliament. We can use that Article to support the President on this issue.

It is critical that I look at the issues the President highlighted which were good ideas and well-intended. They looked at the bottom part of the pyramid in our country but their approach can be improved.

The President talked about improving savings for retirement for the people in the informal sector. Few people have talked about the issue of restructuring the National Social Security Fund (NSSF) to work for such a people. When one thinks of a national strategy that can help people at the lower part of the pyramid to save, it is critical that they equate the savings to investment.

You will agree with me that those who are not in the bottom part of the pyramid will think about retirement as having done a few investments that allow them to depend on the investments upon retiring. The issue of saving in NSSF should not depend on charity by Government but one which we can find adventurous ways of ensuring that we have critical investment plans.

The people at the lower part of the pyramid in the country are not saving because they do not have income. It is not that are unwilling to save but because they cannot save what you do not earn. Therefore, our national saving strategy should include the issue of improving income.

Closely to that, the President talked about lowering the cost of credit. This is critical because it will bolster the culture of saving nationally. However, looking at online lending platforms that we have such as Fuliza, the approach we have is not the right one.

This House should ask the Executive to commission a credit absorption and utility assessment task force to look into where people at the lower part of the pyramid borrow to spend. According to my experience as a ThinkTech expert, such people borrow firstly for consumption. Secondly is to spend on working capital for small businesses. Thirdly, they spend on buying assets that can help them in running their businesses better.

Just to give an overview of how *Fuliza* works; people borrowing between Kshs1 and 100 are 68 per cent, 22 per cent borrow between Kshs100 and 500, 4 per cent borrow between Kshs500 and 1,000, 2 per cent borrow between Kshs1,000 and 1,500, while 3 per cent borrow between Kshs1,500 and 2,500.

The critical working capital class where we should have huge borrowing is only 1 per cent and they borrow between Kshs2,500 and 75,000. That means that a majority of people borrow money to buy food or medicine or cater for their basic needs. We need to look at this critically.

The President should find a way of dealing with financiers who give loans that go to assets. For example, we all know that in Kenya today, one of the biggest employers is the *boda boda* industry.

According to the National Transport and Safety Authority (NTSA) and the Kenya Bureau of Statistics (KEBS), we have 1.5 million *boda boda* operators within our borders. Among these, 97 per cent get their *boda bodas* from financiers such as Watu Credit. Let us assess what is happening in the market.

If you look at a basic *boda boda* that is commonly used in Nairobi City County, TVXHLX 150X Model costs Kshs150,000. However, when they go to Watu Credit, which is not regulated by the Central Bank of Kenya (CBK), they are charged a processing fee of Kshs23,000 and are also required to pay a deposit of about Kshs20,000, yet the same financier requires them to be subjected to a 4.5 per cent interest.

That means that an operator buying a *boda boda* is exposed to a loan of Kshs154,000 and an interest rate of 54 per cent per annum. It means that after two years, Watu Credit earns an interest of about Kshs166,000. These are issues we should correct to ensure that they work for people at the lower part of the pyramid.

I still have four minutes.

Lastly, it was critical to talk about the rule of law. The President talked about his commitment to the rule of law. If you look at Article 132, the President is required to make sure that when forming his Cabinet, he does it in accordance to Article 152 of the Constitution, which states the Cabinet shall consist of the President, the Deputy President, the Attorney-General (AG) and Cabinet Secretaries.

We do not have the position of Prime Cabinet Secretary in the Constitution, but Hon. Mudavadi is being proposed as one. The President should not create the position of an assistant President.

My last point is that we are established as a House under Article 96 of the Constitution to protect the interests of counties as also provided under Article 6 of the Constitution and the First Schedule.

Kenyans gave themselves the power to get money from the national Government. Under Article 203 of the Constitution, that should not be less than 15 per cent, yet the President only touched on devolution in line 51 by talking about the Oversight Fund for Senators.

I will table a Motion to be resolved by this House. I think it is critical that we must have a nexus between the Senate and the Executive for devolution to work.

Lastly, it is critical for me to---

The Deputy Speaker (Sen. Kathuri): Senator, your time is up.

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, I was timing myself and I thought I still had two minutes but it is okay. I do appreciate.

The Deputy Speaker (Sen. Kathuri): Please conclude.

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, as I conclude, it is critical that since this is a constitutional requirement, as a youngster, I would have loved to hear my President talk about issues of foreign policy.

Under Article 2(5) of the Constitution, the general rules of international law shall form part of the--- So, I expected the President to talk about our foreign policy.

Mr. Deputy Speaker, Sir, I thank you for this opportunity and look forward to contributing in the House for the next five years.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Tabitha Mutinda.

Sen. Tabitha Mutinda: Mr. Deputy Speaker, Sir, I take this opportunity to congratulate our party leadership, starting with His Excellency the President, the party Chairman and others, including the Secretary-General, for finding it fit to nominate me. Through our Senator, I look forward as a delegate for Nairobi City County to support and articulate issues affecting the residents of Nairobi.

I thank the President as far as the Kenya Kwanza Government is concerned for also keeping his word and entrusting the women to leadership, as we have seen on the list of nominees. As a woman, gender top-up is a plus and I thank the President for that.

I want to thank the House leadership, starting with the Speaker and the Deputy Speaker for the leadership they have offered to new Members in this House because it has been smooth and we appreciate. I also thank all Members of this House for finding it fit for me to serve in the Senate committees. I look forward to serving as provided by the law and the Constitution of this country.

As far as the Presidential Address is concerned, first, I would like to touch on the Oversight Fund. Our role as Senators is to oversight the counties. In his Address, the President talked about supporting this House by ensuring that we have the Oversight Fund. That is an indication that his government will support this House with the needed funds so that it performs its mandate and we look forward to that.

I hope when we have the funds, we will use them well to ensure that every county, including Nairobi City, is oversighted. We shall ensure that Governor Sakaja offers the people of Nairobi City County what they need.

The other issue is the Kenya Kwanza manifesto as far as the Kshs50 billion Fund is concerned. This is a key factor. During our campaign, we talked about the bottom-up model which is geared highly towards financial independence of our Kenyans in this country. When this Bill comes to the House, we look forward to supporting it so that we give financial freedom to our Kenyans.

This is as opposed to what my brother, Sen. Sifuna, has mentioned in regard to the financial matters. In the Committee that we are together, we are going to ensure that we support this so that at least both small and medium enterprises will in return lead in the overall prosperity of the economy of this country.

Sen. Kinyua: Kwa Hoja la nidhamu, Bw. Spika wa Muda. Asante kwa kunipa fursa hii, ijapokuwa kidogo mimi ninachanganyikiwa. Nimesikia mwenzangu, Seneta akisema ya kwamba, yeye pamoja na Sen. Sifuna wako katika kamati moja, sijui ni kamati gani hiyo.

Ninauliza ni kamati gani kwa sababu jambo lenyewe halijazungumziwa hapa na kupitishwa.

The Deputy Speaker (Sen. Kathuri): Sen. Tabitha Mutinda.

Sen. Tabitha Mutinda: Thank you, Mr. Deputy Speaker, Sir. That is an indication that my colleague is keen. I take it positively but being in the House on time is also a virtue. As I had mentioned, the Kshs50 billion Fund will be an overall prosperity of the economy in this country.

On the other issue, I want to support what the Government has done to mitigate on the drought issue. Drought is a very sad issue in this country, and we have seen the President giving relief food to different parts of the country but for how long as a country

are we going to offer this? So, I hope that my colleagues in this House will come up with long term measures which will address the food security issue.

I am happy that today the Senate Majority Leader has read out the names of proposed committee Members in this House, an indication that we are ready to start rolling and executing our mandate. As far as food security is concerned, we look forward through the Standing Committee on Agriculture, Livestock and Fisheries, that is going to be set up to ensure that we are going to adopt long term measures on this matter of food security.

In conclusion, I want to support the President's agenda through the Kenya Kwanza Government and that is the bottom-up approach that has been highly publicised in our manifesto. This will help us achieve on the bottom-up factor.

As a representative of the Nairobi delegates, I look forward to ensuring that we will work with other leaders to ensure that we have a Nairobi that offers clean water, clean environment and an efficient garbage collection system. What we know is that the Nairobi people look forward to good living standards and we shall look into that in the House.

I will finish with this Quote:

“Good political leadership involves getting the big decision right however difficult it may be, controversial and potentially divisive and being able to take people with you requires something else and that is having wisdom”.

We have seen our President having that and we look forward to supporting his Excellency the President in his manifesto and we as Kenya Kwanza are going to be behind it.

I thank you.

Sen. M. Kajwang': Mr. Deputy Speaker, this Motion requires us to express thanks of the Senate for the exposition of public policy contained in the Address of the President. The key thing there is exposition of public policy rather than the politics contained in the Address of the President.

The drafters of our Constitution envisaged that at one point, you might have a President who decides on what to tell Parliament away from the details of the Constitution and therefore in Article 132 of the Constitution, besides requiring the President to address the opening of every new Parliament, it mandated the President to address Parliament at least once annually to brief Parliament of the measures taken in realization of national values and principles.

My comment on the President's Speech will be on the policy aspects; what he said and what we think he ought to have said. In the circumstances that many Kenyans find themselves in, the cost of living has skyrocketed. This last election was an election about the cost of living amongst many other factors. Promises were made to Kenyans that the price of basic commodities would stabilize. Assurances were made to Kenyans that the war in Ukraine and Russia had no role to play in the inflation that had visited the country.

From August to date, the price of basic commodities has skyrocketed. The price of maize flour has gone up by 8.4 per cent. These are statistics from the Kenya National Bureau of Statistics. The cost of electricity has gone up by 20.9 per cent from August to date.

The price of petrol has gone up by 17.7 per cent. The cost of transport has gone up by 25 per cent. The price of sugar has gone up by 19 per cent. Inflation is at 9.2 per cent; very dangerously close to the 10 per cent. This is the highest rate of inflation in the last five years.

If the President's Speech was supposed to be exposition of public policy, we would have expected that he would have given us a cogent plan to arrest the skyrocketing prices of basic goods that would have been given us a formula to ensure that that is tamed. He did not do that.

Mr. Deputy Speaker, Sir, the elections were called with 7 million people having voted for the current Government and 6.9 million people having voted for the opposing team. The reason the President is described as the symbol of national unity, is that in our democratic process and experiment, there will be many people contesting for the same seat.

At the end of the day, the person who is declared the victor occupies State House and assumes the role of the symbol of the national unity as well as the Commander-in-Chief of the Kenya Defence Forces.

Mr. Deputy Speaker, Sir, we did not hear much about the President's plan of unifying the nation and ensuring that national values and principles that are laid out in the Constitution are observed.

I hope that when the President comes for his first formal address to Parliament, he will be true to his calling as the symbol of the national unity and refrain from throwing barbs at his opponents, and will see himself as the father of all the 50 million Kenyans. Nobody in this country should be punished for their political choices.

I am proudly on the Minority Side and will proudly play my role as an opposition Senator. However, the people of Homa Bay should never be in the opposition. It is the elected leadership of Homa Bay that should be in the opposition.

I hope that this kind of thinking will permeate not just the House, but the Presidency in order to remember that the political choices that the Homa Bay people made should not be criminalized.

Sen. Kinyua: On a point of order, Mr. Deputy Speaker, Sir. Did my good friend, Sen. M. Kajwang', read or listen to the clear Speech of the President?

In Paragraph 14, he stated that "I promise to lead an administration dedicated to a just and fair Government to all Kenyans in order to deliver a Kenya for everyone. I commit to be loyal, hardworking and a devoted President to every Kenyan and my administration will serve all without regard to any distinction, real or imagined."

Mr. Deputy Speaker, Sen. M. Kajwang' is now trying to imagine. My point of order is that the Senator is misleading people by saying that the President was not committed to every Kenyan, yet he was.

Sen. M. Kajwang': Mr. Deputy Speaker, Sir, I do not want to use the proverb of dry bones and old women because it has been used before in this House; that, they become jittery when old bones are mentioned in a proverb.

I was encouraging the House and nation that we must have a proper plan for national unity. It is not just in the proclamations that the President makes. It must also be reflected in the proclamations that are made by his Deputy as well as his troops – those who form part of his administration.

Mr. Deputy Speaker, Sir, in exposition of public policy, the greatest threat to most Kenyans right now is the high cost of living, the sense of marginalization as well as corruption. This is an administration that assumed corruption ended simply because they got elected into office and does not want to talk about it.

As I said before, there are those who feel uncomfortable when old bones are mentioned in a proverb. The Corruption Perception Index (CPI) published by Transparency International (TI) has placed Kenya in position 128 out of 180 countries. This means that by that definition, Kenya is still an extremely corrupt country.

We would have expected the President coming before Parliament in realization of the national values and principles to comment on that. He still has an opportunity to do that when he comes for his annual address.

Mr. Deputy Speaker, Sir, allow me to briefly touch on some of the things the President said. In Paragraph 47, he talked about the issue of savings and its culture. It is true that Kenyans save about 10-12 percent of the Gross Domestic Product (GDP), which is below the average in the Sub-Saharan Africa, particularly in East Africa. However, this is low for a low-middle income economy.

We asked ourselves whether in our assessment of savings, we are only focusing on the formal and forgetting about the informal. Where I come from, our people save in form of livestock. I schooled from the proceeds of livestock. Whatever little thing my father built, either rental or commercial properties, was simply because he kept cattle. At maturity, he would send us to the market to liquidate cattle and convert to cash.

Mr. Deputy Speaker, Sir, there are those of us from Northern Kenya who own herds of camels. They might be wealthier than many of us who keep money in commercial banks and in fixed deposits. One camel is probably Kshs150,000. When you see those people walk around with the camels, you might look down upon them but, perhaps, they have got more wealth than you.

Savings is not just about what is in the bank. The President brought this conversation about the informal economy and the hustlers. Therefore, we must look beyond what is sitting with custodians, the pension funds and with the National Social Security Fund (NSSF).

Mr. Deputy Speaker, Sir, the Kshs6,000 matched with Kshs2,000 shillings at the end of the year sounds very sexy. However, if you break it down, that is Kshs8,000 in a year. In 20 years, this Kshs8,000 will be Kshs160,000 as a pension benefit to that individual. What can that do?

When we go to our constituencies, Kshs160,000 is what you spend in two churches. It sounds very nice that the President and the nation will contribute to match Kshs2,000 to every Kshs6,000 paid at the end of the year. However, this is not enough.

I want the President to look at the regulatory framework that governs the financial services sector particularly the pension sector. I spent a few years in that sector. I recall there is a time the industry came out with a product called the *Mbao* Pension Plan. It was an idea to build the *Jua Kali* sector into the formal pensions sector. The *Jua Kali* people would contribute Kshs20 daily using a mobile App.

Since 2018, the success of *Mbao* Pension Plan has been affected by a number of issues. If we allow our young people in the gig economy to come up with innovations similarly to the ones they have come up with in the banking and the mobile lending

sector, we must look at the various bodies that have been set up to regulate the pensions and savings sector.

Insurance companies provide pensions' products. They are regulated by the Insurance Regulatory Authority (IRA). There is the Retirement Benefits Authority (RBA) and the Nairobi Securities Exchange (NSE) with its own regulator. There is a fourth regulator, SACCO Societies Regulatory Authority (SASRA), which regulates Savings and Credit Co-operative Societies (SACCOS), who offer another avenue for savings. There are about five if not six regulators in that space.

Mr. Deputy Speaker, Sir, why can we not streamline the roles of these regulators, so that they provide one combined product? This product can capture pensions, SACCOS and life insurance product. We can then allow our innovators to come up with quick products rather than matching Kshs2,000 to Kshs6,000.

I agree with the President that this is urgent and important. However, I encourage him and his policy makers to think broadly how to bring into the formal economy, the livestock owners and the farmer in Kitale with several bags of maize harvest. We came up with the Warehouse Receipt System Bill in this House. It has not been implemented because the grain in a farmer's warehouse in Kitale can also be looked as savings.

Secondly, on paragraph 51, the President talked of the Senate Fund. Today, I was a bit disappointed to encounter Committees in the Order Paper. One of the things we would have prioritized was the Monitoring and Evaluation Select Committee. I have been in this House and part of these conversations. We came up with regulations and proposed that we get a Kshs1 billion fund. We came up with purposes, administration and structures of the fund and even proposed that we have a Monitoring and Evaluation Committee of the House.

Mr. Deputy Speaker, Sir, I encourage the House Leadership and the Senate Business Committee that the President has shown goodwill. The only reason we did not get this money previously was that the then President did not have a lot of time for the Senate. Let us take advantage of that goodwill and ensure that fund is in place.

I will support budget cuts of Kshs300 billion as long as it does not touch devolved governments. We have allocated Kshs370 billion plus conditional grants to the counties. This House must agree to stand together, so that in the next allocation, counties must get more than Kshs370 billion considering that, that is the reason for our existence.

Mr. Deputy Speaker, Sir, when you go back to your counties, you will be asked what you have done over the last five years. You were not building classrooms or police stations, but you can proudly say that the allocation for your county moved from Kshs8 billion to Kshs9 billion during your time in Senate.

Let the cuts look at other things that are discretionary, but not allocations to the county governments.

However, we have a challenge, ladies and gentlemen. There are very bad manners in county governments. It is time we made sure that our Committees; not just County Public and Investments Committee (CPAIC) and Public Audit Committee (PAC)-

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Each Committee of this House has got an oversight role. If you become lucky to lead a Committee or be a Member of a Committee, please, make sure that if we increase our allocations, they will go towards development rather than fattening the accounts of those who are there.

We must also as a House take a common stand to threats to devolution. We have heard the President talk about housing. The national Government job is only housing policy. Provision of social housing is a function of county governments. We have heard the President talk about Public Private Partnerships (PPPs). The national Government's role is just policy. Water provision is the function of county governments.

We must unbundle all these Water Services Boards and make sure that counties have got direct access to those resources. We have heard the President talk of fertilizers. The role of the national Government is policy. Execution is the role of county governments.

Let us have a bipartisan position on these matters. If they are affronts to devolution, it does not matter whether the President has good intentions or not. Good intentions are not bankable. What is important is the fidelity to the Constitution.

Housing, water, agriculture, roads, health *et cetera*, are all things the national Government continues to pump a lot of funds into. We have the Universal Healthcare experiment due to insufficient consultation with the county governments.

The issue of Constituencies Development Fund (CDF) will come to this House. Let no one lie to you that if you gave the National Assembly their CDF, they will give you your oversight fund. We have heard that lie over the last seven years; that "you just pass this Bill and then the Treasury Cabinet Secretary (CS) is going to ensure that your regulations are passed".

I am saying that on the Floor of this House on record and in the HANSARD. The Constituencies Development Fund (CDF) was relevant when we did not have county governments. Now that we have county governments, if you want to build things in the village, go round for governor. If you come to this national Parliament, represent, oversight and legislate.

The only thing we should be willing to discuss is an oversight fund for Parliament, not just Senate. The minute we agree that we grant CDF so that we can get our oversight fund, is the day we will be undermining devolution.

What is so difficult about providing conditional grants to county governments to build schools? You will find that a school next to governor's office is dilapidated and the governor can do nothing about, simply because he does not have access to the relevant funds. Let us be united to this matter.

The Courts ruled that the matter of CDF must come through the Senate. There must be public participation---

The Deputy Speaker (Sen. Kathuri): Thank you, my good friend---

Sen. M. Kajwang: The light is still on Mr. Deputy Speaker, Sir--- Until it goes off--- I mean, it needs to go off.

(The microphone went off)

Sen. M. Kajwang: *Unaweza niongeza dakika moja?*

(Laughter)

The Deputy Speaker (Sen. Kathuri). Okay. Thank you. Senator Nyutu, you may proceed. There is a lot of interest in this Motion. Now that we cannot change the

time that every Senator should take, I request you Senators to be magnanimous enough to save some few minutes for your colleagues.

Sen. Joe Nyutu: Thank you Mr. Deputy Speaker, Sir. I promise to do that by taking the shortest time possible. Let me take this opportunity to make a few contributions and observations on the Speech that His Excellency President made on 29th of September this year.

I laud him for appreciating Kenyans for electing more women than they had done in the previous election of 2017. I also got impressed by his commitment that he was going to work for everyone - all wards, all constituencies, in all counties in the Republic. That is captured in Paragraph number 14 and 15.

This country has been divided down the middle depending on the election results. The President's commitment to serve everybody from every corner of this country was the first step in building of nationalism and statesmanship.

I also underscore the President's commitment in Paragraph 16 that his administration will be open to oversight by the two Houses of the Parliament. This shows a President and administration that is sure of itself; that knows it is going to perform.

That is why he welcomed and encouraged the two Houses to oversight his Government. He said that everybody should see the public, "get the value of every cent invested". Listening to the President on Paragraph 16, I was much okay and assured that our country is going now to witness better days than before.

The President's idea of encouraging Parliament, that is, the Senate and National Assembly, to come up with a mechanism where Cabinet Secretaries (CSs) will be coming to the House is good though it has been fought by naysayers. They should come and answer questions relating to things happening in the counties because we are all here representing counties. It is a very welcome move.

