

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Thursday, 25th May, 2023

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

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

PRAYER

DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

The Deputy Speaker (Sen. Kathuri): Clerk, kindly, ascertain whether we have quorum?

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

The Deputy Speaker (Sen. Kathuri): I request the Quorum Bell to be rung for five minutes.

(The Quorum Bell was rung)

The Deputy Speaker (Sen. Kathuri): I have now ascertained that we have quorum, so read out the first Order.

PAPERS LAID

REPORTS ON THE FINANCIAL STATEMENTS OF VARIOUS ENTITIES

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to lay the following Papers on the Table of the Senate, today, Thursday 25th May, 2023.

Report of the Auditor-General on the Financial Statements of the Trans Nzoia County Executive Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the County Government of Laikipia County Revenue Fund for the year ended 30th June, 2022.

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Report of the Auditor-General on the Financial Statements on the County Revenue Fund - County Government of Nyandarua for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Meru County Executive Staff Housing Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the Bomet Water and Sanitation Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the Receiver of Revenue Statements of the County Government of Siaya for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the North Rift Water Works Development Agency for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of Maasai Mara Community Support Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Cherang'any Marakwet Water and Sanitation Company Ltd for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the County Assembly of Kisumu Car Loan & Mortgage Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Lamu County Executive Staff Housing Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Lamu Water and Sewerage Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Garissa Municipal Board for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Turkana County Assembly Car Loan (Members) Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Lodwar Municipality for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Wajir Water and Sewerage Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Wajir County Bursary Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the Receiver of Revenue Statement of County Government of Wajir for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the County Executive of Vihiga Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Litein Municipal Board for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kyeni Water and Sewerage Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Embe Water and Sanitation Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kapsabet Nandi Water and Sanitation Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the Receiver of Revenue of County Government of Nandi for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kitui County Government Receiver of Revenue for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kitui County Government Revenue Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kakamega County Assembly Loans and Mortgages Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the Receiver of Revenue - Revenue Statements County Government of Kakamega for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kakamega County Investment Development Agency Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the County Revenue Fund - County Government of Kakamega for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Kakamega County Emergency Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Migori County Assembly Car Loan and Mortgage Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Municipality of Migori for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Homa Bay County Assembly Car and Mortgage Loan Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Homa Bay County Water and Sanitation Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Homa Bay County Education Bursary Fund for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Eldoret Water and Sanitation Company Limited for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements on the Receiver for County Government of Nairobi for the