I know that there are those who have said that even without new mechanism the CS can still be summoned here. However, to avoid many complications and disagreements, I suggest that we come up with procedures that the President proposed and encouraged in his Speech. It will make the Parliament get the answers directly from the CSs and help in getting direct responses on issues affecting our people.

The President's commitment to arrest corruption by empowering the Judiciary should not go unnoticed. As my colleagues have noted and as all of us know, this country has had myriad challenges. This is not because of inability to generate adequate revenue, but hemorrhage of public resources through corruption.

Hearing the President's commitment to empowering the Judiciary by more allocation of resources to enable it expand its capacity to deal with these cases on time was a step in the right direction in the development of this country.

If we arrest the hemorrhage that has been happening to public resources, this country will be better off. Our people will then enjoy the services that Government can offer in a much bigger way.

Mr. Deputy Speaker, Sir, in Paragraph 21, the President suggested that his administration will scale up production by stopping subsidies on consumables. However, production is what will be subsidized because that is what we need. Some of those who have spoken before me would want the cost of living arrested immediately, served as a cup of instant coffee. Some things need some time to sort out. We do not want temporary

solutions. We want lasting solutions that can be effective in the long term. That is why subsidising production is more important than subsidising consumption.

Therefore, I laud the President for that particular economic step that he made because we know for every success – and all the Members here will agree with me---

Sen. Oketch Gicheru: On a point of order, Mr. Deputy Speaker, Sir!

The Deputy Speaker (Sen. Kathuri): Just a minute, Sen. Joe Nyutu. What is out of order Sen. Oketch?

Sen. Oketch Gicheru: Thank you, Mr. Deputy Speaker, Sir. I rise on a point of order on misinformation.

The Deputy Speaker (Sen. Kathuri): Quote the point of order you are referring to. This housekeeping matter came up at some point.

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, I rise under Standing Order No.121 as well as Article 160 of the Constitution. The speaker on the Floor has just informed us that---

The Deputy Speaker (Sen. Kathuri): Which Article of the Constitution?

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, I am referring to Article 160, which establishes the independence of the Judiciary.

The Deputy Speaker (Sen. Kathuri): You are quoting the wrong Standing Order. Standing Order 121 is disorderly conduct.

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, I am quoting Article 160 of the Constitution.

The Deputy Speaker (Sen. Kathuri): You said Standing Order No.121 in line with an Article. That is what I want to get properly. Which Standing Order?

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, Sen. Joe Nyutu is misinforming us against Article 160 of the Constitution.

The Deputy Speaker (Sen. Kathuri): Did you say Article 116?

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, it is Article 160.

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

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, Article 160 of the Constitution says:

“In the exercise of judicial authority, the Judiciary, as constituted by Article 161, shall be subject only to this Constitution and the law and shall not be subject to the control or direction of any person or authority”.

Is it right for Sen. Joe Nyutu to form a trend and say that the President has power to actually interfere with that independence of the Judiciary?

The Deputy Speaker (Sen. Kathuri): Sen. Joe Nyutu, you may respond.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker. I did not impute that the President is interfering with the powers or the independence of the Judiciary. If Sen. Oketch Gicheru heard me well, I talked about more allocations to the Judiciary, in order to empower the Judiciary more. It was not about interfering with the powers of the Judiciary but allocation. That is what the President talked about. If you go---

The Deputy Speaker (Sen. Kathuri): Sen. Joe Nyutu, so that we can be on the right footing, I refer Sen. Oketch to Article 173 of the Constitution, which establishes the Judiciary Fund.

Proceed Sen. Nyutu.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir, I was going to ask him to go to Paragraph 18 and 19 of the President's Speech. Thank you for coming to my aid, Mr. Deputy Speaker, Sir.

Before Sen. Oketch Gicheru rose on a point of order, I was talking about subsidising consumption in the place of production. I had pronounced myself clearly about that particular point that the President made.

The other thing that got me almost excited about the President's Speech was Paragraphs 25 and 26, where the President talked about empowering hustlers. This is in particular reference to decriminalising enterprise. I was elected by the people of Murangá County to be their Senator. Everybody who comes to Nairobi City knows that most of the hawkers in Nairobi City and most of the towns around come from Murangá County. That is common knowledge.

The President talked about decriminalising enterprises. We know that hawkers have been facing it very rough from City County askaris everywhere. These are people who are innocent and are just eking a living out of hawking and those small businesses. As a person who has been elected, I will be doing a great disservice to the people of Murangá County – the hustlers, the hardworking people who do their small businesses – if I kept quiet or forgot to thank the President for committing that he will decriminalise enterprise.

I can see the Senator for Nairobi City County---

The Deputy Speaker (Sen. Kathuri): Let us first here from Sen. Joe Nyutu, whether he is ready to be informed by the Senator for Nairobi City County.

Sen. Joe Nyutu: Well, Mr. Deputy Speaker, Sir, he can inform me as long as he will be factual.

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

Sen. Sifuna: Mr. Deputy Speaker, Sir, I just want to inform my colleague that as we speak, the "hustler" Government that you put in place in Nairobi City County, is evicting those hawkers you are speaking about from the Central Business District (CBD). I want you to join me because we all have to fight for those 'hustlers' to make sure that the Nairobi City County Government does not remove those 'hustlers' from the streets.

The Deputy Speaker (Sen. Kathuri): Yes, Sen. Joe Nyutu, you may respond.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. I am glad that even the Senator for Nairobi City County, Sen. Sifuna, appreciates the contribution that hawkers make. For once, I thank the Senator for Nairobi City County for that information.

As people from Murang'a County and other areas, we are happy that our people will be allowed to do their businesses without harassment by City County askaris. These are innocent people that eke a living out of these small businesses.

Mr. Deputy Speaker, Sir, housing is another project that the President talked about. This Housing project will be in every major town in every county. As we stand here, we know that most of our people live in houses with no access to maybe clean water and sanitation. As indicted in Paragraph 29 and 30 of his Speech, the President committed that his administration will engage in massive infrastructural development of housing. This will create jobs for many people. I am talking about masons, electricians, plumbers and even people who deal in steel, stones, sand, ballast and so on. These people will get jobs and this is one way that we are going to arrest joblessness in this country. It was very encouraging to hear the President commit to the same.

Mr. Deputy Speaker, Sir, on Paragraph 31, there are issues of water. I do not know if the Senator of Nairobi City County knows of any plans. As people from Murang'a County, where Nairobi City County sources its water, from Ndakaini dam, we are going to bring the necessary Motions to this House. We will make it impossible for our people, in Murang'a County, to give Nairobi City County water for free in order for them to sell as they leave our people without water.

When I heard the President talk about Public Private Partnership (PPP), we, as people from Murang'a County, were very happy. In the meantime, we will be seeking that the Nairobi City County pays some rates to the County Government of Murang'a in order for us to build infrastructure for our people as far as water is concerned.

(The amber light went on)

I can see the warning that my time is almost up. On universal health coverage, our people are getting impoverished every time a sickness visits a home. Universal health coverage is going to sort out our people. They will not have to use their much-needed saving to meet health bills. That is something encouraging.

I was also excited when the President said that the Government should not borrow to finance its recurrent expenditure. Only a fool lives beyond their means. It is encouraging that going forward, the administration of His Excellency the President, William Samoei Ruto, is going to encourage savings as it discourages borrowing to finance recurrent expenditure. That will make our people save more and have better services.

As I sit down, I laud the President for suggesting that we should change Kenya Revenue Authority (KRA) to Kenya Revenue Service. Many people have closed their businesses not because they do not pay tax---

The Deputy Speaker (Sen. Kathuri): Sen. Joe Nyutu, your time is almost over, but there is another point of information from Sen. Mandago.

Sen. Mandago: Mr. Deputy Speaker, Sir, I want to inform the Senator for Murang'a County that the people of Nairobi City County, that includes him because he lives here, have a right to clean and safe water. It is their economic and social right according to Article 43(d) of the Constitution which states -

'Every person has a right to clean and safe water in adequate quantities.'

The Deputy Speaker (Sen. Kathuri): Sen. Joe Nyutu, you are well informed.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir and Sen. Mandago.

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

The Deputy Speaker (Sen. Kathuri): Is there another point of order or point of information?

Sen. Onyonka, please, proceed.

Sen. Onyonka: Mr. Deputy Speaker, Sir, I would like my brother to allow me to intervene and help him by informing my former Governor, Hon. Mandago. That right does exist, but the truth is that the county governments have not been releasing compensation funds meant for water and other resources, which are given by those counites. Therefore, his point is correct.

Sen. Joe Nyutu: Thank you, Sen. Onyonka. As I wind up, I want to tell Sen. Mandago that we are not suggesting that the people of Nairobi City County should not

have access to water. Instead, we are saying that Nairobi Water Company sources water from Murang'a County and sells it to the people of Nairobi City County. They make revenue out of it and the people of Murang'a County should also benefit from that revenue. They should pay some rates to Murang'a County.

My time is up, but I will be happy to engage in that debate further because the people of Murang'a County cannot give water to Nairobi City County when they do not have water.

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

Sen. Shakila Abdalla: Bw. Naibu wa Spika, asante kwa kunipa hii fursa kuweza kuchangia Hotuba ya Rais. Kwanza, ningependa kuchukua nafasi hii kuishukuru chama changu kwa kunipatia hii nafasi ya Seneta Maalumu na wale ambao wamechaguliwa kutoka kwa chama changu ambao wameniwzesha kupata hii nafasi. Vilivile, nawashukuru na kuwapongeza nyote ambao mumechaguliwa katika Seneti hii ya ki fahari kutekeleza majukumu yenu.

Bw. Naibu wa Spika, Hotuba ya Rais, kwa maoni yangu, haiambatani kamwe na matarajio ya mwananachi. Neno 'Hustler' ambalo huwa linatumika sana kama maua ya kurembesha ama kwa ufasaha na utaalum mwingi haswa na viongozi wa juu, ni neno ambalo halijaweza kupata maana kikamilifu. Kwa maoni yangu, ninaona kama Rais hajiamini ama hana uzoefu wa kuelewa kikamilifu miundo mbinu ya kugeuza uchumi wa nchi na kuinua maisha ya mwananachi. Kuna fiche fiche ambazo zinabainisha kuwa serikali kuu ina upungufu wa kuelewa ajenda zake, mwelekeo wa nchi na uchumi wake.

Bw. Naibu wa Spika wa Muda, kuna changamoto ambazo zinatukumba kama za ufisadi, ajira, gharama za juu za biashara, usalama, barabara, miundo msingi, maji safi, uchafuzi wa mazingira na ukusaji wa viwanda.

Nataka nitoe mfano wa mbolea. Hivi sasa, bei ya mbolea imerudishwa chini kwa shillingi elfu tatu. Kenya haitaki mbolea za kupewa kama marupurupu na nchi za ng'ambo kwa bei rahisi ilhali hatuzielewi. Kenya inahitaji viwanda ambavyo vitatengeneza mbolea kwa bei nafuu, kukuza mazao yao na kujenga uchumi wa nchi. Hiyo ndiyo itakuwa njia bora ya kuleta mabadiliko na kuendeleza nchi.

Kwa njia ya Fuliza, nampongeza Rais kwa kile alichofanya katika Fuliza na M-Shwari lakini tunataka afuate mkondo huo afanye vivo hivyo kwa *World Bank* na *International Monetary Fund* (IMF). Hizo ndizo sehemu ambazo zitaleta mabadiliko makubwa ya uchumi wa nchi.

Kuna swala la Kshs300 billioni kutolewa. Hivi sasa, tuko na Mawaziri Wasaidizi na hizo ofisi zao haziambatani na Katiba. Hiyo ndio mbinu mwafaka ya kupunguza gharama za Serikali na kuinua uchumi wetu. Rais atoe nafasi za Mawaziri Wasaidizi ambazo ziko pale kuzawadia wale waliomkampeinia.

Kuna jambo la kulipa ushuru. Mwananachi mdogo ndiyo unaona anaumizwa sana. Tunataka Serikali ilenge na ipeleke macho yake kwa wale samaki wakubwa. Hao ndio wanafaa kulipa ushuru wa kubadilisha uchumi wa nchi. Tunafaa kuanza na Rais mwenyewe.

Katika aya ya ishirini na moja, Rais alisema ya kwamba tunafaa kuinua uchumi kwa kupitia uvuvi. Hivi sasa, kitengo cha uvuvi kimewekwa kwenye idara ya *Blue Economy* na uvuvi hapa nchi unafanywa na vijahazi na vidimbwi vya maji. Huu ni uvuvi mgani ambao utaweza kuinua nchi yetu?

Utapata ya kwamba wale ambao wanafanya uvuvi kwa vijahazi wanakatazwa kuvua kwa mikano. Hiyo sheria ya mikano inafaa iwekewe matrola wala sio wavuvi wa chini.

Sasa wamekatazwa kuvua samaki. Wangefikira kabla ya kutunga sheria hiyo ili wavuvi wadogo wasiathirike.

Kuna upungufu wa samaki nchini. Kenya inahitaji samaki tani milioni 900 lakini tunapata tani milioni 700 pekee. Raslimali zetu zinachukuliwa na watu kutoka nje ya nchi kwa sababu wana mitambo ya kisasa ya kuvua samaki.

Kama nchi, tunahitaji kuwa na mitambo ya kisasa ya kuvua samaki na kufundisha watu wetu mbinu mbadala za kuvua. Endapo tutafanya hivyo, tutainua uchumi wetu na kubadilisha maisha ya mwananchi aitwaye 'hustler'. Kwa sasa, raslimali zetu zinachukuliwa na watu ambao si Wakenya.

Ukame na mafuriko ni majanga yanayotukumba kila mwaka. Tunashangazwa wakati Serikali inafanya *firefighting* badala ya kutafuta suluhisho la ukame na mafuriko. Wakati wa mafuriko, maji yanafaa kudhibitiwa. Maji hayo yanaweza kusaidia katika ukulima na kupanda mimea ya kulisha mifugo wetu wakati wa ukame.

Tunafaa kujipanga kikamilifu lakini hatuna mikakati. Kila mara, watu hupigana wakati majanga yanapotukabili ilhali hakuna mikakati inayowekwa kukabiliana na majanga yanatukumba kila mwaka.

Serikali imeanza kupigana na ufisadi kwa kuwa baadhi ya watu wametiwa mbaroni. Hata hivyo, kusiwe na ubagusi wa vita dhidi ya ufisadi kutegemea mirengo. Yeyote anayeshutumiwa kwa kosa la ufisadi anafaa kupelekwa mahakamani. Isionekane kwamba watu fulani ndio wanaoshitakiwa ilhali wengine wanaachiliwa.

Ufisadi ni janga kubwa sana hapa Kenya. Hata uchumi wetu ukiimarika, hatutasonga mbele endapo ufisadi utazidi kukita mizizi serikalini.

Jambo jingine ni swala la *Genetically Modified Organisms* (GMOs). Kwa kawaida, watu hupanda mbegu na kuvuna kisha kupanda mbegu zitokanazo na mazao. Kwa upande mwingine, mbegu za GMOs hutumika mara moja tu. Ifikapo mwakani, utahitaji mbegu nyingine tena.

Kwa hivyo, hiyo ni hasara kwa sababu watu watahitaji mbegu za GMOs. Mbegu za kawaida hupandwa na mtu anapovuna huweza kupanda tena mbegu zitokanazo na mazao yake. Mbegu za GMOs ni *one-off deal*.

Bw. Naibu Spika, kwa hayo machache, nashukuru. Asante.

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

Sen. Tabitha Keroche: Mr. Deputy Speaker, Sir, I take this opportunity to congratulate His Excellency, Hon. (Dr.) William Samoei Ruto, and our Deputy President, Hon. Rigathi Gachagua, for leading a successful people-driven and oriented campaign. They inspired the ordinary Kenyan to know that their dreams are valid. They also put trust in them to fulfill their aspirations. Congratulations Your Excellencies and count on my support.

I also wish to congratulate hon. Members for a great win. No doubt, we all appreciate the enormous responsibilities bestowed on our shoulders, to carry forth the aspirations of our Kenyan people. I thank the people of Nakuru County for giving me the opportunity to serve as their Senator. As I promised, I will not let them down.

With regard to the President's Speech during the opening of the 13th Parliament, I sincerely and deeply thank him. I note with gratitude the President's acknowledgement of

the increased number of elected women to the Senate and the National Assembly. We feel honoured.

I sincerely thank the people of Nakuru for setting an outstanding example by achieving the 50-50 gender representation in leadership. I am extremely excited by the President's mission and vision, to scale up productivity in agriculture. We shall ensure that we have adequate and affordable food, as well as food security and value addition to support our industrialization.

Agriculture has for many years, been the backbone of Kenya's economy. The sector contributes about 30 per cent of our Gross Domestic Product (GDP) and accounts for 80 per cent of national employment, mainly in the rural areas.

Mr. Deputy Speaker, Sir, Nakuru's contribution towards the GDP in agriculture averages 35 per cent. Nakuru is blessed with good climate and soils. We can grow everything apart from sunflower and coconut. We have an industrial park that is coming up. I believe that when it is up and running, we will be ready to serve the industries in the park with raw materials from our farmers. I challenge the Senators in this House to establish what is grown in their counties, so that value addition can be done to the agricultural produce.

We have a saying that goes, 'to kill two birds with one stone,' but I believe the President killed four birds with one stone. That means that we should work on our agricultural sector because we import most of the raw materials. We import the least of raw material that you can imagine.

We should improve our agricultural productivity by ensuring value addition to our produce. That way, I am sure we will put money in our farmers' pockets.

During campaigns, we went round telling Kenyans that we will ensure that we put money in their pockets. The first thing is to ensure that we add value to agricultural produce, so that we put money in their pockets.

We have the best honey here from Kitui and Baringo, but you will see us going to the supermarkets to buy the honey from Australia. When I was coming here, I bought a 300g yoghurt for my lunch and it cost Ksh180. Where I come from, 13 grams of malted barley is used to make a litre of beer, which is sold. When you sell this beer the Kenya Government gets Kshs142, then there is the value added to the farmers, creation of jobs and all that.

I know it is possible for all of us, as the leaders of this House, to take the challenge of advising the county governments and the National Government to ensure that we add value to the farmers in whatever we grow in our farms; sugarcane, cabbages and other crops. By doing that, we will ensure that our farmers have money in their pockets.

For example, in Naivasha, we have an industry that was closed many years back, and I need to check and find out why it was closed. It is a place where they dry and prolong the lifespan of vegetables. Those are some of the things that we need to look at.

Then, we come to the Small and Medium Enterprises (SMEs), where the President said that he is going to ensure that he supports the *mama mbogas*, *boda boda riders* and the *matatu* industry. If you look at the SMEs, the last time I checked, they were at Kshs16.5 million.

We should ensure that we support businesses, which are in the informal sector, what they lack is the financial skills, the market and information. We should challenge

the Ministry for Industry, Trade and Co-operatives to support them by ensuring that they give them the information that they require, build their capacity by ensuring that they have the financial skills to grow, increase the market for them and give them the right information using the right channel. The Ministry of Foreign Affairs can also ensure that they increase the international market.

As leaders, we should also ensure that we buy our local products when we go to the supermarkets. If you go to America, the President of the USA will not buy anything that is not produced from his own country. We need to change our country and ensure that the informal sector comes to the formal sector by giving them the necessary support, such that when we have 16.5 million people in the informal sector and 33 million people in the formal sector. If you currently look at how many people are employed in the formal and public sector, it is not more than 3 million. We are talking of creating employment for 33 million people within our five years' tenure.

Even the saving money that we are talking about--- Sen. M. Kajwang' has left; he seemed not to understand about the saving. I also understood it when we were taken to the *Kenya Kwanza* Coalition Retreat. I could not understand that we are doing so badly that Tanzania and Uganda are better savers than us. We are living beyond our means. We use more money to collect the Kshs200, which the employer adds another Kshs200 to make it Kshs400.

Therefore, we just need to increase more people to be able to pay the taxes by ensuring that the informal sector comes into the formal sector and get into the tax bracket. This will enable us to get the money. When you keep money into the account, it is just yours, but if you put it into NSSF and are required to use it probably after 30 years on your retirement, that is the money that the Government will be borrowing.

This way we will save ourselves from borrowing from international borrowing, which makes us appear to be enslaved. We will ensure that we can have our own money and the Government can borrow from us. I do not think we need to go to Harvard Business School to understand that. It is very clear that we are the ones to save ourselves.

The proposal by His Excellency the President to transform the Kenya Revenue Authority (KRA) to the Kenya Revenue Service is highly welcomed. The reforms will ensure customer care and service leadership is enhanced. They will ensure that we build investors confidence and create friendly business environment for both local and international. The need to widen our tax bracket can only be achieved by having a friendly method of collecting tax that is free from harassment and unnecessary use of force.

We do not want to repeat ourselves when we talk after others have spoken, but the other point on how to ensure businesses thrive and create more industries in our country, as the President had said, is to ensure that we have affordable credit and ensuring that the blacklisting and the Credit Reference Bureaus (CRBs) are well taken care of or laws are changed to ensure that we do not have many businesses going to CRB. The minute the businesses go to CRB, they will not be able to access finance and the employees will lose their jobs. Therefore, we support His Excellency the President on that.

I also insist that we support His Excellency the President on Agriculture. Nakuru being the biggest contributor in Agriculture, about 35 per cent, means that our people should receive more fertilizer. However, the main thing is, how do we add value so that we can ensure that we have more products for our businesses to ensure that we do not

import a lot of the raw materials. As Kenyans we need to support “buy Kenya, build Kenya” to ensure that we can create more employment for our people.

I do not want to talk much because that means repeating. Being the last speaker means that people have spoken and we have heard. What we need now is how the minority and majority side can come and work together as a team to ensure that we add value to our people.

Thank you. God Bless you.

The Deputy Speaker (Sen. Kathuri): Let us now have the Senate Minority Whip, Sen. Dullo. These two ladies are in the leadership of this House. I apologize since they ought to have contributed the first day. It is good that you have been around for the three days to see how your Members are handling the business of the House.

Proceed, Sen. Dullo.

Sen. Dullo: Thank you, Mr. Deputy Speaker, Sir, for this opportunity. As you have said, I should have contributed the first day, but because of the demand, it was impossible.

I will contribute to the President’s Address. This is my first time in the opposition party.

(Laughter)

Sometimes, it is good to be in the opposition party. I have been on the other side of the aisle where you end up defending the undefendable. However, being in the opposition is something I am enjoying.

We are being told that Kenya has matured democratically, which I doubt. This is because Kenyan politics is based on tribe, clan, ethnicity, money, the rich and the poor. Therefore, we are far from being democratic.

The only time I will say we are happy and matured democratically is when we do not have contestation. Over the years, we have had contestation in our elections and we saw what happened.

Nonetheless, I must congratulate Kenyans for being peaceful this time round when we had elections. As the saying goes, the minority have their say and the majority have their way. One day we will realize that the minority will also have their way.

From the presidential address, I will look at the issue of the Cabinet Secretaries (CSs) appearing before the House. Some people are saying it has been difficult to get the CSs. I do not want to be the prophet of doom. Whether we have them in the House or not, the music will be the same.

I remember that in the last two Parliaments, we have had CSs appearing before the Committee of the Whole. They have not sat in Plenary. We have issued summons to CSs who turned down invitation to this House. I hope that in the process of introducing CSs to the Senate, we will not get Chief Administrative Secretaries (CASs) to answer questions on behalf of CSs. This will be disastrous to this country.

Cabinet Secretaries (CSs) are not members of this House. They can only appear when the Mace is lowered. We would like to see how *Kenya Kwanza* will introduce CSs to the House to answer questions. This is the day we will have a big challenge in this country.

Secondly, on the ‘hustlers’ fund...

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

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, what is out of order? Sen. Dullo is doing so well.

(Sen. Cherarkey spoke off record)

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, go to the Dispatch Box.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I hate to interrupt my leader and former Member of the Justice, Legal Affairs and Human Rights Committee, which I chaired. Sen. Dullo, being a senior lawyer, I expected her to provide proper guidance. We might end up misleading the House.

Article 153(3) of the Constitution talks about a CS attending a Committee of the National Assembly or the Senate when required by the Committee and answer any question concerning a matter for which the CS is responsible.

However, Sen. Dullo made an assertion that the CAS will appear before Committees, which is misleading the country. As a leader in this House, she should not mislead when the Constitution is clear under Article 153(3) on who should appear before any Committee, so that we do not get a mix up. The President suggested and the Standing Orders will be relooked at. This does not mean that the CAS should appear.

I remember that we were together with her on several occasions where we turned away CASs. I remember that Sen. Dullo used to serve in the Committee on National Security, Defence and Foreign Relations where I hope she will continue serving. We sent back the current Governor of Narok, Hon. Ntutu, when he was the CAS for Interior and Coordination of national Government.

Let the Senate Minority Whip guide the nation appropriately and not mislead it.

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

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

Sen. Mwaruma: Thank you, Mr. Deputy Speaker, Sir. It is not about Sen. Dullo's contribution. I am trying to see how we are doing in terms of time. It is 5.15.p.m. and there are several people who are supposed to contribute.

If we continue with this pace of 15 minutes, we will get six people to contribute and we could be having more contributors who want to contribute to the Presidential Speech.

I move that we reduce the time. Pursuant to Standing Order No.1, we can see how to disallow points of orders because they are eating into our time yet there are Members who have already contributed. If we continue allowing these points of order, we might not get time to contribute.

I seek your indulgence.

The Deputy Speaker (Sen. Kathuri): Sen. Mwaruma, this Motion is in progress and we are at the tail-end. It is not possible to limit debate at this point according to Standing Order No.111. I have been requesting Members at their own discretion, to can save some time for your colleagues. You can use five to 10 minutes.

I have a long list of Members who want to contribute from both sides but I am unable to help at this point.

Sen. Dullo, proceed.

Sen. Dullo: Thank you, Mr. Deputy Speaker, I will be fast and brief in my contribution. I have heard Sen. Cherarkey on CASs. It is good that he has confirmed we have turned away CASs in our previous meetings.

In my statement, I have said there is a possibility of sending a CAS to this House. This is what we will disallow. Therefore, there is nothing out of order.

When he quotes Article 153 of the Constitution, it is clear that CSs will appear before the Committee of the Whole or Standing Committees. The only thing we will challenge is having CSs sitting with us in this House.

Sen. Cherarkey, you are eating into my time and I think the Speaker needs to protect me. There other issue was on PPPs. As many of my colleagues have said, there was no mention of issues of corruption on the President's Address. What killed this country was corruption. I know well for the last two terms I have been in this House that counties have been grappling with the issues of PPPs.

Even in the national Government issues of the Managed Equipment Service (MES) started with PPP. When they realized that it was not going to work, they dropped it and went to contracts and agreements. If we are not going to be careful of how we are handling or come up with another strategy PPPs will be a source of corruption. I hope Kenyans are fully aware of what is happening and will happen to PPPs if we do not have proper structures in place.

Counties do not have the capacity to run PPPs. Unfortunately, most of them start and drop it along the way. If we are not careful, Kenyans are not going to get value for their money. It is also a source of corruption. If Kenya Kwanza is ready to deal with corruption, we have no problem to deal with PPPs. I do not know where they are going to get money to run it because they are crying that there is no money in the country.

The other issue is on the 'Hustlers' Fund. After election every leader comes on board and introduces a fund. We have the Youth Fund, which has not benefited Kenyan youths. It is actually failing today. Many of the youths are jobless, dropped out of school and we do not know what the Youth Fund is doing in this country.

We have also seen the Women Fund, yet majority of our mothers are hustling in the market and everywhere else. It is good to define what the term 'hustlers' means in this country. I hope it is not about rewarding those who have politically supported certain quarters. Eighty per cent of people in this country are 'hustlers.' We want to see how this fund is going to be introduced and how it is going to help, *mama mboga*, *boda boda* operators, *jua kali* artisans and everybody else.

The challenge is where we are going to get the funds from. Are we going to collapse these other funds or create other independent funds? Are Kenyans ready for this 'Hustlers' Fund? Those are the questions we need to ask ourselves.

The other issue is on Oversight Fund and the National Government Constituency Development Fund (NG-CDF). It is financing security, schools and bursary; the same thing that the national Government is doing. Is it really helping Kenyans? I do not think it is.

I come from a county where there is insecurity and people fight each other after every one week. It does not pass yet a Member of Parliament (MP) who is giving money to facilitate security and end up doing nothing. Moreover, you are stating that NG-CDF is doing a lot of work. Why can we not collapse these projects?

Mr. Deputy Speaker, Sir, I beg to be given two more minutes because there were Points of Orders that disrupted my debate. There is a very important point I want to drive home.

(The Clerk-at-the-table consulted the Deputy Speaker)

Sen. Dullo: Our children especially those from pastoralist areas are suffering. Animals are dead and the drought is hitting them. Children are not going to school. They are dying of malnutrition together with grown-ups. Surely, what are we doing about them? c

Certain Members stood here and talked about drought intervention. Which drought intervention? My county was given 600 bags of rice and 60 bags of maize to each sub county. Surely, that is one meal a day, which is not enough for everybody.

As my colleagues have said, and I will repeat it here, pastoralists communities in this country are treated as second class citizens. Why can the *Kenya Kwanza* Government not allocate Kshs3.55 billion, the way they allocated it to fertilizer purchase to pass through counties in order to sink boreholes? People are dying of hunger and lack of water.

We have forgotten about dams in this country, but are very happy that fertilizer is there. We wonder when that fertilizer was procured. That is the question we need to ask ourselves.

Children are not going to school because of drought and nobody is talking about it. We are very proud that as *Kenya Kwanza*, we are leading the Government and will do marvelous. Yes, you might do so, but what are you doing for the pastoralist communities who are suffering and nobody is doing anything about it? I have just been sent a message by someone who says people are dropping dead---

(Sen. Cheruiyot spoke off record)

The Deputy Speaker (Sen. Kathuri): Sen. Cheruiyot, kindly take your seat.

Sen. Dullo: Mr. Deputy Speaker, Sir, I was given two minutes and Sen. Cherarkey should give me time to finish.

The Deputy Speaker (Sen. Kathuri): Actually, you have three more minutes to finish.

(Sen. Cherarkey spoke off record)

Sen. Dullo: Thank you, Mr. Deputy Speaker, Sir. Kindly tell Sen. Cherarkey to sit down.

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey, I give you the opportunity to prosecute your point of order. You are both senior Members of this House and you know each other well.

(Sen. Dullo spoke off record)

Sen. Cherarkey, we want to know why when either of you speaks, the other raises a point of order.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.101 because Sen. Dullo is misleading the House. Remember that this Government is

less than 30 days old, yet she is arguing as to when the procurement of fertilizers was done. I apologize but it seems being in the opposition is making her provide statements she does not believe in.

The country should be patient. Twenty-eight days are not enough to even make a baby. Pregnancy takes nine months. Sen. Dullo should not introduce the points of argument in a submission because if she wants a substantive reply, she is aware of the procedure.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Dullo

Sen. Dullo: Mr. Deputy Speaker, Sir, Sen. Cherarkey should be serious about the point of order he is raising. If I want to challenge the issue of fertilizer, it is not a priority for us today. We need food on the table. If you tell me that food is not a priority and we need to wait for three more months for us to use fertilizer, it is not a solution to our problems.

(Loud Consultations)

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

Sen. Dullo: No, I do not need a point of information. I do not want to be informed.

The Deputy Speaker (Sen. Kathuri): Sen. Dullo, kindly finish up.

Sen. Dullo: I am finishing up, Mr. Deputy Speaker, Sir. The Judiciary being given more resource allocation is not a priority. I would have expected the President to increase the county governments budgetary allocation from 15 to 35 or 40 percent. That is where we need that money, not the Judiciary. In as much as we say they are crucial they are the most corrupt in this country. I dare say that.

I am sad to say that we saw Judges the other day queuing with us to receive the President. This is not their institution. Theirs is the Judiciary. For the last 10 years that I have been in this House, I have never seen the CJ come to queue with us. What does that mean? What do Kenyans say about that? On top of that, they are given increased resource allocation. That is a question mark and---

(Loud consultations)

Mr. Deputy Speaker, Sir, I am finishing.

The deputy Speaker (Sen. Kathuri): Sen. Dullo, your time is up, kindly.

Sen. Dullo: Mr. Deputy Speaker, Sir, I am concluding. Sen. Cherarkey and Sen. Kinyua, allow me to finish.

The Deputy Speaker (Sen. Kathuri): There is a point of order from the Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Sen. Dullo, *tulia!*

(Laughter)

Mr. Deputy Speaker, Sir, I wish to understand Sen. Dullo's line of thinking. Is it her submission that we have such fickle characters in the Office of the Chief Justice and Deputy Chief Justice, that a simple act of honour of receiving a President in Parliament, would alter their thinking and how to run the Judiciary in this Republic?

Secondly, is it also her submission that Parliament should not team up with the Executive in increasing funding to the Judiciary, so that there is access to justice? This includes her own County of Isiolo. When we went there for a campaign, residents were pleading a High Court or even a Court of Appeal to be built in their county. How are we going to achieve that if their Senator is on the Floor, saying that we should not increase the allocation to the Judiciary? I want to understand that.

(An Hon. Senator spoke off record)

(Laughter)

The Deputy Speaker (Sen. Kathuri): Sen. Dullo, you have very few seconds to finish.

Sen. Dullo: No, Mr. Deputy Speaker, Sir. I have few minutes to finish.

The Deputy Speaker (Sen. Kathuri): Few seconds.

Sen Dullo: Okay, Mr. Deputy Speaker, Sir, few seconds. Sen Cheruiyot, do you want to tell us---

The Deputy Speaker (Sen. Kathuri): When you see the red light, you know your time is up.

Sen. Dullo: Mr. Deputy Speaker, Sir, my time is up, but I have a right to my opinion. However, I am saying there are right procedures in increasing resource. My submission is; is it the Judiciary or county governments that require increased resource allocation? That is my question.

The Deputy Speaker (Sen. Kathuri): Thank you. Let us have Sen. (Dr.) Murango.

Sen. (Dr.) Murango: Asante Bw. Naibu wa Spika kwa kunipa nafasi hii ili nizingumze kidigo kuhusu hotuba ya Rais Katika Bunge la 13.

Kwa Kiswahili, kuna wahusika wakuu na wale wa kupachikwa. Nilipoangalia nakala ya hotuba ya Rais, niliona inawiana kabisa na manifesto ya Kenya Kwanza tuliyokuwa nayo. Kwa hivyo, sisi ni wahusika wakuu. Ninampa kongole Rais kwa hotuba na kauli zake

Kwanza, nitaanza na kilimo. Ninatoka katika Kaunti ya Kirinyaga ambako tunalima mpunga. Huu ndio mradi mkubwa zaidi humu nchini na hata kote barani Afrika. Hapa nchini pia tuko na miradi mingine kama vile Bura, Tana, Perkerra, Bunyala na West Kano.

Iwapo tunataka tuwe na chakula katika nchi hii, lazima tufanye mambo kadhaa. Kitu cha kwanza ni kufanya *value addition*. Katika maeneo ya Mwea ambako wanakuza nyanya, sanduku moja ya nyanya ambayo ni kilo 60---

Sen. Faki: Hoja ya nidhamu, Bw. Naibu Wa Spika!

The Deputy Speaker (Sen. Kathuri): Yes, Sen. Faki. Just a moment, Sen. (Dr.) Murango.

Sen. Faki: Bw. Naibu wa Spika, singependa kumhujumu ndugu yangu, Sen. (Dr.) Murango ambaye anazungumza Kiswahili kwa ufasaha. Hata hivyo, ninasikitika kwamba anasoma mchango wake. Ameangalia hivi chini anasoma wala hata haangalii iwapo Naibu wa Spika kama anasikiliza au hasililizi. Hivyo si sawa.

The Senate Majority Leader (Sen. Cheruiyot): Wewe unasumbua bure, wewe mzee.

Sen. Faki: Wazee wako Kericho wewe.

Sen. (Dr.) Murango: Bw. Naibu Wa Spika, ninaomba ulinzi kutoka kwa rafiki yangu, Sen. Faki, ambaye ameanza kuonyesha dalili za kigaidi.

(Laughter)

Mimi sisomi chochote lakini niko na nakala ya hotuba ya Rais, ambayo ninafuatilia kwa makini.

Bw. Naibu wa Spika kuna mambo kadhaa ambayo nilikuwa nimeyaongelea na nilianza na Kilimo. Nilikuwa nimesema nimetoka Kaunti ya Kirinyaga, ambako kilimo ndilo jambo ambalo wakulima wanafanya kila siku. Huko kunakuzwa kahawa, mchele, majani chai na pia ukulima wa samaki na vitu vinginezo. Asubuhi ya leo nimepita soko la Makutano na sanduku moja la nyanya ambalo ni kilo 60, ni Kshs1,500. Kama tungefanya *value addition*---

The Deputy Speaker (Sen. Kathuri): Samahani, Sen. (Dr.) Murango! Ninaomba usisome moja kwa moja. Wewe zungumza ukiangalia Naibu wa Spika. Angalia nakala yako halafu uniangalie ukiendelea.

(Laughter)

Sen. (Dr.) Murango: Bw. Naibu wa Spika, ninadhani mimi ni mrefu kidogo sasa nikisimama wima, sijui kama nitafikia kipaza sauti, lakini nitaendelea tu. Hata hivyo, ninazungumza kwa Kiswahili lakini Hotuba ya Rais iko kwa Kiingereza. Kwa hivyo, hakuna uwezekano wa mimi kusoma wakati ninatoa taarifa yangu.

Bw. Naibu wa Spika, ninaomba ulinzi ili nimalize kwa sababu niko karibu kusahau ambayo nikuwa ninataka kusema

Rais wetu alisema ili tuweze kupata chakula cha kutosha, lazima tufanye kilimo na kupeana mbolea ya ruzuku kwa wakulima. Ninamshukuru Rais kwa sababu tayari ashaanza kufanya hivyo na hiyo mbolea ishafikia wakulima. Hili ni jambo muhimu katika kuongeza chakula inchini.

Katika leseni ambazo wauzaji wanahitaji ili kuuza mazao yao katika nchi za nje, Rais alisema ni vizuri tuondoe utawala wa ziada. ili wakulima wapate hizo leseni, ambazo zitawawezehse kuuza mazao yao nje.

Ningependa pia kuongezea kwamba itakuwa bora zaidi tukitumia mitambo ya kisasa katika ukulima wa mchele na mahindi, ili kuongeza mazao. Ninamshukuru Rais wetu kwa sababu sasa hivi katika Kaunti ya Kirinyaga, wakulima wanasajiliwa na wataweza kupata mbolea ya bei nafuu. Hii ina maana kwamba wataongeza kilimo.

Jambo la pili ambalo ningependa kuzungumzia ni pesa ambazo maskini wanaoitwa hustlers, wanapewa. Ni wazi kwamba kizingiti kikubwa katika ufanyi biashara kwa watu wenye uwezo mdogo wa kupata fedha ni mtaji au capital kwa Kiingereza. Rais aliahidi kutoa shilingi billioni 50 ili kuinua wafanyi biashara wadogo. Watu wakiinuliwa hivi, wataweza kufanya mambo mengine ikiwemo kusomesha watoto na mambo mengineyo.

Jambo la tatu nitakaloliongelea ni sheria. Kuna sheria gandamizi ambazo zimetengenezwa na Bunge na lazima tuziangalie. Nitaongea kuhusu sheria iliopitishwa mwaka wa elfu mbili na kuma na tatu ya shirika la *Agriculture and Food Authority (AFA)*. Hii sheria ilizua wakulima kuuza macadamia na korosho bila kuzitoa maganda kwa nchi za nje.

Bw. Naibu Spika, sheria zile hazikufaidi mkulima. Mabwenyenye wachache ndio wananufaika kwa sababu wakulima wengi hawana uwezo wa kuweka ile mitambo ya kutoa maganda kwa korosho, macadamia na zinginezo. Ningeomba Bunge hili liweze kutoa zile sheria ili wakulima wengi katika Kenya hii waweze kuuza mazao yao kwa bei nafuu bila kugandamizwa.

Kuna dhamana ya viwango ambavyo vitakua vinatumika kulipa wakulima wa kahawa, majani chai na vitu vinginevyo. Katika manifesto ya Kenya Kwanza, tutawapatia wakulima viwango chini vya pesa vya kulimia ili kuwawezesha kulima bila shida nyingi. Inaitwa kwa lugha ya kimombo *guaranteed minimum returns*.

Wakulima wanaolima mchele, ngano na zinginezo wakijua kutakua na kiwango fulani cha pesa, wataweza kujipanga vilivyo ili waweze kutoa hata zaidi kutosheleza mahitaji ya nchi hii.

Bw. Naibu Spika, nitaongea kuhusu stima. Nimetaja miradi kama ile ya Tana River na Perkerra. Kuna ile inatumia mashine kutoa stima ambayo inapiga maji kupeleka mashambani. Kama bei ya stima itaendelea kua ghali, itakua ngumu sana kuweza kutoa maji kwa bei nafuu. Katika aya ya thelathini na mbili, Rais aliongea juu ya stima. Ni vizuri ikiwa watu binafsi watawezesha kutoa stima kwa bei nafuu.

Kuna *gazette notice* ambayo ilitolewa juzi na serikali iliyoondoka kuongeza bei ya maji. Wakulima mbeleni walikua wanalima ekari moja na kulipia maji shilingi elfu tano. Katika ile *gazette notice* iliyotolewa, mkulima atalipa shilingi elfu ishirini. Kulingana na taarifa ya Rais, tutakua na baraza jipya la mawaziri hivi karibuni. Waziri wa maji ataangalia sehemu hii na kuitupilia mbali ili wakulima waweze kupata maji na mbolea kwa bei nafuu ndiposa waweze kulima na kupata mapato zaidi.

Ahsante sana, Bw. Naibu Spika.

(Applause)

The Deputy Speaker (Sen. Kathuri): Ahsante sana.
Sen. Mwaruma, what is out of order?

(Interruption of debate on the Motion)

PROCEDURAL MOTIONS

EXTENSION OF SITTING TIME

Sen. Mwaruma: Thank you, Mr. Deputy Speaker. I beg to move the following Procedural Motion -

THAT, pursuant to Standing Order No. 34(4)(a), the Senate resolves to extend its sitting time today, Tuesday, 11th October, 2022 until

the conclusion of the Business appearing in Order No.8 in today's Supplementary Order Paper.

Mr. Deputy Speaker, Sir, this Procedural Motion has been occasioned by the fact that we are heading towards 6.30 p.m., yet there are many Senators who want to contribute to the President's speech. All the Senators would want to contribute to the Speech, tweak it together with the promissory note around the needs of their counties and those of the special interest groups that they represent in the Senate.

I move that this Procedural Motion be passed and request Sen. Kinyua to second.

The Deputy Speaker (Sen. Kathuri): Sen. Kinyua.

Sen. Kinyua: Bw. Naibu Spika, naunga Hoja hii mkono kwa sababu ya muda. Kila Seneta ambaye yuko hapa anataka kuchangia na kusema mambo machache kuhusu Hotuba ya Rais ambayo ilikua ya kufana. Wakenya wote waliufurahia na hio ndio maana maseneta wote waliohapa wanataka kuchangia Hoja hii na kuleta maneno yao yaweze kusikizwa.

(Question proposed)

(Question put and agreed to)

There is another Procedural Motion that should be executed.
Sen. Cherarkey, proceed.

ELECTION OF SENATORS TO PRESIDE OVER SITTINGS
OF THE HOUSE PURSUANT TO STANDING ORDER NO.18
AND ARTICLE 107(1) OF THE CONSTITUTION

Sen. Cherarkey: Thank you, Mr. Deputy Speaker, Sir. Looking at the time and appreciating the fact that you have sat for some time, I beg to move the Procedural Motion -

That pursuant to Article 107(1)(c) and Standing Order No.18, the Senate elects Sen. Wakili Sigei and Sen. Abdul Haji to preside over the sittings of the Senate for the remainder of the day, today, Tuesday, 11th October, 2022 and tomorrow, Wednesday, 12th October, 2022 in the absence of the Speaker and the Deputy Speaker.

It is important for us to do that, so as to allow efficiency and effectiveness of the House. It will also enable us dispose off the business of the House that we have today and tomorrow. These two esteemed Senators are respectable in this House and they have the capacity and ability to discharge their mandate with military precision.

Mr. Deputy Speaker, Sir, I, therefore, beg to move and request Sen. Faki to second. Thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Sen. Faki.

Sen. Faki: Asante, Bw. Naibu Spika, kwa kunipa fursa ya kuunga mkono Hoja ya Sen. Cherarkey. Bunge hili lilianza kazi hivi karibuni na tumeona kwamba tumekua na vikao ambavyo vimeweza kwenda kwa muda mrefu.

Wiki iliyopita tulipokua na kikao cha kwanza, tulikaa hapa mpaka saa moja na nusu. Mhe. Spika Kingi alikaa kwenye kiti kuanzia saa nane na nusu mpaka saa moja unusu usiku tulipohairisha kikao. Hiyo ilikua ni kazi ya ziada kwa Spika kwa sababu alikua peke yake.

Leo tumeona ya kwamba umekaa kwenye kiti kuanzia Saa Nane na Nusu mpaka sasa, Saa Kumi na Mbili Unusu. Hii inamaanisha kwamba nyinyi ni viongozi ambao walijitolea kuendesha Bunge hili bila kujali kuchoka au wakati mumekaa kwa kiti. Kwa hivyo, kuchaguliwa kwa Seneta Wakili Sigei na Seneta Abdul Haji kama Maspika mbadala kwa mujibu wa Kanuni za Kudumu za Bunge hili utasaidia pakubwa kuendesha shughuli za Bunge hili mpaka wakati ambapo daBunge hili litakuwa na Maspika wa Muda.

(Question proposed)

(Question put and agreed to)

(Resumption of debate on the Motion)

The Deputy Speaker (Sen. Kathuri): Sen. Abdul Haji, you may proceed.

Sen. Abdul Haji: Mr. Deputy Speaker, Sir, I would like to take this opportunity to extend my warmest congratulations to the President and his Kenya Kwanza Team for their well-earned victory in the just concluded general elections.

In the same breath, Mr. Deputy Speaker, Sir, I would also like to congratulate the Speaker and yourself for your election and to wish you the best of luck in your role. I would also like to take this opportunity to congratulate each and every Senator for being entrusted with the responsibility of representing Kenyans.

To my understanding, the purpose of Presidential Address during opening of Parliament, as is traditional world over, is for the Head of the State to present his statement of intent to the House regarding the socio-economic agenda for the country. In my view, the President's Address and his intention for the country seem to be well timed as it seeks to address the fundamental socio-economic factors required to propel this country forward.

As legislators, we must commit to play our role together with other arms of Government to ensure that this is accomplished. Interrogating the manner in which this will be carried out is one of our main responsibilities.

I must say that in overall, the President's Address touched on issues that matter to the people of Kenya. They include austerity measures in the Government's budget and expenditure and restructuring the National Health Insurance Fund (NHIF) and the National Social Security Fund (NSSF) schemes to ensure that they more efficient and reliable to the people of Kenya. Issues on abandonment of consumption subsidies in favour for investing and supporting production are all good and they appear to be well intentioned.

My attention has been drawn to two aspects of the President's Speech. The first one is water, a subject that is dear to me and the people living in Arid and Semi-Arid Lands (ASALs), who are perpetually afflicted by lengthy severe drought like the one we are currently facing. Therefore, I was delighted to hear the President's intention to increase access to water from the current 60 to 80 per cent.

While this plan is well intentioned, we must also proceed with caution to avoid forcing the common *mwananchi* to pay more per unit for something that is considered a basic human right. This largely relies on how the Government intends to structure the Public Private Partnership (PPP) arrangement as they go about executing their plan. We

must be cognizant to the fact that certain PPP arrangements have been flawed and have resulted to unintended consequences.

Secondly, I am drawn by the issue raised by the President in regards to his intention to reform the tax model. His intention to review and reform the tax model is commendable. However, the proposal to introduce wealth tax, in my opinion, runs the risk of being counterproductive in growing our economy.

In my humble opinion, targeting wealth to widen the tax base is misguided. Wealth is simply accumulated savings which is available for further investments into the economy. The fortunes of the wealthy mainly consist of active business assets that generate jobs and income. Increasing taxes on wealth will not help workers or bring about equality. It will instead undermine productivity and wage growth and might lead to capital flight.

Most countries world over have repealed their wealth taxes for a combination of reasons. They realized that it raised very little revenue to start with. It created higher administrative costs, it encouraged tax avoidance and tax evasion, it induced an outflow of wealthy individuals and their money and it also led to double taxation.

What that means is that wealthy people will be charged twice, first for earning their income and secondly for retaining it, which in essence is both punitive and discriminatory. If we want to jump-start our economy and create employment, wealth taxation will send the wrong signals to the investors that we currently have and the investors that we so desperately need to attract. The money market is very sensitive. Let us not send the wrong signals to the investors.

If the President wants to reform the tax model, I urge him to look at ways to reform it in such a way that it attracts wealthy individuals into the country and their monies and it also attracts them to settle and live in Kenya, so that we can tax them on their income and not on their wealth. Simply put, we should turn Kenya into a safe haven for investors and attract more wealth into the country.

Mr. Deputy Speaker, Sir, as I mentioned earlier, I thought the President's Address on the whole was reasonably impressive. I applaud him for his ambitious plan. He outlined that he will bring this country back on track.

I can only hope that the President and his Government will be successful. If they are, it means that the country as a whole becomes more prosperous and the living standards of Kenyans will improve, and that is what matters.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Wakili Hillary, kindly proceed.

Sen. Wakili Sigei: Thank you, Mr. Deputy Speaker, Sir, for the opportunity that you have granted me to also contribute to the President's Address to Parliament on 29th September, 2022. The President's advice to all the Members of this House, who were successful in the election that was conducted on the 9th of August and are here representing their various constituencies in the big and heavy responsibility of undertaking a five-year term, was that he expects them to do a role of oversight in this House and beyond.

Allow me to also thank and appreciate the leadership and membership of this House that has just elected me and my fellow colleague Senator to the Speaker's Panel. I hope and believe that we shall do that which is expected of us in the remaining session of this evening, tomorrow and Thursday as the Motion has just been passed.

Mr. Deputy Speaker, Sir, in the run up to the election, we went out campaigning in our various constituencies with a set of ideas, which we called manifestos. The Address by the President spoke into a plan that he had set out in his campaigns throughout the period of the campaign.

In my very brief and short commentary to it, I begin to laud his Address on the issue of the Judiciary that a number of my colleagues have spoken to. The President in his first assignment after being sworn in confirmed and indeed made to be true the commitment that he will support dispensation of justice in this country. He did that by appointing the judges who had not been appointed for a very long time for reasons which were known.

Mr. Deputy Speaker, Sir, the President in his Address also confirmed that his administration will allow the Judiciary to have the independence that is required. By doing that, he is also confirming and giving confidence to the Kenyans of goodwill that there will be no interference by the administration of the Kenyan Kwanza in the service that the Judiciary is expected to render to the people of this country.

He confirmed in his Address that the funding to the Judiciary will be operationalized to enhance its independence. I believe that is a very important step in the leadership style. The Address confirms that we will also honor and respect the independence of the organs which the Constitution of Kenya establishes. I laud His Excellency the President for that.

In his Address, he went ahead to confirm and requested Kenyans of goodwill and leadership to ensure that the Judiciary is allowed to deal with issues and in particular, he confirmed that his administration will assist to ensure that the fight against corruption is enhanced. By allowing the Judiciary to be independent and run its affairs, in the fullness of time, I believe the fight against corruption will be a thing of the past.

Mr. Deputy Speaker, Sir, in this case, I look at the representation in terms of the paragraphs where the President talked about this fight. Under section 62, of the Anti-corruption and Economics Crime Act---

The Deputy Speaker (Sen. Kathuri): Just a minute, Sen. Wakili Sigei. What is out of order, Sen. Oketch?

Sen. Oketch Gicheru: On a point of order, Mr. Deputy Speaker, Sir. I rise on a point of order under Standing Order No.105, which is the responsibility for statement of fact.

My colleague, Sen. Wakili Sigei, is misrepresenting the Address of the President. In paragraph 19 of the Presidents' speech, he said that it is in this spirit that he will be seeking additional resources to support the bottom up scaling of justice and empowerment of the Judiciary to acquire capacity.

The President said that Article 173(3) and (4) of the Constitution is very clear. I will read it because it is becoming irritable to keep on hearing things that might interfere with independent institutions.

Judiciary is one core institution that we cannot gamble with.

Article 173 (3) states that-

'Each financial year, the Chief Registrar shall prepare estimates of expenditure for the following year and submit them to the National Assembly for approval.'

(4) On approval of the estimates by the National Assembly, the expenditure of the Judiciary shall be a charge on the Consolidated Fund and the funds shall be paid directly into the Judiciary Fund.'

Mr. Deputy Speaker, Sir, the intention of these articles are not to the point that the Executive shall initiate the request of any kind of funds to the Judiciary. Is it in order to endorse such statements as empowering the Executive to initiate any financial requests on behalf of the Judiciary?

In the spirit of Article 160 of the Constitution, are we not starting to see a culture of interfering with the independence of the Judiciary?

The Deputy Speaker (Sen. Kathuri): So, were you trying to give Sen. Wakili Sigei more information or were you giving clarification?

Sen. Oketch Gicheru: Sen. Wakili Sigei was misinforming the House that the President does not have power to initiate---

The Deputy Speaker (Sen. Kathuri): I did not hear that misinformation. Sen. Wakili Sigei, could you clarify?

Sen. Wakili Sigei: I wish my colleague was listening to my statement because I picked it in the context of what the President stated in paragraphs 18 and 19. He has read it well. What the President meant was that he will be seeking additional resources.

I am sure my colleague is aware of the procedure and the processes within which Parliament can and should deal with such issues as this one which the President was referring to in his inaugural Address to Parliament.

Mr. Deputy Speaker, Sir, allow me to continue. I believe I still have the Floor.

The second item I want to speak to is Paragraph 17 which this House has previously been taken through by Senators who spoke before me. They have stated that the President is seeking to amend the Constitution through the back door.

I believe it was Sen. (Dr.) Oburu who said that he is not expecting the President to amend the Constitution by that reference in Paragraph 17 of his Address where the President stated that he will be seeking the House to enhance or to make appropriate mechanisms.

Mr. Deputy Speaker, Sir, it has been stated before this House that there is a procedure. Article 153 of the Constitution is available in terms of Cabinet Secretaries (CSs) being required to appear before this House. That is a mechanism or a means within which the President was making reference. How do we ensure that they appear before the House to deal with the business or an issue that the House requires of them?

I have searched and the Legal Information Institute (LII) refers to mechanisms as administrative procedure or guideline manual or even statement.

It was not an invitation to the House to amend the Constitution when the President made reference to the fact that in the near future, he would seek mechanisms through which CSs are to be invited before the House to answer to concerns or questions that the House requires.

Mr. Deputy Speaker, Sir, I would like to speak to the issue of the President's comment on the need to have a united country called Kenya. The President, in his Address, confirmed that he would be a President for the people of Kenya. He would be for those who voted for him and also those who voted for his competitor.

To that extent, he invited Parliament to be a place where debate and business transactions are done for its benefit of the House. It will not matter whether there is a

Majority or Minority. However, I do appreciate the fact that, we will be having the Majority leading the business of the House that will be of benefit to all Kenyans, notwithstanding their political divides or persuasions.

In the course of all our campaigns, we preached that agriculture will be one of those issues that the Government of Kenya Kwanza will prioritize. *Mama mboga* and *bodaboda* back down in the village deal with these issues on a daily basis.

When the President made reference to the creation of affordable credit, he was speaking to the interest of the common *mwananchi*. This government was formed on the strength of the ‘hustler’. The ‘hustler’ is that person who needs credit to be made available.

I believe that this House shall do its best to ensure that it legislates what the President requested in his desire to have affordable credit for such hustlers so that they are assisted in their business enterprises.

It takes the goodwill and interest of this House, notwithstanding the political divides that we come from, to ensure that where necessary, legislations are made that will reach out to the person who is in the lowest level of administration of this country.

I believe that this Government is going to do it. We will ensure we enhance the technology that is available, so that the lowest level is reached in whatever means that we are going to create.

Mr. Deputy Speaker, Sir, I encourage the House to read positive and goodwill of the Address that the President made without necessarily carrying out an analysis in a very pessimistic way that drives towards negating the speech for the sake of it.

I believe that without reaching out, there is nothing much that he can do. The President reached out to all the people of Kenya. They should sit back, support and enhance that which the Kenya Kwanza Government will do in its five-year plan.

Lastly, he outlined a number of areas he would wish for the House’s support, in terms of enhancing the tax bracket and ensuring that there is a reduction of that which is painful to the common *mwananchi*.

If we may be sought for, as a House, to help in enhancement of amendments to the tax regime, is for the good of the country. When we tax wealth rather than taxing the small *mwananchi*, we are creating that which is going to help our people, so that Kenyans can grow themselves in terms of business enterprises that they are running. It will also create a purse for the government, so that it is able to finance the programmes that the government of the day is planning to do.

Mr. Deputy Speaker, Sir, he spoke of ensuring that there is sufficient public participation in the programmes that the Kenya Kwanza government is going to do. I believe that when such programmes are brought to this House, there will be total support in objectivity.

At the end of the day, we have a House that is involved in the interest of the people of Kenya, whom we have sought from to serve for the period of five years.

As I conclude, I appreciate and thank the people who chose this Government, particularly the people of Bomet County, who gave me the opportunity to serve them in this House.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, the Members on my right-hand side are disadvantaged because their gadgets are not working. I confirm that the Members in this list are the ones who want to contribute. Confirm whether you are in my

list before you sit forever and fail to be captured. The Chairs who will be presiding then will then be able to guide the House properly. The Members on my list are Sen. Kinyua, Sen. Methu, Sen. Chesang, Sen. Miriam Omar, Sen. Wamatinga, Sen. Mbugua, Sen. Miraj, Sen. Munyi Mundigi and Sen. Chute.

Is there any other Senator on this side and would like to contribute to this Motion? I assume the ones on my left side are all on the list because their gadgets are working.

Next is Sen. Kavindu Muthama.

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to the President's Address. I do not know what happened to the gadget because I ought to have contributed long time ago.

Let me start by congratulating H.E the President for his election. I also congratulate you, Mr. Deputy Speaker, for the position that you got to lead us in this House. May I also take this opportunity to congratulate all the Senators who were elected and nominated. Finally, I thank the people of Machakos County for re-electing me for a second time. They have faith in me.

I will not contribute to many of the points because they have already been contributed to. However, I will speak on women and the political space of women. I know 29 women were elected in Parliament and three of us were elected in the Senate. In the last Senate we were four but now we have dropped by one.

Women face difficulties during elections. Personally, during my campaigns, I faced many difficulties including abusive words last year. Many women have not developed thick skin to stand abusive words and bullying from the men in the political arena.

I request H.E the President, the Executive and the lawmakers in this Senate and the National Assembly, to see what laws we can put in place to protect women. I am Sure women can be elected. I have vied against many men and won. I know many women can be elected, only that they shy away from the bullying from men.

Mr. Deputy Speaker, Sir, the other point is on food security. Every time we have drought, we take measures which are not permanent. I request the President, the Executive and lawmakers, to come up with a law or system that will ensure we have sufficient food in this country. We need not be running up and down every time there is shortage of rain.

Mr. Deputy Speaker, Sir, Machakos County was removed from Arid and Semi-Arid Lands (ASALs) yet there is drought and famine in the County. As food is being dispatched to other areas, the people of Machakos County are not getting any food and I request that they be considered.

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

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

I request that when the Committee on Devolution and Intergovernmental Relations is in place, it should check on the Statement I had sought on Machakos County being considered as an ASAL because of the drought in that area. We deserve to be considered among the ASALs. Water is a big issue not only in Machakos County but the entire Ukambani region.

The expensive electricity in Nairobi is generated from Masinga Dam yet the people of Machakos County do not benefit from it. They should benefit from the electricity harnessed in Masinga Dam.

I concur with the sentiments of the Senator for Murang'a County on water that comes from his county. The people of Murang'a County should benefit from their water the same way the people of Machakos County should benefit from the electricity that comes from Masinga Dam to Nairobi.

I support the Kshs50 billion Hustler's Fund. However, I want a proper law to be put in place to safeguard that money to ensure that the hustlers are made aware of the fund and to make sure that the fund goes to them. We have other funds that the hustlers can benefit from even before the Kshs50 billion hustlers fund is put in place. We have the Youth Fund, Women Fund, *Uwezo* Fund and other funds that they can benefit from. Majority of them do not know the existence of those funds hence they do not benefit from them.

I pray that the Kshs50 billion for hustlers will not be another fund that the people who are supposed to benefit from will not know of its existence. A law should be enacted. They should also be informed of the other funds available for business.

Mr. Temporary Speaker, Sir, there is the issue of the National Government-Constituencies Development Fund (NG-CDF). As we speak, majority of the children who come from poor backgrounds are out of school and there is no bursary to help pay their school fees. I support the fund. The President indicated that the fund would resume and I pray that it comes with the oversight fund for the Senate.

It has been difficult for Senators to do their oversight work properly. We mostly depend on the Controller of Budget to check the utilization and appropriation of county budgets, then give us their reports. We depend on their report and that of the Auditor General. These reports are not sufficient and cannot replace what a Senator can do on the ground.

As they work on the NG-CDF kitty, my hope is that they will enjoin it with the oversight kitty to Senators and it should be established in the Constitution. This will avoid situations of the fund being stopped.

There should also be Women Representative's Fund to support women, the youth and Persons with Disabilities (PWDs). That should also be anchored in our Constitution, so that it is not left hanging where by somebody may just walk to court and stop it like the case of the National Government-Constituencies Development Fund (NG-CDF).

Most of the issues have been raised, and I do not want to repeat them. I congratulate the President because I know he has goodwill for this country. All I ask is for us, regardless of which side we are, to support any Bill that will be brought here which will benefit our people at the grassroots. We should not just reject for the sake of it.

Mr. Temporary Speaker, Sir, I thank you and support.

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

Sen. Kinyua: Asante sana, Bw. Spika wa Muda, kwa kunipa fursa hii kuchangia Hotuba ya Rais. Kwanza, namshukuru Mwenyezi Mungu kwa kutupa fursa ya kuchaguliwa na wananchi. Vile vile, namshukuru Rias wangu, Mhe. William Samoei Ruto, pamoja na naibu wake, Mhe. Rigathi Gachagua, kwa kunipa fursa ya kuwania kiti cha useneta kwa Chama cha UDA.

Pia, nawashukuru watu wa Laikipia kwa kunipigia kura zilizoniwezesha kuibuka mshindi. Vile vile nawapongeza Maseneta waliochaguliwa na wale ambao waliteuliwa. Heko na tutafanya kazi pamoja.

Hotuba ya Rais iliangazia mambo muhimu ambayo ananui kutenda. Nimekuwa nikiwasikiliza wenzangu wakiongea hapa. Ni kana kwamba amefanya mambo aliyohidi. Ni mambo ambayo ananui kufanya.

Najua na nina uhakika kuwa kuna mambo mengi atakayofanya. Badala ya kupinga, kama Seneta, unafaa kuangalia manifesto ya Mrengo wa Kenya Kwanza ili uelewe mambo ambayo Serikali itafanya. Tunafaa pia kuwapa muda.

Sen. Cherargei amesema kuwa Serikali hii haijamaliza hata siku 30. Ni siku chache sana baada ya Rais William Ruto kuapishwa. Hata hivyo, kuna baadhi ya watu wanaokashifu kutotendeka kwa mambo fulani.

Seneta wa Homa Bay, Sen. M. Kajwang', amesema kuwa bei ya bidhaa imeongezeka lakini ukweli usemwe. Waswahili husema; mgala muue na haki umpe. Walipochukua hatamu za uongozi, hazina yetu haikuwa na chochote. Namshukuru Rais kwa sababu hata baada ya hayo, mbolea imepunguzwa bei kutoka Kshs6,000 hadi Kshs3,500. Hilo ni jambo muhimu.

Rais pia alisema kuwa tunafaa kubadilisha Kanuni za Kudumu za Seneti na Bunge la Taifa ili kuwe na uwezekanao wa kuwaalika Mawaziri hapa kujibu maswali moja kwa moja. Hilo ni jambo muhimu ambalo tunapaswa kufanya ili kutuwezesha sisi wawakilishi wa wananchi kuuliza Mawaziri maswali moja kwa moja bila ya kutumia kamati zetu jinsi ambavyo tumekuwa tukifanya.

Nikiwa Mwenyekiti wa kamati, tulikuwa tunawaalika Mawaziri lakini hawaji. Ikiwa tutabadilisha Kanuni za Kudumu za Seneti, Waziri yeyote atakayealikwa atakuja hapa na hiyo itatuwezesha kupata majibu ya maswali yetu moja kwa moja.

Jambo lingine lilionifurahisha ni kuhusu mahakama zetu.

Rais tayari ametewa Majaji wale ambao walikuwa wamekaa muda mrefu kabla ya kuteuliwa. Halafu Raisi mwenyewe alisema ataongea na Bunge - ataongea na watu ambao wanahusika - ndiposa hela zile ambazo zinatumiwa pale mahakamani ziweze kuongezeka. Hilo ni jambo nzuri na tena mahakama zikipata hela zitaweza kufanya kazi zao kwa uadilifu bila kukaa wakibabaishwa kwa kuwa hawana hela za kutosha.

Jambo lingine ambalo limenifurahisha ni kwamba Rais hata ijapokuwa pengine hakulisema hilo jambo lakini tayari amelitekeleza. Maafisa wetu wa usalama wamepewa kitita cha pesa wao wenyewe hawatakuwa wakitegemea ofisi ya Rais wakitaka chochote. Hilo ni jambo nzuri sana kwa sababu mimi nimetoka Kaunti ya Laikipia, mahali mambo ya usalama yamekuwa ni kizungumkuti.

Ukienda kwenye kituo cha polisi kutoa ripoti unaambiwa ya kwamba hawana mafuta lakini hilo ni jambo ambalo litakuwa limekwisha kwa sababu watakuwa wakipata pesa zao moja kwa moja, watakuwa wakijitegemea. Kwa hilo, ninampongeza Rais na ninasema tutamuunga mkono mia kwa mia.

Jambo lingine ambalo nimeliona ni nzuri tena, amesema ya kwamba Bunge la Seneti na Bunge la Taifa watapata pesa za kuwasaidia katika kazi yao ya uangalizi. Kwa sababu sisi tumekuwa tukifanya kazi hizi zetu za uangalizi unazunguka ukitumia mshahara wako. Inakuwa vigumu sana lakini sasa tukiwa na fedha hizi tutazitumia na hata unaweza kupata wahandisi ambao watakuwa wakiangalia barabara zetu wakitumia fedha hizi.

Hili ni jambo ambalo litakuwa la manufaa na kazi tutaweza kufanya kwa uadilifu na itakuwa ni kazi ambayo tunaitekeleza. Kwa sababu imekuwa ni vigumu sisi kama Maseneta kufanya kazi.

Unakumbuka tulipigana hapa ilikuwa ni vita vya nguo kuchanika tukijaribu kusema pesa zile zinazoenda katika kaunti zetu ni mpaka ziongezwe. Tulikuwa tupewe Kshs310 bilioni, tukasukuma mpaka tukapata Kshs370 bilioni. Lakini baada ya kupata fedha hizo, sisi tunazipeleka katika kaunti lakini hatuna fedha ambazo zinapaswa kutumika ili tuweze kuangalia zile pesa ambazo tumepeleka katika kaunti zetu. Kwa hivyo ninaunga mkono hizi pesa za uangalizi, ama kwa lugha ya Kiingereza, *oversight*.

Jambo lingine ambalo ninaunga mkono ni fedha za walala hoi ama *Hustlers Fund* kwa sababu watu wengi wamekuwa wakikimbizwa na kusumbuliwa kama swara.

Nimesikia Seneta mmoja akisema hapa ya kwamba ukitembea hapa Nairobi, uende Kirinyaga Road huko Grogan, ndugu zangu wakifanya biashara wanafukuzwa kama swara. Hii ni kwa sababu kuna wale ambao biashara zao ni za kibwenyenye lakini mtu ambaye biashara yake ni ya reja reja yeye haonekani akiwa wa manufaa.

Ninataka kumshukuru Rais kwa sababu alisema ya kwamba hakuna biashara ambayo haipaswi kuheshimiwa, iwe mtu anauza nyanya ama vitu vyake vya reja reja, hiyo ni biashara.

Kuhusu hizi hela za *Hustlers Fund*, Kshs50 bilioni, nimekuwa nikiambiwa kwamba wale wafanya biashara reja reja, watu wa boda boda, watu wa sokoni kila mtu anasubiri hizi hela; na ninaona ya kwamba sisi watu wa Laikipia haswa wale ambao wanafanya biashara ya reja reja, wataweza kupata afueni.

Hapo mimi ninaunga mkono na ninasema Rais, aendelea kufanya kazi na sisi tuko nyuma yako.

Jambo lingine ambalo ningependa kuunga mkono katika hotuba ya Raisi, amesema mambo ya nyumba. Ukitembea Laikipia, unapata watu wanaishi katika nyumba ambazo sio nzuri. Ukienda mahali ambapo panaitwa Maina Estate, Majengo-Nanyuki, Riki, utapata watu huko wanaishi maisha duni.

Mimi ninaunga mkono vile Rais amesema ya kwamba tutapata nyumba ambazo mtu anaweza akanunua. Hilo ni jambo la muhimu kwetu na ni jambo ambalo tunaunga mkono. Tumeona kuwa Rais anatufikiria kama vile alivyokuwa akisema ni “kusema na kutenda” na mimi ninajua atafanya.

Ninakumbuka Rais alipokuwa Waziri wa Kilimo, aliweza kupunguza bei ya mbolea kama vile alivyofanya sasa, kutoka Kshs6,000 kuwa Kshs5,500.

Alipokuwa Waziri wa Elimu ya Juu, alipunguza muda wanafunzi waliokuwa wamemaliza Kidato cha Nne walikuwa wanakaa nyumbani kabla ya kujiunga na vyuo vikuu. Walikuwa wanakaa zaidi ya miaka miwili kabla kujiunga na vyuo vikuu. Alipunguza muda huo hadi miezi sita. Ikiwa wakati huo aliweza kufanya hivyo na hakuwa na mamlaka kama haya aliyonayo akiwa Rais, sembuse sasa?

Bw. Spika wa Muda, nina imani ataweza kutenda yote ambayo ametuahidi.

Ningependa kuwaambia wale ambao wanapinga kidogo kwamba Mswahili husema, subira huvuta heri. Mngoje na msikate kanzu kabla mtoto kuzaliwa.

Nimeona Rais wetu akishugulikia mambo ya walala hoi. Ameongea kuhusu fuliza, M-shwari na kusema ya kwamba ruzuku iliyokuwa ikitozwa itapunguzwa mpaka iwe asilimia 40. Naona ya kwamba Rais yuko chonjo na tayari kutenda kazi.

Bw. Spika wa Muda, ningeomba tumuunge mkono. Wale ambao wanaona mambo hayafanyiki, ni siku chache. Yuko na muda wa miaka mitano na baada ya hiyo miaka, ataweza kufanya yote.

Nashukuru sana, Bw. Spika wa Muda.

The Temporary Speaker (Sen. Wakili Sigei): Karibu Seneta.

Sen. Hamid Ali?

Sen. Kibwana: I thank you, Mr. Temporary Speaker, Sir, for giving me this opportunity to contribute.

I thank my party leader, Rt. Hon. Raila Amollo Odinga, for giving me this opportunity to serve in the Senate.

I congratulate my colleagues for having been elected or nominated to this House.

I will go direct to the point. I have three or four points. First, I looked at the women and the two-thirds gender rule. In as much as the President acknowledged that there was growing confidence in the contribution of women in leadership and governance, he did not give tangible solutions on the two-thirds gender rule and how it could be implemented or achieved. There was also no plan or intention regarding what the Government will do to empower women and youth of this country.

My other point is on the symbol of national unity. As a figure of national unity, the President did not give a unifying solution on how to heal the country.

We realize that there is only 200,000 difference of his win. However, there is still some hate in terms of ethnicity, nepotism and all other things. They are all very thorny. So, is wise to address this so that he can bring the country back together and harmonize. This will still remain entrenched in the Kenyan society, if not sorted out.

In terms of health, the President spoke of the Universal Health Coverage (UHC), the National Health Insurance Fund (NHIF) and how it will be achieved. However, he ignored the fact that a more pressing issue is upgrading of hospitals and how well-stocked hospitals will run. There is also the issue of remunerating staff.

One more thing in terms of tax, the President should have focused on how to increase the tax base so as to raise more revenue. I looked at it and he did not talk on how he would stem pilferage and run-away corruption, since it is well known that the country loses a third of its annual budget on corruption. How does he encourage more Kenyans to pay tax thus increasing national revenue?

Many of my colleagues have contributed on water issues. Water is a devolved function that requires optimization in this country. He talked about how it can be enacted through public private partnership (PPP). What happens to the current water and sanitation bodies in the counties? I think this move opens a window of abuse and exploitation. The Senate has a role in this and we have to be very clear on the nature of contracts counties will be getting themselves into.

All other contributions I wanted to do have been made. I do not think that I need to add anything else. Just one more and I think Sen. Abdul Haji spoke about it. It is on drought and livestock.

The President spoke of relief response on the ongoing drought but failed to mention what happens to communities that rely on livestock as their livelihoods. What relief measures are available for them? That was not addressed adequately. I give others a chance since we have some way to go.

The Temporary Speaker (Sen. Abdul Haji): Sen. Chesang, you may proceed.

Sen. Chesang: Thank you, Mr. Temporary Speaker, Sir. I congratulate our Speaker and the Deputy Speaker and the House leadership. I am Sen. Chesang from Trans Nzoia County. I thank the people of Trans Nzoia County for electing me to represent them as their Senator.

I will make very few remarks on the Presidential Address delivered on 29th September 2022. His Excellency the President, Dr. William Ruto, in his Address stated that he will run an administration that is open and transparent, that would rely on oversight from us, the Senate.

The Temporary Speaker (Sen. Abdul Haji): What is your point of order, Sen. Onyonka?

Sen. Onyonka: Mr. Temporary Speaker Sir, it is a point of order. It is just in-house. Hon. Chesang is reading a statement on the Floor of the House which is against the Standing Orders.

Sen. Chesang: I am just referring to the speech. I am just quoting.

The Temporary Speaker (Sen. Abdul Haji): You are just quoting?

Sen. Chesang: Yes, Mr. Temporary Speaker Sir.

The Temporary Speaker (Sen. Abdul Haji): Just proceed.

Sen. Chesang: The President said that he will rely on oversight from the House to ensure that the public gets value of every cent invested in every policy, program and project. What I have learnt in this House is that the Minority side is complaining a lot.

Last week, our sister from Kilifi County complained about what the President said in paragraph 12 of his Address. According to me, the President was just speaking the truth about what had happened in the country. I beg your permission to read. It says:

“The sitting Deputy President became the candidate of opposition and the leader of opposition became the candidate of the Government. As things would be, the opposition candidate won the election and became the President and the President became the leader of Opposition Party”

This is very true and it is the situation in the country but the Minority side was complaining that the President was acting as if it is a campaign mode. I urge the Minority that the President mentioned also said:

“We all serve the same boss; the people and their sovereign interest and our operating principle and purpose.”

I agree with this statement because Kenyans are our electorate and so, they are our bosses. We serve their interests. I urge the Minority side of the House to agree with and support what he says.

Mr. Temporary Speaker, Sir, paragraph 28 of the Address concerns the Kshs50 billion Hustler Fund that is supposed to be implemented every year.

As you know, the youth have not had equal access to opportunities in public procurement. According to Article 55 on affirmative action and, the Public Procurement and Asset Disposal Act, (PPADA) 2015, it is the Government’s responsibility to ensure that the youth are empowered. The law clearly says that 30 per cent of Government procurement should go to the youth, women and Persons with Disability (PWDs).

From my own research, the largest beneficiaries of Government procurement opportunities are the youth, women and PWDs from urban areas. The rest of the youth in the rural areas like Trans Nzoia, Uasin Gishu and areas in the former western province, do not have access to Government Procurement Opportunities (AGPO).

This also relates to the Hustler Fund because it will use the same criteria. Now that we are helping the President to implement the Hustlers Fund, I urge us to ensure training and civil education is done before it is implemented. Let us make sure that we inform the youth, women and all Kenyans about these opportunities. We need to train them on how to access the Hustler Fund.

The Nairobi City County has the highest number of AGPO registered funds at 67 per cent. Mombasa County is second at six per cent and Kiambu County is at five per cent.

The pending bills as at August, 2022 were around Kshs504 billion and a huge number of that money belong to Access to Government Procurement Opportunities (AGPO). Most of these companies are start-ups which operate on borrowed funds. This leads to delay of completion of projects. Their payments are always pushed to the next financial year which leads to accrued charges resulting to higher interests. If they are ever paid, most of the interest goes back to pay the loans. That is what the youths are going through.

This House should work together to ensure that these funds get a way of getting to the beneficiaries in a very good manner. I am happy that the President mentioned on paragraph 28 that they will leverage on technology in the management of disbursement of the 'Hustler' Fund. I support this Address.

I want to remind the minority that this Government has only been in place for 28 days and not 100 days. That is why the President has not implemented anything. My brother from Homa Bay County stood here and said that the President talked about savings in this country. He also mentioned that other people are saving in different ways. If he followed the President's Address today at the National Securities Exchange (NSE), he would have noted that the President encouraged the NSE to incorporate each and every Kenyan.

We should encourage the President. They are in the minority to correct the President for him to lead this country in a better manner.

Thank you. My time is over.

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

Sen. Mwaruma: Bw. Spika wa Muda, nakushukuru kwa hii fursa umenipa ili kuchangia hotuba ya Rais katika ufunguzi wa Bunge la 13 ya Jamhuri ya Kenya. Hii hotuba imesemekana na wachanganuzi kwamba ilikuwa fupi zaidi kati ya hotuba zote katika historia ya Kenya. Ningependa kusema ya kwamba hii hotuba ilikuwa fupi na ilikuwa nzuri. Sio lazima hotuba iwe ndefu ili iwe nzuri. Vitu vinaweza kuwa vifupi na vizuri.

Bw. Spika wa Muda, hii hotuba ilikuwa ni ya kutupatia mwelekeo wa uongozi wa rais kwa kipindi cha miaka mitano hasa kuangazia mambo ya uchumi. Riwaza za pande zote mbili; *Azimio la Umoja na Kenya Kwanza*, zilikuwa zinaangazia mambo ya uchumi.

Upande wa *Azimio la Umoja* ulikuwa unaangazia mambo ya mapinduzi ya uchumi na *Kenya Kwanza* ulikuwa unaangazia mambo ya kubadilisha uchumi kupitia mfumo wa makalio juu almaarufu *bottom up*.

Kwa vile katika mashindano lazima kuwe na mshindi na mshinde, hii ruwaza ya *Kenya Kwanza* ndio ilipita. Kwa hivyo, letu kama Bunge ni kuangalia namna tunaweza kushikilia serikali ili watimize yale ambayo waliahidi wananchi katika ruwaza yao.

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

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

Bw. Spika wa Muda, Rais alianza kwa kupongeza viongozi waliochaguliwa. Kwa hivyo, ningepeda kuchukua fursa hii kuwashukuru wananchi wa Taita Taveta kwa kunichagua tena kwa awamu ya pili kwa sababu wanaamini uongozi wangu. Pia, nachukua fursa hii kuwapa kongole Maseneta wote waliochaguliwa na wananchi na vile vile wale walioteuliwa kuwakilisha vikundi tofauti.

Vile vile, nampongeza Rais kwa kuchaguliwa kama Rais wa Jamhuri ya Kenya. Watu husema kuwa katika kila mashindano, lazima kuwe na mshindi na mshinde.

Katika aya ya tatu, Rais alisema kwamba Serikali yake itashirikisha maeneo yote ya Kenya katika uongozi. Alipendekeza kuwe na Mawaziri 22. Hata hivyo, kuna baadhi ya maeneo ambayo hakuna Waziri hata mmoja aliyeteuliwa. Mfano ni Kaunti ya Taita Taveta. Kusema ukweli, hatuwezi kuwa na Mawaziri kutoka kila sehemu ya Kenya.

Kuna Makatibu Wakuu na pia *Chief Administrative Secretaries (CASs)* ambao hawajachaguliwa. Tunasubiri mahakama kuamua iwapo ni sawa kuwa na CASs. Ikiwa hivyo, namwomba Rais aangazie maeneo ambayo yaliachwa nyuma katika uongozi kama vile Jimbo la Taita Taveta ndio angalau tuwe na Katibu Mkuu au hata CAS.

Bw. Spika wa Muda, aya ya 21 inaangazia mambo ya kutoa ruzuku na pembejeo, haswa mbolea. Rais aliamuru bei ya mbolea kushuka kutoka Kshs6,500 hadi Kshs3,500. Namshukuru Rais kwa jambo hilo.

Jinsi wengine walivyosema, hii si mara ya kwanza kwa Rais kushukisha bei ya mbolea. Mwaka wa 2008, akiwa Waziri wa Kilimo katika Serikali ya “Nusu Mkate”, alishukisha bei ya mbolea kutoka Kshs6,000 hadi Kshs2,400. Vile vile amefanya hivyo.

Kushukisha bei ya mbolea pekee hakutasaidia kuhakikisha kuna *food security*. Kuna maeneo kama vile Kaunti ya Taita Taveta ambayo kando na kupata pembejeo, mambo kadha wa kadha yanafaa kufanyika ili kuhakikisha kwamba kuna chakula.

Kuna maeneo kama vile Wundanyi na Werugamghange ambapo tukipata mvua vizuri, tulime na tupate mbolea, basi kutakuwa na mazao. Wananchi wa huko hawavuni kwa sababu ya shida za wanyamapori kama vile tumbili. Wananchi wa Wundanyi hawawezi kulima kwa sababu ya tumbili.

Kando na pembejeo, Serikali pia inafaa kujua jinsi wakulima hao watalima. Wenyewe wana bidii ya kulima lakini chakula chao chote kinaliwa na nyani na tumbili. Njia gani zinaweza kutumika kulinda chakula cha wananchi hao dhidhi ya wanyamapori kama vile tumbili na nyani? Lazima kuwe na mikakati mwafaka ya kuhakikisha kwamba nyani na tumbili wameuawa au wafungiwe mahali ili wasifike kwenye mashamba yao.

Hata ukiwapa mbolea watu wa maeneo ya chini kama vile Mwatate, Voi, Taveta na mengineyo ya Wundanyi kama vile Kishushe, hawawezi kulima kwa sababu hakuna maji. Wanategemea unyunyiziaji mashamba maji.

Bw. Spika wa Muda, kando na kutoa mbolea ambayo imetolewa ruzuku, lazima kuwe na mpango mwafaka wa kuleta maji katika maeneo kame ya Kaunti ya Taita Taveta.

Bw. Spika, kama unavyojua, Taita Taveta, kuna vyanzo vingi sana vya maji vinavyohitaji hela kidogo tu. Kwa mfano, kuna Ziwa la Challa, Ziwa la Jipe, Mzima Springs na Njoro Springs. Hivyo ni vyanzo vya maji ambavyo Serikali ikiwekeza pesa

kidogo tu kama Kshs5 bilioni hadi Kshs10 bilioni, maeneo yote ya Mwatate na Voi yatapata Maji. Tukipata pamoja na ile mbolea ambayo imetolewa ruzuku, basi wananchi wataweza kulima na kupata chakula chao cha kutosha na hata chakula cha kuuzia Kenya nzima.

Maeneo ya Taita Taveta ni maeneo yanayojulikana kuwa hayana ugonjwa katika mambo ya kufuga wanyama. Yale maeneo yakipewa maji na wananchi wapande nyasi, ni maeneo ambayo tunaweza kufuga ngómbe wengi na kupata wa kutosha Wakenya na pia kuuza nchi za ngámbo na pia kuleta ajira nyingi sana.

Namshukuru Mheshimiwa Raisi kwa sababu katika aya ya ishirini na nane, ameongea mambo ya kutafuta pesa kwa kima cha Kshs900 bilioni kupitia mfumo wa Public Private Partnership (PPP), ama kutumia serikali na idara ambayo si ya serikali, ili kupata pesa ya kutosha ya kupata na kupeleka maji katika sehemu kame.

Hilo naliunga mkono kwa sababu maeneo ambayo yana rotuba lakini hayana maji yanaeza kugeuzwa ili tunyunyizie mashamba maji na tuache ukulima wa kutegemea mvua. Ingawaje tumejaribu hili wakati mwengine maeneo ya Kilifi, kwenye mradi wa Galana Kulalu na haikufaulu. Lakini hata kama haikufaulu huko, hatuwezi kusema kwamba haiwezi faulu hata sasa. Kama Waisiraeli walifanya na wakafaulu, basi tuwalete huku watusaidie ili tuweze kufaulu.

Katika mpango wa PPP, hii miaka mitano iliyopita tulikuwa tunasukuma mapendekezo tuliyokuwa nayo. Tuliyaapeleka kwa PPP department kule Treasury ila hawakupitisha huo mradi wa Njoro Kubwa uliohitaji pesa kiwango cha Kshs6 billion na ulikuwa unalipiwa na sekta ambazo si za Serikali.

Najua saa hizi saa hizi utaenda kupita, kwa sababu Raisi amesema watatumia hiyo mbinu ili kupata wafadhili wa kuleta maji kupitia mpango wa PPP, ili tupate maji ya kunyunyizia mashamba yetu.

Katika maeneo haya kame, wananchi wanalima lakini hawawezi kuvuna kwa sababu ya kero la ndovu na wanyama pori. Ni vizuri serikali za kaunti, Serikali ya Kitaifa na Kenya Wildlife Service (KWS) washirikiane ili waweke nyaya za stima za kuzuia ndovu wasiingie katika maeneo ambayo wananchi wetu wanalima.

Lingine ni kuhusu hii Kshs50 bilioni ambayo inaitwa *Hustler Fund*. Hii ndio itakayobadilisha uchumi wa Kenya. Kama kila Kaunti inaweza kupata Kshs1 billion ielekezwe kwenda kwa vijana, akina mama na walemavu, wapewe tender - Seneta wa Uasin Gishu ameongea vizuri sana kuhusu hii - wapewe pesa ya kufanya miradi na kaunti. Serikali ya Kitaifa au Treasury iangazie kwamba ile pesa imelipwa katika zile tender, basi wananchi wa chini ambao ni vijana na kina mama wanaoitwa hustler, wataweza kusaidika.

Lakini tukifanya kama zile pesa zingine zilivyo, kwamba zinakopwa na kufanya biashara na Kaunti na Kaunti haziliwapi, wanakuwa na *pending bills*, basi huu mfumo wa pesa ya *hustler* bado hautasaidia wananchi wetu kujikuza kiuchumi.

Jukumu letu kama Bunge ni kusaidia Serikali iliyoko kutengeneza sera, sheria na kanuni mwafaka za kusaidia hii *hustler fund* ifanye kazi vizuri kwa manufaa ya wananchi wetu. Hivi ndivyo tutapima Serikali yetu ya Kenya Kwanza kwa sababu haya ni mawazo yao wenyewe.

Jambo lingine la muhimu ni kuhusu kufufua uchumi. Tumeona kwamba uchumi umelemaa hususan katika maswala ya utalii Kaunti za pwani. Watalii wengi waliokuwa wakuja pwani wameweza kuenda katika maeneo mengine kama Zanzibar ambao ni jirani.

Hii imesababishwa na kufungwa kwa viwanja vya ndege na mashirika ya ndege nchini. Kwa mfano, ukienda nchini Zanzibar kuna ndege zaidi ya kumi ambazo zinatoka nchi za kigeni kila siku. Zinaleta watalii katika nchi ile ilhali Mombasa Kaunti haina ndege hata moja na hiki ni kiwanja cha kiwango cha kimataifa.

Miaka mitatu nyuma, kiwanja kile kilikarabatiwa na takriban shilingi billioni saba. Hata hivyo, hatujaona ndege zozote za kimatiafa zikishuka na kuleta watalii na kurahisisha usafiri baina ya Mombasa na miji miingine mikubwa ulimwenguni.

Usafiri wa ndege; kwa watalii wa humu nchini, umekuwa ghali kwa sababu Kenya Airways ambalo shirika la ndege linalofanya biashara katika eneo la Mombasa, Kisumu na kwingineko linadai gharama kubwa kuliko wengine wote. Kwa mfano, tikiti ya *economy* leo kutoka Mombasa kuja Nairobi asubuhi iliikuwa shilling elfu thelathini. Hiyo ni karibu dola mia tatu ambazo zinaweza kukupeleka kutoka Mombasa hadi London ama Frankfurt kwa ndege zinazotoka nje.

Kufungwa huku kwa biashara na kuwapa nafasi Kenya Airways pekee ni '*monopoly*'. Inalemaza uchumi wa Kaunti za pwani. Malindi vile vile ina kiwanja cha ndege ambacho ni cha kiwango cha kimataifa kinacholemaa kwa sababu hiyo.

Uwanja wa ndege wa Eldoret kule Uasin-Gishu una ndege nyingi za mizigo. Watu wengi wanapeleka mizigo yao kupitia kule kwa sababu ni rahisi kufanya *clearance* na kuchukuwa mizigo yao.

Hatuoni sababu gani viwanja vya ndege vya kimatiafa vya Moi, Malindi na Kisumu haviwezi kuruhusiwa kupokea ndege za kigeni kulingana na ile tunaita '*open skies policy*'. Hatuwezi kuendelea kama Afrika iwapo tumefunga njia, anga na bandari zetu na hatuwezi kupokea.

Mhe. Spika wa Muda, bandari ya Mombasa hupokea maelfu ya meli kila mwaka. Meli hizi zinatoka nchi za kigeni zinaleta mizigo na kubebe mingine kutoka Mombasa. Hatuoni sababu ya Uwanja wa Moi Mombasa kutotumika kwa swala hilo.

Pili, Uchumi Samawati ni jambo ambalo halikutajwa katika hotuba ya Rais, lakini ni muhimu sana kufufua uchumi wa Kaunti za pwani. Tunao ufuo wa bahari kutoka Lungalunga ama Vanga kusini mpaka Kiunga kaskazini. Sisi kama wenyeji wa eneo lile hatujaweza kupata faida zake kamilifu.

Kwa mfano, uvuvi wetu bado ni ule wa kiasili. Unavua kutumia vidau, mshipi moja ama nyavu ndogo ambao hausaidii kupata samaki wa kutosha kukuwezesha kulisha familia na kuuza ili kupata mapato ya kukusaidia na familia yako.

Lazima watu wawekeze katika Uchumi Samawati. Unaweza kutuletea utalii na biashara ya samaki, kawi ya upepo wa bahari na vile vile mafuta na vitu vingine ambavyo vinapatikana katika bahari hii.

Katika swala la sheria yani '*rule of law*', kuna dalili zinazoonyesha kua serikali hii haitaweza kuheshima uhuru wa sheria. Jambo la kwanza ambalo tuemona ni kuwa mahakama imerushiwa vishawishi kadhaa ambavyo vinavyonyesha kwamba serikali hii iko tayari kuhujumu uhuru wa mahakama.

Kwa mfano, siku ya pili alipochaguliwa Rais Ruto, tuliona mambo ya kuapishwa harakaharaka kwa majaji sita yalifanywa haraka ambao walikuwa wamezuiliwa siku za awali.

Tumeona pia kuna mipango ya kuongeza ruzuku kwa mahakama kwa jumla.

Bw. Spika wa Muda, mwisho ni kuwa Rais alipowasili, jambo la kusikitisha ni kuwa Jaji Mkuu na Naibu wake walikuwa wamesimama kwa msitari hapo nje kumpokea

Rais. Hili sio jambo la kawaida. Hata wewe nyumbani kwako, huwezi kualika wageni halafu wageni wa kwanza wakishaingia, unawachukua waandamane na wewe mwenyeji kwenda kuwapokea wageni wengine. Mgeni wako ni wako, mpokee wewe binafsi. Ilikuwa makosa Bunge letu kuwasimamisha wakuu wa Taasisi huru katika nchini, kulingana na kanuni za kumpokea Rais.

Mwaka uliopita, kulikuwa na mjadala kuhusu watu fulani ambao walikuwa wamechaguliwa katika nyadhifa za uongozi. Wengine wao walikuwa na tashwishi huku wakiwa wameshitakiwa mahakamani kwa ufasadi na jinai. Waliombwa wajiondoe katika nyadhifa zao kwa muda, hadi makosa yao yathibitishwe ama yaondolewe.

Mjadala huo umebadilika sasa. Sasa imekuwa ya kwamba, watu wanachaguliwa kuchukua nyadhifa Serikalini ilihali bado wako na kesi mahakamani. Hii sio dalili nzuri. Inamaanisha tumeanza kupuuza polepole Sura ya Sita ya Katiba inayohusu maadili. Hivi vigezo viwili vinaonyesha kwamba haki haitakuwa inatendeka katika nchi yetu.

Katika Bunge la Seneti, tumeona Upande wa Wachache umehujumiwa. Maseneta waliochaguliwa kutoka sehemu hizo wametekwa. Hii sio dalili nzuri katika maswala ya uhuru wa mahakama, taasisi huru kama vile Bunge na pia tume huru za kutetea haki za binadamu.

Jambo la mwisio ambalo ningependa kugusia ni maswala ya mbegu zilizobadiliswa na kuweza kuzaa kwa wingi. Kwa Kiingereza tunaita *Genetically Modified Organisms (GMO)*. Ni hatari kwa nchi yetu kukubali mbegu hizi. Mfano ni hivi majuzi tu ambapo kina dada walianza mtindo wa kudungwa dawa za kuongeza makalio yakuwe makubwa. Hili limeleta hatari kwa wanadada wengi. Juzi katika vyombo vya habari, tumemwona mwana mitindo, Vera Sidika, akizungumzia kuhusu matibabu aliyopitia ili kurekebisha makalio yake.

Bw. Spika wa Muda, maswala ya *GMO* ni kama hivyo. Hatutakuwa na uhakika wa mbegu ambazo sasa tutakuwa tunakula. Hatujui zitaathiri miili yetu kwa njia gani. Tumeshuhudia mkurupuko wa visa vya kansa, maradhi yasiyo na tiba na maradhi mengine ambayo hayaeleweki.

Kwa hivyo, hatujafikia kiwango cha kupokea vyakula vya *GMO*. Hatuna sheria ama kanuni nzuri ambazo zinaweza kudhibiti maswala ya vyakula hivi. Afadhali tubaki na njaa yetu, kuliko kula hivi vyakula vya *GMO* ambavyo vitatusababishia madhara zaidi.

Kwa mfano, mara nyingi hapa Kaunti ya Kitui, watu wamekula mahindi yenye sumu ya ukoga wa mwani au *aflatoxin*. Ukila sumu aina hiyo, itakudhuru na hata unaweza kufariki. Kwa sasa, hatuna sheria ama kanuni za kudhibiti vyakula hivi. Kwa hivyo, sio salama kwa wananchi wetu kuruhusiwa kula hivyo vyakula.

Sisi ni watu wa Upande wa Upinzani na tuko tayari kupambana na maswala ambayo Serikali italeta katika Bunge hili. Ikiwa ni maswala mazuri, tutayaunga mkono lakini ikiwa yataathiri vibaya umma ama wananchi wetu, tuko tayari kuyapinga na kuhakikisha haki imetendeka.

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

Sen. Methu you have the Floor.

Sen. Methu: Thank you, Mr. Temporary Speaker, Sir, for this opportunity to make my comments on the Address of the President.

It is a coveted opportunity. I have been waiting to contribute to this Motion for the last three sessions. I am happy that I have gotten this opportunity. I would not have left these Chambers before commenting on it.

First, I wish to congratulate my colleagues who are in these Chambers for their well-deserved win in the general elections. I also want to congratulate those who were specially nominated. I am looking forward to robust conversations that will make our country better. At the end of our term, we will look back and say that indeed we served our country and people.

I will speak on the Address of the President. I wish to disagree with my colleagues who mentioned in their submissions that the address was short. In my opinion, the address was long enough to cover fundamentals and short enough to catch the eye of the intended people, just like a skirt.

If you listened to the President of the Republic of Kenya, Dr. William Ruto, and read his mood and tone, you would have heard a man determined to change the fortunes of this country. I wish to quote what a former President of the United States of America, Ronald Reagan, said in his inaugural address in 1981. He said that the economic ills they were facing as a country would not be dealt with in a day, a week or one month but they would surely be sorted out.

I listened to the Address of the President and I know that he is interested in sorting out the issues that we are seized of. His speech and address cap on issues that are detrimental to the people of Kenya.

The President mentioned that he will be a President for all. As mentioned by my colleagues here, the country was torn down in the middle and it is in his will and wish that we shall forge together as a country. Elections are there to separate those who are running for political office but once that period is over, we have to forge together, as people of Kenya. As Senators, we are in this House to serve the people of Kenya regardless of party positions or the voting patterns of our people.

In no order or sequence, I wish to start with paragraph 31 of the address of the President where he spoke to the issue of water. We are lucky because we have a President who has been the Deputy President of this Republic for the last 10 years. He, therefore, understands the issues they were not able to achieve and why they were not able to achieve them and he should be able to give solutions to those issues. In that paragraph, he said that the Government requires about Kshs500 billion to meet the water needs of the people of Kenya.

Water is a major issue for the people of Nyandarua County. They need it for subsistent use and irrigation. Nyandarua is an agricultural County. Without water, it cannot feed the Nation yet it is a food basket. We are the number one producers of potatoes, carrots and cabbages and number two producers of milk in the Republic.

Therefore, water is a major issue for the people of Nyandarua County. I will not take the direction that my brother, the Senator for Muranga County; Sen. Joe Nyutu took. He said that they will bring a legislative agenda in order for them to get something from Ndakaine Dam. Eight per cent of the water that is consumed in Nairobi comes from Sasumua Dam in Nyandarua County. We had a serious engagement with the people of Nyandarua County. Although there is the right to water, your rights stop when you infringe upon the rights of another person. When the people of Nairobi believe that they

deserve to use water from Nyandarua and the people of Nyandarua are not getting that water---

We are seriously engaging. We will employ the rules of the jungle such that if you pour *ugali*, we shall pour *mboga*, so that all of us do what we are supposed to. It is not fair that the people of Njabini do not have water while 80 per cent of water that is being used in Nairobi is from Sasumua Dam.

Having said that, the former President, His Excellency Uhuru Kenyatta, and his then Deputy, Hon. William Ruto, had promised to construct three dams. One of them is Pesi Dam at the far end of Nyandarua County. They had even started designing. However, when we had the “Handshake”, the people of Nyandarua Nyandurua presumably were on the wrong side of political affiliation. As a result, that project stalled.

We are still waiting for Kshs500 million from Public Private Partnership (PPP), so that construction of Pesi Dam can start. We shall not fall into the same trap that we fell like in the case of Sasumua Dam. Pesi Dam is aimed to supply water to the people of Nakuru. Again, we will not have water.

We would like the Ministry of Water, Sanitation and Irrigation and other relevant Ministries involved in those projects to know that we are philanthropic and we have no problem sharing the water. However, the problem of water shortage that affects the locals should be addressed.

We have Malewa and Kinja dams which have also stalled because none of them has been completed. We are looking forward to reaping big from the PPPs. We will be waiting in the wings for any legislative agenda that will come, so that we can help the President.

Concerning agriculture, although I have mentioned something on it, we welcome the President’s move. If anybody thinks that the President has not done anything in his first 100 days, I wish to speak on behalf of the people of Nyandarua.

We are happy to get subsidized fertilizer which we used to buy at Kshs6,500, but now it is Kshs3,500. However, we need more supply of the subsidized fertilizer. Maybe we need to have a formula that involves the national and county governments, so that the fertilizer is evenly distributed to all parts of the county.

Oi Kalou is Nyandarua’s county headquarters where we have the National Cereals and Produce Board (NCPB). For a person coming from the border with Kiambu, going all the way to Oi Kalou is too far. If you fail to get the fertilizer on the same day, you will end up spending more money than the initial Kshs6,500 that a bag of fertilizer used to cost.

Mr. Temporary Speaker, Sir, we would like the national and county governments to partner in order to ensure fair fertilizer distribution. We expect the cost of fertilizer to go down further from the current Kshs3,500 because this is a planting season. For Senators who are in the Chamber, if you want to have potatoes in the next season, you should help the people of Nyandarua to get fertilizer.

(The amber light at the timer was switched on)

I have been looking at my watch keenly. I do not want to say that my time has been cut, but that is what I feel.

As I wind up, Mr. Temporary Speaker, Sir---

The Temporary Speaker (Sen. Wakili Sigei): Sen. Methu, the amber light indicates that you have five more minutes to wind up. So, you can still put your points across.

Kindly proceed.

Sen. Methu: Thank you, Mr. Speaker, Sir. The other issue is very fundamental and it has been part of the manifesto of His Excellency the President.

By the way, it is almost apparent that President William Ruto will become the first President to live to his manifesto. Whatever he was saying in the campaign is what he is implementing now. He kept mentioning *Mama Mboga, mtu wa boda boda*, and all those people. He has given Kshs50 billion as a startup, that is just for the Small and Medium Enterprises (SME), we are seeing the commitment.

Mr. Temporary Speaker, Sir, on the universal health coverage, if you look at paragraph 35 of the President's speech, he said that the Government will invest in promotional issues of health so that people are aware of the issues that are there in matters health and most importantly in giving preventive care.

I was sharing with my colleagues here, if you look at the WhatsApp of all the Senators that are here, they will be in a WhatsApp group of a person that needs support. We would try and help, but we may not be able to help all of them.

If we are able to get a coverage - that is why we are very happy that in his speech - he spoke about restructuring the NHIF so that it takes care of the chronic illnesses that have not been taken care of for a long time. Diseases like cancer and many other diseases back at home are impoverishing our people.

When we say that we need a healthcare scheme that will be able to have all of us on board, the rich the poor and everybody, that will be a very good thing and I would wish that we are able to support that proposal by the Government without being partisan.

Mr. Temporary Speaker, Sir, as I wind up, there is one thing that the President has proposed and it is in paragraph 43, about renaming Kenya Revenue Authority (KRA) to Kenya Revenue Services (KRS). Budgets of this country are run and funded by the people. We cannot be harassing the same people that we expect to be funding the Government. In fact, the people who are harassing the business people are getting paid by the very same business people.

Hon. Senators who are here and had an opportunity to go and visit Keroche Brewery in Naivasha, were told that they are paying taxes of about Kshs90 million every month and the company had been closed down for nine months. In essence, the Government lost Kshs810 million.

I would equate it to what the Deputy President keeps on saying that it is like you have a cow and because there are some problems when you are milking, it is not giving enough milk, you take a knife and you pierce its udder so as to see what exactly is inside.

We would want a revenue service that will be able to even listen to our business people. We should be able to create an enabling environment rather than killing businesses.

Mr. Temporary Speaker, Sir, as a young Senator, I am very impressed by the proposal by His Excellency the President on the creation of a State Department on digital economy. You appreciate that in terms of internet literacy in East and Central Africa, Kenya is leading. We need to take advantage and tap on the exposure that our people

have so that we are able to make money instead just being on social media. We should use internet to make money. Our people are---

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senator, your time is up.

Sen. Methu: Thank you very much, Mr. Temporary Speaker, Sir. I will have an opportunity some other day.

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Kamau Joseph Githuku.

Sen. Githuku: Asante sana, Bw. Spika wa Muda kwa kunipatia fursa ya kuchangia hii hotuba ya Mhe. Rais ambayo alitoa tarehe 29.09.2022.

Bw. Spika wa Muda, ningependa kwanza kabisa kuchukuwa nafasi hii kushukuru Mwenyezi Mungu kwa sababu ya kunijalia kuhudumu katika Bunge hili la Seneti.

Vile, ningependa kuchukua nafasi hii kushukuru sana watu wangu wa Kaunti ya Lamu. Hii ni kwa sababu waliona ni vyema, kupitia kwa njia ya kidemocracia ambayo ilifanyika tarehe 09.08.2022, kunipatia fursa ya kuja hapa katika Bunge la Seneti ambalo limeweza kutikwa majukumu ya kikatiba ya kulinda ugatuzi pamoja na serikali zake kama vile ambavyo ilivyonakiliwa katika Kipengele cha 96 cha Katiba ya Jamhuri ya Kenya.

Bw. Spika wa Muda, ningependa kuchukua nafasi hii kusema kwamba niliskiliza sana hotuba ya Mhe. Rais. Kati ya mambo aliguzia zaidi ni kilimo, uvuvi na pia ufugaji.

Hivo vitengo vyote ambavyo vinahusiana zaidi na ukuzi wa uchumi wa Jamhuri ya Kenya, viko katika Kaunti yangu ya Lamu.

Bw. Spika wa Muda, kama vile nimesema vitengo hivi ni muhimu sana katika ukuzi wa uchumi wa Jamhuri ya Kenya. Ukulima ni jambo ambalo limeweza kubaki nyuma katika Kaunti yangu ya Lamu. Ikizingatiwa ya kwamba Lamu ni mahali ambapo pameweza kuwa na shida za kiusalama.

Wakulima ambao wako pale ni watu ambao kwa muda mrefu, wameishi wakiwa wamesahaulika sana. Diposa ninachukuwa nafasi hii na kusema kwamba naungana na Seneta wa Kaunti ya Kirinyanga ambaye alisimama hapa na kusema kwamba kuna sheria ambazo ni za ukandamizi ambazo zimeweza kupitishwa na Bunge ambazo zimepita ya kusema kwamba vitu kama vile ufuta, ambao unalimwa kule Lamu, bixa na vile korosho hazitaweza kusafirishwa moja kwa moja kabla hazijakuwa *processed* katika Jamhuri yetu ya Kenya.

Bw. Spika wa Muda, jambo hilo limegandamiza wakulima wetu sana. Ikizaingatiwa pia vile kuna mimea kama *avocado* ambazo pia zinatakikana kutolewa hapa nchini na kwenda nje ili soko ambayo ni muhimu sana kwa wakulima wetu iweze kuimarika.

Bw. Spika wa Muda, Mhe. Rais hakutaja zaidi vile ambavyo atakavyolinda wakulima ambao kwa sasa, wamekuwa katika hali ya utata. Katika mambo ya kuona kwamba mazao yao yameweza kutiliwa maanani.

Kupitia kwa jambo hilo, ningependa Bunge hili la Seneti liweze kubadilisha msimamo huo ambao unasema kwamba mazao yetu lazima kwanza iwe *processed* hapa nchini kabla ya kusafirishwa kuenda nje.

Ukiangalia uzalizi wa nchi hii, shida kubwa ni kwamba mahitaji ni mengi kuliko uzalizi. Hiyo inasababisha zaidi mazao yetu kukosa bei.

Ningehitaji sana kama tungeweza kutengeneza sheria ambazo zitaruhusu moja kwa moja mazao ambayo hayajakuwa *processed* pia iweze kupata nafasi ya kuenda nchi

za nje, kama vile korosho, bixa na simsim ili wale ambao wenatoka sehemu za Asia, waweze kuja hapa kununua mazao hayo na walete ushindani. Kwa kimombo tunaita *law of supply and demand*.

Sheria hii ifuatwe kwa njia inayostahili ilituweze kulinda mazao ya watu wetu.

Bw. Spika wa Muda, jambo la ufugaji litiliwe mkazo zaidi. Hotuba ya Rais ilinakili kwamba ataangalia mambo ya ufugaji. Mifugo inakufa sana kwa wale tunaotoka sehemu kame. Wananchi hawana nafasi ya kuona biashara yao ikinawiri na wanapata hasara kubwa.

Tungependa kupitisha sheria ambapo Serikali itatenga pesa za kununua mifugo wakati wa ukame ili wakulima na wafugaji wasaidike na maisha yao kuendelea.

Jambo la uvuvi linaguzia sana kaunti yangu ya Lamu. Kuna miradi mikubwa sana katika Jamhuri ya Kenya kama vile Lamu Port, South Sudan, Ethiopia Transport Corridor (LAPSET). Mradi huu uliwahamisha kwa lazima wavuvi katika sehemu za Lamu. Wakati huu wavuvi wa Lamu wanakosa nafasi za kuvua kwa njia inayostahili.

Tulikuwa na mipangilio hapo awali ili watu hawo waweze kufidiwa. Mpaka sasa, hakuna fidia ambayo imeweza kufanywa. Wananchi wamebaki na shida kubwa. Ningependa Mhe. Rais aweze kuangalia haswa watu waliohamishwa kwa lazima na LAPSET.

Vilevile tunayo barabara itokayo Lamu hadi Southern Sudan, inayoendelea kujengwa. Pia naomba wananchi walioko pale wawezekufidiwa ile maisha yao yaweze kuimarika na kuendelea inavyostahili.

Nashukuru Mhe. Rais kwa hotuba yake. Aliweza kuguzia pesa za *'Hustlers' Fund.* *'Hustlers'* ni wengi sana katika Jamhuri ya Kenya. Nimeona ametenga jumla ya shilingi bilioni 50. Wasiwasi wangu ni vile hawa *'hustlers'* watakavyotambulika. Kusije kukawa kuna watu wengine ambao wasiostahili kufaidika na hizo pesa wakifaidika. Inafaa tuwe na utaratibu ambao utatusaidia kujua watu ambao watafaidika zaidi na huo mgao wa *'Hustlers' Fund.*

Pesa hizo zitakapogawanywa katika kaunti zetu 47 za Jamhuri ya Kenya kuna mambo muhimu yanayofaa kuzingatiwa. Watu wafanyazo biashara ndogo ndogo kama vile mama mboga, vinyozi na akina mama wa *salon* wanafaa waangaziwe zaidi. Hatutaki kuona pesa hizo zikkifaidi mabwenyenye ambao wako na uwezo. Wasije wakachukua pesa zote, na wanaostahili wabaki bila mgao wowote katika zile pesa zinazonuiwa kuwasaidia.

Bw. Spika wa Muda, jambo lingine ni ulipaji wa ushuru. Ushuru ni jambo ambalo lazima tuliangalie sana ili tuweze kulinda watu ambao wanahitaji kujiendeleza kibiashara. Ushuru wanaotowazwa ni mkubwa sana. Hawawezi kujimudu kibiashara na kulipa huo ushuru.

Ningependa sana hili jambo liangaliwe ili wananchi wafaidike. Itakuwa vizuri tukitengeneza sheria zitakazosaidia walipa ushuru kujiendeleza kibiashara. Isiwe kwamba wanalipa ushuru hadi biashara zao zinafifia, kufikia kiwango cha kutoweza kujiendeleza tena kimaisha.

Bw. Spika wa Muda, nikimalizia, niko na imani na hili Bunge la Seneti, lenye jukumu la kulinda magatuzi yetu 47. Ninawaomba viongozi waliyotutangulia ama *senior leaders*, waendeshe Bunge hili kwa njia inayostahili. Tuzingatie kwamba kuna viongozi waliotangulia na wale waliokuja baadaye, kama sisi wapya hapa. Watushike mkono

vizuri ili watuelekeze. Vilevile tushirikiane na kusaidiana, ikizingatiwa ya kwamba sote tuko hapa kwa sababu ya kulenga halimashauri ya watu wetu.

Bw. Spika wa Muda, itakapofika kwa ugavi wa rasilimali kwa magatuzi, tuone ya kwamba ugavi huo unafanywa kwa njia inayostahili. Hivyo ndivyo jinsi tutalinda magatuzi yetu na yaweze kuendelea kama vile Katiba inavyosema. Tumekuja hapa kuwakilisha watu wetu.

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

Sen. Miriam Omar, proceed.

Sen. Mariam Omar: Thank you, Mr. Temporary Speaker, Sir. I stand to give my opinion on the speech of His Excellency the President delivered during the opening of the 13th Parliament.

First, I thank the United Democratic Movement (UDM) for nominating me as the first female Senator from Mandera County. I also thank the President for clarity while highlighting critical issues that have an impact on the lives of Kenyans.

The cost of living is becoming unbearable for many people in Kenya. This is especially in northern Kenya where the situation is worse because of drought. The animals of the pastoralist communities have been wiped out by the drought and they do not have water.

Mr. Temporary Speaker, Sir, the President dwelt on the Hustlers Fund, which is meant to support micro and small enterprises and even *chamas*. Many Kenyans of low income will have access to affordable credit. He also plans to reduce barriers in doing businesses. I hope and pray that Kenya will definitely be a competitive business destination. In return, this will open up jobs and services that will employ Kenyans.

He also talked of financial independence for crucial institutions like the Judiciary and National Police Service (NPS). We all know that adequate budget based on objectives and transparency will make judiciary less vulnerable to undue influence. The proposed additional fund will give our judiciary financial security while improving integrity and competence of the judiciary staff.

The President also touched on the gender rule. This is a big step towards achieving the two-thirds gender rule. More women shall take up substantive positions in governance. I am the first female Senator from North Eastern. This shows there is growing confidence in women leadership.

The President also talked of devolution. He talked of scrapping of Devolution Ministry. He showed good will in the sharing of power and resources countrywide. In the last 10 years, counties have been affected by the delay of reimbursement of resources. If the President keeps his word, then devolution will improve the lives of Kenyans and the oversight role for Senators will be easier.

Mr. Temporary Speaker, Sir, I am from Mandera County and I have a testimony of how devolution can transform lives and improve services in marginalized regions in Kenya.

This House must reinforce a plan to improve the dividends of devolution. I am happy that the President has now increased the counties to '48 counties' to capture Kenyans living in diaspora. This is a great idea. This House must position itself to ensure our brothers and sisters living in diaspora are served well and efficiently going forward. We must ready the Senate Committees to deal with diaspora matters and increase their participation in our national affairs.

Lastly, he talked about the drought situation that is affecting 23 counties which is half of the country. The situation is not better even with incidental support from the national Government complementing what county governments are doing. This is not enough. Kenyans in these counties need food and water. We urge our President and his administration to double their support to save the situation from being an emergency.

Mr. Temporary Speaker, Sir, as Members of Parliament (MPs), it is our duty to ensure that no Kenyan sleeps hungry or is faced with starvation despite the impact of climate change which we continue to face. Together we can rally more support to Kenyans in distress because of drought.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Wamatinga.

Sen. Wamatinga: Mr. Temporary Speaker, Sir, I have been waiting for this opportunity for the past three days. Finally, it has come. I will start by congratulating the President, His Excellency, Dr. William Samoei Ruto, and his Deputy, Hon. Rigathi Gachagua. I come from Nyeri County and I am happy that we have started on a high note.

Let me also take this opportunity to congratulate the House leadership on their selection to various Committees and leadership positions. I also congratulate all the Senators who fought the hard battle and won. The same applies to those who played a big role and were nominated by their respective parties. It is indeed a good combination.

This Fourth Senate has the opportunity to change the course of devolution in this country. Having two former governors in this House, the Speaker being one of them, and also having young people who served as Members of County Assemblies (MCAs) and Members of the National Assembly, we have the best combination to change the course and make devolution work if we so wish.

I want to make a few comments on the Presidential Speech. Mine will be short because a lot has been said. Since most Senators have left, I will be brief by doing it in a summarized form.

I would like to start by thanking the people of Nyeri County for overwhelmingly electing me as their third Senator. One of the reasons why they did so is because 56 per cent of Nyeri County is Arid and Semi-Arid Land (ASAL). We have the opportunity to change that.

In his address, the President mentioned about changing the approach and having dams constructed without being funded by the Government because it would take too long. Rather, it should be done through PPPs. I see that as a golden opportunity for us to realize most of the long-term infrastructure development projects which have been elusive because we do not have the budgetary allocations. When we had it, money ended up being reallocated to address other pressing issues.

The country is facing a major drought that we have never experienced before. We thank him for ensuring that we have subsidized fertilizer. However, without rainfall, the fertilizer will not help us a lot. I hope that this House will do what it takes to put the legislative framework in place, so that we encourage PPPs.

The danger of having PPPs has been raised on this Floor. Some Senators believe that it is prone to corruption, but I have a different point of view. PPP is equity from private entities and they account for each coin.

It is also a golden opportunity that will enable us to address the challenge of unemployment, especially for our youth who have gone to school and have the knowhow. However, they lack the capacity in terms of capital to engage in meaningful activities.

I believe that PPPs will address the challenges of relying on rain-fed agriculture and enable us to embrace irrigation farming which is the solution for this country.

As mentioned earlier, Nyeri County, specifically Kieni Constituency being an arid area, it is an ideal place where if they have enough water could become the food basket feeding not only Nyeri people, but indeed all the Mount Kenya region and by extension Kenya.

We, therefore, want to congratulate the President for having realized that we cannot keep doing things the same way and expect to have a different result. For the last 58 years, we have tried to move from rain-fed farming into irrigation-fed. However, because we have not been able to put together the budget that was required, this has remained elusive.

This is now a golden opportunity and now I would want to encourage all the Members of this House that it is time that we stood to be counted. At the end of the five years, let us look at the footprints that we will have left in this country in terms of putting in place right legislative agendas that will move this country forward.

The President also spoke about Hustlers' Fund. People have raised the concern of having other funds that have been raised in the past, but ended up not working. Having done and learned from the mistakes in the past, this is again the golden opportunity for we, as the Senate, to put the right legislative structures in place so that we can get the 6 million young people who are waiting at home to give the funds.

My suggestion is that instead of doing the cash transfers as we have done previously, we have the National Construction Authority which pools together the technical know-how and we have TVETs which puts together different kinds of machineries. We can use this as the centres of excellence and centre of production so that our cottage industries that will be able to absorb the youths can be accommodated within this institution.

By so doing, we will be able to seal the leakages that have been there in the past through the Youth Fund and the Women Enterprise Fund because the money will not be given to individuals, but it will be channelled through institutions. These institutions can have accounting mechanisms where they can provide the machineries that is required. Therefore, much of the money that goes into capital expenditure will go into production. This will be a game changer.

Finally, as I take my seat, I would want also to comment on the fact that the President spoke about making the tax collection authority to be a service. Having been a victim of the KRA, I would want to state that it is time that we realize that KRA should be addressing the plight of the Kenyans. These are the taxpayers who they desperately need by encouraging them, giving the professional advice and walking with them instead of closing down their business premises. We need to encourage them so that they pay more taxes.

As mentioned by one of the speakers here, we did visit Keroche Breweries. We noticed that it is a massive investment that has been shut down by the KRA in trying to collect the funds. If you close down the businesses, where do you collect the revenue from?

Moving forward and wanting to concur with the President, it is time that we looked at the KRA as a service not as an authority and as an equal partner that must work together with the business community. It can help them grow their businesses and it can also in turn collect more taxes.

Finally, the President mentioned about the percentage of women who have been elected as governors. I want to say that moving forward, the role of women is no longer peripheral as it has been. We have seen our sisters, mothers and daughter go to school. They have what it takes to take up leadership roles.

I would want to encourage all of us to be people who engage people in their counties to give as many young women as possible a chance so that when we leave this place we will be able to say that we took an active role in encouraging young leaders so that they can address the issues facing this country,

Let me end up by congratulating you for sitting in the Speakers Panel and moving forward as you can see, we the newcomers are addressing an empty House. Moving forward, let it not be business as usual. I find it very unfortunate that everybody gets an opportunity to speak, walks out and you are left here alone. It is either we also walk out or next time we start with those who were the last ones on the screen so that we do not have this situation where people are talking and then walking out.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, hon. Senator for the compliment, and for keeping time.

Proceed, Sen. Mbugua.

The Nominated Senator (Sen. Mbugua): Mr. Temporary Speaker, Sir, this being my first time to have the opportunity to stand here, I join my colleagues in congratulating His Excellency the President together with his Deputy for winning a very close contested election.

I also congratulate all Senators and the Senate leadership for the opportunity they have been given to serve. I recognize and appreciate my party the United Democratic Alliance (UDA) and the Kenya Kwanza Coalition for according me this opportunity to become a Member of this hon. House.

Mr. Temporary Speaker, Sir, my sister the Sen. Crystal Asige and I, are in this House to represent people living with disabilities and other special interests. As such, we consider ourselves as national Senators because all these people domiciled in all the counties are represented in this House by the hon. Senators.

Turning to the speech by His Excellency the President, I will first state that it was inspirational. It gave hope to the people we represent because they are down trodden and the poor of the poorest.

With regard to health, I will be brief because most of the issues been addressed. We were happy he talked about the restructuring of the health sector. Most of the people living with disabilities in this country are bedevilled by many issues.

In that restructuring, we will be seeking the assistance of the House to make sure that the assessment for people with disability is devolved to the counties and to all Level 4 hospitals in the country.

On the Hustlers' Fund, 99 per cent of the people living with disabilities are hustlers. They are expectant and are waiting for this fund to be actualized so that they can benefit. On this regard, we will be seeking the support of this House when regulations are

being formulated to ring-fence about 10 per cent to benefit people living with disabilities in all the counties.

Mr. Temporary Speaker, Sir, on the issue of affordable housing, he very well articulated it. People living with disabilities face a lot of challenges when it comes to housing. We are excited about this programme and are waiting for its roll-out. We will also be seeking the support of the Senators so that when these houses are put up, there will be allocation for that category of people.

We will also be engaging the National Housing Corporation (NHC), the National Construction Authority (NCA) and all the other state agencies to ensure that these houses are accessible to all categories of people living with disability.

Mr. Temporary Speaker, Sir, as I conclude, I also congratulate His Excellency the President for the recent nominations to the Cabinet. These are men and women who are capable to steer this country to the promised land. We are also looking forward to when other nominations and other offices will be considered. We hope to see a quite number of people living with disabilities being offered opportunities to serve.

We note with regret that if you look across this country, about 22 out of the 47 counties do not have representation of people with disabilities. The number has risen from 17 in the last election and it is going up.

We will be seeking the support of this House so that we can have a law that in the next election, we will have specifically reserved positions for representation. Most of the people are in the counties. If they are not represented, it will be impossible for them to get help.

I thank you for this opportunity. I also congratulate you for acting as a Speaker. I think that you are being prepared for better things.

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

Sen. Okiya Omtatah, you may proceed.

Sen. Okiya Omtatah: Mr. Temporary Speaker, Sir, it is an honour to stand in this House to address and make my comments on comments on the President's speech.

I congratulate everyone who offered themselves for elections in the Republic of Kenya; that is, from MCAs to the Presidency. All these people gave us an opportunity to choose leaders. They have chosen us who are in this august House and in the county assemblies, the Governors and the Presidency to lead this Country.

I sincerely appreciate the people of Kenya for making a choice. To our worthy opponents, thank you for conceding defeat and giving us a chance to govern this country.

I also congratulate the leadership of this House who have been nominated, elected and selected. I promise to work with them and every Senator in this House in harmony to achieve the purposes of the Republic of Kenya.

The President gave his speech. Worthy comments have been made. However, I want to say that there is nothing new under the sun as the wise man in the book of Ecclesiastes writes. All that we have heard here has been said before. All that the President said has been said before.

Mr. Temporary Speaker, Sir, as they say, the proof the pudding is in the eating. I wait to see those beautiful words, adjectives, poetic and rhyming being sentences implemented through the budget. There is only one policy document worth discussing. It is not speeches by politicians, but the budget.

If Kenya Kwanza believes in its agenda, I want to see that agenda in the budget. If it believes that it must vaccinate hyenas, let us see money set aside for doing so. Otherwise, we can become dizzy on poetry.

As regards to the contents of the speech, I was a bit frustrated because the words 'research' and 'development' were not mentioned. Without that mentioning them, we are headed nowhere.

I give the President the benefit of the doubt, that he was painting with a big brush and maybe he could not put in every word.

Mr. Temporary Speaker, Sir, in the coming budget, I expect to see better policy framework. In all previous Governments, only one per cent was allocated to research and development. I have the last audited figures of 2021 which was the highest, so far. Research and development were allocated 6.9 per cent of the Gross Domestic Product (GDP).

It was the highest in East Africa, but I do not like comparing Kenya to East Africa countries. I like comparing Kenya to countries that have developed and are functioning well. If you look at the European Union (EU), the average is about three per cent. In North America, it is about two per cent. It will be my prayer that the Kenya Kwanza Government realizes the one per cent for research and development which has been in the policy documents for a long time.

The Kenya Kwanza agenda needs new ideas. How will we find new ideas if we are not using our universities to research? How will we find new ideas if we are not giving incentives to private researchers to come up with new ideas and products?

We are discussing GMOs. I do not know if it was a discussion or just a suggestion. That is somebody's research and development. If it is somebody's research and development, there are dangers that they can weaponize these things. What are our researchers doing if you have realised we must tamper with nature to survive? What are we doing to our scientists? How are we resourcing our scientists and technicians to enable them to give us products for the future? I am talking about products which are grown by us and have no danger to us.

The other thing is about the war on corruption or theft by public servants. I do not like the word corruption because it mischaracterizes theft to look like something sexy and good. Theft has two components; the political side and the law enforcement side. Let us not fool ourselves that politicians have no role in fighting corruption. If the President stood up today and said that anybody facing allegations of corruption in official documents will not serve in his Government, that will be a masterstroke against corruption.

Mr. Temporary Speaker, Sir, let us not say corruption has to be left to the Directorate of Criminal Investigations (DCI), the Office of the Director of Public Prosecutions (ODPP) and the judges. No. Politicians must create a culture of rejecting corruption as a means of making wealth. Stealing from the public must be an anathema to the institutions that govern this country.

I did not hear the President state that he will not tolerate corruption. Maybe as you say, his speech was the shortest and, therefore, he left out a lot of things, but he will implement them. I also believe that he has room to do that because I am waiting to see his budget. I want to see an end to budgeted corruption; budgets which are padded intentionally to steal from us.

Mr. Temporary Speaker, Sir, we had the experience of the Euro Bond which has not been answered to date. That is what we mean when we talk about budgeted corruption. An international bond was issued and money was raised. However, it never came to this country. The budget was balanced by using local taxes. I would like to see us move away from budgeted corruption. I would like to see the President demonstrate no tolerance – not even zero tolerance – to corruption, by not allowing anybody facing a corruption charge to serve in his Government in the public service.

Let them be cleared, then they can come back and serve. That is when it will mean that we have war. We cannot have war with no casualties.

Mr. Temporary Speaker, Sir, on the issue of judicial independence, there is autonomy of the Judiciary as an institution financed. However, the most critical is the independence of the individual judge who sits, listens to cases and makes decisions.

From past experience, I do not see how that is being addressed. I have seen judges who stand on their feet being thrown out of Nairobi and being transferred to discreet addresses to prevent them from making decisions that attract the limelight. We would like to see that kind of lack of independence in the Judiciary addressed. Funding of the Judiciary is long overdue. It is a constitutional imperative that the Judiciary fund be set up as has rightly been observed.

Mr. Temporary Speaker, Sir, as I stand here, I wish His Excellency William Samoei Ruto, the 5th President of Kenya, the best of everything from his personal health, to his ideas and to his policies. If he performs and succeeds, Kenya succeeds. If he fails, Kenya fails.

As a House, I believe that the Presidency is a distinct institution from the House. In this House, we must hold his Government to account, oversight him and control the purse. With the power of the purse, if we work together in a bipartisan manner, the way the President pleaded in his speech, that bipartisanship should ensure that we contain the excesses of the Presidency.

We are not in the traditional mould of an opposition and a governing party. We are in the mould of an elected Executive oversighted by an elected House. The two are independent of each other.

Mr. Temporary Speaker, Sir, mine is to wish everybody the best and to pray that God who created us and put us on this earth to live for a very short time, is able to use us for the purpose he created us for. We may be instruments of peace and a people who can develop this country.

The best way to develop this country is to imitate the developed countries. Let us imitate what those people have done and we shall also develop. Reinventing the wheel will get us nowhere. The blueprint is there. What kind of banking and education do we have? How many engineers are we having? Are we closing technical colleges so as to create universities? How are we training technicians and our farmers? How are we doing research?

The lands that belonged to our research institutions such as Agricultural Development Corporation (ADC) and Kenya Agricultural and Livestock Research Organization (KALRO) were grabbed. All these lands must be given back to those institutions if the President wants to turn this country around and push it ahead. It cannot be business as usual.

Mr. Temporary Speaker, Sir, with those few remarks, I thank you for the opportunity to address this House. I wish you and every Senator here, including those who have left, the best of luck.

The Temporary Speaker (Sen. Wakili Sigei): Proceed, Sen. Miraj.

Sen. Miraj: Asante, Bw. Spika wa Muda, kwa kunipa fursa hii ili kuchangia kuhusu hotuba iliyotolewa na Rais William Samoei Ruto ambaye pia ni Kinara wa chama cha UDA.

Nitaanza kwa kumshukuru Rais kwa kunitewa kama Seneta ili niweze kutoa mchango wangu. Asanteni Wakenya kwa kunipa fursa kama mtoto wa kike.

Nilizaliwa na kulelewa katika mtaa wa Buxton kule Mombasa ambako kulikuwa na mradi wa *affordable housing*. Nilifurahi sana Rais aliposema kuwa Serikali yake itaanzisha miradi ya kujenga nyumba ili Wakenya wawe na makao bora.

Mradi huo ulipoanzishwa kule Buxton, kulikuwa na hatihati na ambeambe nyingi. Hatimaye tuliukubali na kuukumbatia. Japo hakuna mwanadamu ambaye hukubali mageuzi kwa haraka, wakaazi wa Buxton walikubali kuhamishwa. Walipewa pesa kidogo za kuwakimu kwa muda wakisubiri nyumba hizo kujengwa.

Kadiri muda ulivyoendelea, watu wa Buxton, mimi nikiwa mmoja wao, waliingiwa na hofu. Hatukuwa na uhakika kama tungepewa nyumba hizo. Kufikia sasa, wakazi wa Buxton hawajafanikiwa kupata *tenant purchase scheme*.

Ombi langu kama mwakilishi wa upande wa Serikali ni hili. Ningependa sisi sote tulioko katika Serikali na wenzangu katika Upinzani tuangazie malalamishi ya wakazi waliondolewa pale. Tunafaa kuweka tofauti zetu kando ili miradi kama hiyo iyopendekezwa na Serikali ifaulu.

Nakubaliana na Rais kwamba nyumba za Buxton hazikuwa za hadhi. Kwa hivyo, binadamu yeyote hakustahili kuishi pale. Nyumba hizo zilikuwa zinavuja wakati mvua ikinyesha. Ilimlazimu mtu kuweka vitu kama vijiko ili kuzuia maji ya mvua kulowesha nyumba. Waliokuwa wanaishi sehemu za chini walikuwa wanaathirika na vyoo vilivyojaa. Nyumba hizo hazikuwa za hadhi.

Mimi kama aliyekuwa mkazi wa Buxton, kuna hofu miongoni wa waliokuwa wakiishi katika nyumba hizo. Wana hofu kwamba Serikali inaweza kupeana ardhi hiyo kwa wawekezaji binafsi na kutotimiza malengo. Kwa hivyo, wale wanokusudiwa kufaidi mradi huo huenda wasifaidi.

Ningependa Maseneta wanisikilize mimi kama muathiriwa. Natarajia wenzangu wafaidi. Tunafaa kupitisha sheria kwamba wale waliokuwa wanaishi kwenye nyumba hizo wanafaa kupata *tenant purchase scheme*, ili warudi katika nyumba zile.

Jambo la pili, mimi natoka upande wa ukanda wa pwani. Namshukuru sana Rais kwa kuregesha huduma za bandari kule pwani, maana bandari ndio uti wa mgongo wa uchumi wetu. Kwa Kimombo tunasema, *the ecosystem of the economy of Mombasa and the Coast at large*. Namshukuru na kumpongeza sana.

Hotuba ya Rais ilikuwa fupi. Namsihi Rais asisahau mradi wa barabara ya Dongo Kundu ambao utawezesha uchumi wa eneo la pwani kuimarika. Barabara ya Dongo Kundu imekuwa ikizungumziwa sana na Serikali.

Kuna migao ya fedha mara tatu katika miradi ya Serikali.

Taasisi ya bandari imekubali kwamba iliwahi kupokea fedha hizo. Jambo la kushangaza hadi leo ni kuwa wale waliokuwa wameondolewa katika ardhi pale Dongo Kundu, hawajawahi kufidiwa. Tungependa kujua tatizo liko upande gani katika taasisi husika.

Pili, tuko na viwanda na rasilimali nyingi pwani. Kama alivyotangulia kusema ndugu yangu, Sen. Faki, kwamba utalii ni miongoni mwa uchumi wa pwani. Amezungumzia maswala ya *open skies*. Nitazungumzia ni wapi hasa Kenya iliadhirika upande utalii. Kenya iliadhirika zaidi wakati *we privatized air ticketing of the tourism sector*.

Bw. Spika wa muda, kuna wakati hoteli zetu zote na destination zetu zilikuwa na vijumba kule ughaibuni, wakipiga ngoma. Na walipokuwa wakipiga zile ngoma, watalii wakipita wanavutiwa na utamaduni wetu kule nje. Ndiposa wanakata tikiti wanakuja kutembea. Siku hizi tunaambiwa kwamba *we live in a digital era* kwa hivyo watu wakate tikiti kupitia picha tu wanazoziona kwenye mitandao. Ningependekaza kama itawezekana, turejeshe hivi vijumba kule nje ili tupate watalii ndio uchumi wetu uweze kuimarika zaidi.

Mwisho bila kusahau, ningependa kusisitiza Wakenya wawekeze ili tuache kuomba pesa ambazo tunatozwa riba kubwa sana ambayo inagandamiza ama kuujumu maendeleo ya nji yetu.

Kuwekeza ni kujiwezesha. Hata hizi fununu zinazoendelea baada ya Raisi kuzungumzia kuhusu uwekezaji kwenye NSSF, hakuna ushuru ambao Raisi amependekeza. Amependekeza tuongeze akiba zetu ili tunapostaafu tupate pesa ambazo zitatustawisha katika maisha yetu ya uzeeni.

Kwa hayo mengi ama machache, nawashukuru watu wa Mombasa kwa kunipa fursa hii, mimi mtoto wa kike, niweze kuwawakilisha katika Bunge hili.

Sen. Munyi Mundigi: Bw. Spika wa Muda, jina langu ni Sen. Munyi Mundigi, chama changu ni Democratic Party (DP) kilichoko kwa mrengo wa Kenya Kwanza, kutoka Kaunti ya Embu.

Pole kwa sababu nimechelewa kidogo. Embu kulikuwa na shida kwa inayotokana na wale watu wa familia moja waliochomwa na moto na tulikuwa tunawazika leo. Nilitoka hapa asubuhi, nikaenda Embu huko Runyenjes na nimerudi nikiwa nimechelewa.

Ninaunga mkono mazungumzo ya Raisi, Mhe. William Ruto. Mazunguzo yake yalikuwa matamu kama asali ya nyuki. Pia yalikuwa mazuri kama ya mtu mwenye hekima kama mfalme aliyekuwa anaitwa Solomon.

Kwanza, tangu tuchaguliwe hatujakaa siku nyingi ila tumeona matunda mazuri katika jimbo la letu la Embu. Kwa kipindi cha miaka 10 kulikuwa na vita, kutengana na kukosana na imeleta shida huko Embu. Watu walikuwa wanaenda kotini hapa na pale. Lakini wakati tumechaguliwa wakati huu, kumekuwa hakuna vita kwa sababu Rais alisema tuwe na amani na umoja. Hiyo ni sababu moja in ayonifanya nimuunge mkono.

Pili, hosipitali zetu zote kwa muda wa miaka mingi zimekaa bila dawa. Ilikuwa ukienda hosipitali, ni kama unaenda kwa kifo. Lakini kwa muda wa siku chache, hosipitali zote ndogo na kubwa ziko na dawa.

Aligusia pia mambo ya hela ya walipa ushuru. Kutoka siku hiyo, kama Serikali yetu ya Kenya Kwanza pamoja na ya kaunti ilikuwa inapata ushuru wa Kshs7 million sasa hivi wanapata mara tatu. Kwa hiyo, tunaendelea vizuri.

Pia aligusia mambo ya kilimo. Jimbo letu la Embu, tunategemea miraa, majani chai, kahawa na maziwa.

Tukipata mabawa ya maji katika jimbo la Embu. Wakulima wa miraa wanafanya kazi nzuri. Hii itatuwezesha kuuza mazao yetu ng'ambo.

Rais alizungumzia maswala ya mbolea. Hapo awali, bei ya mbolea ilikuwa Kshs6,000, lakini hivi sasa ni Kshs3000. Watu vijijini wamepata mbolea hiyo. Kwa hivyo, Rais anafanya kazi nzuri uongozini.

Pia alizungumzia maswala ya shule. Rais alisema kuwa kuna watu walienda kortini kuomba mambo ya *National Government-Constituency Development Fund (NG-CDF)* yaishe. Hiyo ilifanya watoto wengine kutoenda shule. Lakini, Rais alisisitiza kuwa *NG-CDF* itarudishwa.

Ninashukuru Rais kwa sababu kama Maseneta hatuna pesa za kuangalia kazi ambazo magavana wanafanya. Lakini, amesema kuwa atahakikisha tumepata pesa za kuweza kuangalia miradi inayofanywa na kaunti.

Kama mwakirishi wa wananchi wa Embu Kaunti, tunaunga Rais mkono. Asante, Mungu wa Ibrahimu, Isaka na Yakobo atubariki ili tuweze kukaa na imani ya Bwana.

Asante, Bw. Spika wa Muda.

The Temporary Speaker (Sen. Wakili Sigei): Asante sana, Sen. Munyi Mundigi.

Sen. Chute, hii fursa ni yako

Sen. Chute: Thank you, Mr. Temporary Speaker, Sir. I am sorry to say that I am addressing an empty House.

I thank God for this opportunity and congratulate the President, Deputy President, Members of Parliament (MPs) and the Members of the County Assembly (MCAs) both elected and nominated.

The President talked about Kshs300 billion savings. We have a revenue of Kshs2.1 trillion against borrowing of Kshs900 billion. If the President wants to save Kshs300 billion, he should have started with lowering corruption from 30 per cent to 10 per cent.

If we save 30 per cent, out of the Kshs3 trillion, the Government is going to save Kshs694 billion.

The problem we have is not savings, but corruption. If we reduce corruption from 30 per cent to 10 per cent, we will save Kshs700 billion. We have this problem because of the institutions of Ethics and Anti-Corruption Commission (EACC), Parliament and the Judiciary. What we need to do is before anything else is deal with corruption.

The President also talked about affordable housing. Housing cannot be affordable if the cost of production is high. You need to reduce the cost of production then talk about affordable housing.

In Kenya today, the electricity bills are high. If you want to reduce cost, let us come up with renewable energy. We have a wind farm in Marsabit which is producing 90MWs.

We need to increase this on yearly basis to about 300 megawatts so that way we might reduce the cost of production.

The President also talked about PPPs on water purchase agreement. This is good, but what we need to look at is how much it is going to cost the local *wananchi*. We need to have legislation that will make sure the cost is lowered.

On National Social Security Fund (NSSF), he said that if you pay Kshs2 the Government will give Kshs1 which is about 50 per cent. Is it viable? If I have a deposit with NSSF of Kshs1 million, the Government will give me Kshs500,000. Is it workable or realistic? We need to look into that also.

He also talked about scaling up farm production. In Marsabit County where I come from, we have a mixture of so many things. We have big farms, livestock, fisheries and wildlife. We have one of the best rain forests in Kenya, some gold and iron ore deposits and the Lake Turkana windfarm. Unfortunately, we also have bandits.

While looking at the farming sector, we also need to look at fish that comes from Marsabit from Loyangalani, Lake Turkana and how to improve livestock production so that our people can earn a living.

I do not want to take up much time, but the other issue I want to raise is about Universal Health Coverage (UHC). We need to have legislation in place as soon as possible in order to help our people acquire UHC. What we have is the National Health Insurance Fund (NHIF).

The President said that a small man, a hustler pays Kshs500. Those in the government or any other institution who is earning less than Kshs10,000 pays Kshs150. We need to have legislation in place so that a hustler will also pay less and somebody who is employed will pay more. We need to look into that to have a legislation that will help the common man.

He also talked about drought mitigation. The problems we have, especially in Northern Kenya, are two. First, is God-made and the other man-made. The Man-made is corruption. The food from national Government and Non-Governmental Organizations (NGOs) that is supposed to go to the poor people is being stolen to the tune of 70 to 80 per cent. If we look at God-made calamities and leave out corruption, we would be making it a very huge mistake.

As a House, we need to put legislation in place so that instead of giving people food we use cash transfer system which is being used by many NGOs today in Northern Kenya. That way we will not have problems of transportation and food being stolen. From the start, the business man steals, the driver, the turnboy, the storage facility and then the chiefs and their communities. If we prioritise cash transfers, I think we will reduce corruption in those area.

Mr. Temporary Speaker, Sir, this House should put the country first. Let us not put our parties first. We will support legislation that are pro-people. The problem we have is corruption and it is killing the common man.

The President talked about low cost housing. He talked about getting public or Government land for free. I do not think that is a good idea because we have seen this before and I have lived long to see these things happen. Our farms in Moi Ndabi and Ndabibi in Naivasha were ADC farms. President Moi wanted to give it to the poor. Unfortunately, 90 per cent went to politicians and big people such as Ministers and Chief Executive Officers (CEOs) at that time. Today, that land is being sold to other institutions and other big people.

Mr. Temporary Speaker, Sir, when we talk about free land, we should be very careful. We need to look at why is it free. Why would you want to give free land? Why not ask investors to put up more storied buildings? If the investor intends to put up 20 floors, convince him with some incentives to put up 30 floors. That will take care of the cost of land. The investor will not pay for the land immediately, but it can be captured in each unit. That will make the true cost of the land and the houses. We cannot say the houses are affordable without adding the cost of the land. We should also put the cost of the land so that you if it is affordable or not.

Mr. Temporary Speaker, Sir, I do not want to take much of your time. I know Senators are also tired.

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

Since there is no other Senator wishing to contribute to this speech, I now call upon the Mover to reply.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Temporary Speaker, Sir. I appreciate all our colleagues who have taken time to give their views and submissions on the speech by the President during the official opening of this 13th Parliament. I have also taken time to listen to our colleagues in the last three Parliamentary days. They shared with the President, disagreed and even misunderstood him all in a day's work.

On many of the policy positions that he has taken, I can see there is still a lot of formal legislature education – if I may put it that way – that is needed. I had the opportunity to be part of the team that worked on our manifesto, otherwise, known as “the plan”. Therefore, many of these issues are properly known to me. However, maybe many of our colleagues were left confused and unsure because of the way the issues were captured in the speech and how they have been explained elsewhere. I say this because on many occasions, I have listened to someone and wondered if that was the policy position.

I look forward to a time where we will interact with our colleagues on some of the very good proposals that I have heard on the Floor from both sides of the isle. Some are justified while others are so justified. It is unfortunate that we still live in a time where people believe if you are on the Minority or Opposition; and the President takes the right route on a particular issue, you must turn left. I do not believe in such.

I do not believe the 21st century legislature is about such things. I believe one can make better policy propositions. Laws are made here. All these proposals will be brought to us for legislation. We will take policy positions and pass them in form of regulations.

There is no need to worry. The President can only propose, but the ultimate decision lies with the Members of this House. They will come and listen. If there is a proposal for the amendment of the NSSF Act, people will come here and debate, raise their issues and justification will be given.

The Committee on Labour and Social Welfare will be made up of men and women of integrity; people who understand what the issues are and the history. They will give the right position for us to move our country forward. The same can be said of NSSF.

Those who are in the Committee on Land, Environment and Natural Resources will see proposals on urban housing. We cannot deny that there is a problem in this country and we must change radically. We cannot continue using the solutions that we have tried since 1963 and have been found not to be working.

Mr. Temporary Speaker, Sir, I appreciate all our colleagues who have taken time to speak on this particular matter. I will not speak longer than this because it is also late in the evening; people are tired, we have a long day tomorrow and there is work that needs to be accomplished.

As per our Standing Orders, the Office of the Clerk will prepare and bind into one document, all the proposals and contributions of the Senators. It will be presented to the President for him to understand the things that the Members are grappling with together with the good ideas that have come from this Floor.

If there is misinformation, they may endeavour to communicate better so that the leaders can have a buy-in. It is important to have the buy-in of the leadership of this country in many of the proposals that are being made by this new administration.

I appreciate all our colleagues. I thank those who stayed. There are many who have felt bad that they are speaking late into the night when the rest of our colleagues have walked out. I hope that the people that are fixing the system that we use in the Chamber will do a good job for us not to have this problem tomorrow. Hon. Members who are queuing should be able to know when they are likely to speak when they check at the Clerk's table in order for us to move together.

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

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Senate Majority Leader.

Pursuant to Standing Order No. 84(2), I make a ruling and determination that the matter does not affect counties and now wish to put the question.

(Question put and agreed to)

ADJOURNMENT

The Temporary Speaker (Sen. Wakili Sigei): Hon. Senators, having concluded the Business appearing in the Order No.8 in today's Supplementary Order Paper, the time being 8.50 p.m., the Senate stands adjourned until tomorrow, Wednesday, 12th October, 2022, at 2.30 p.m.

The Senate rose at 8.50 p.m.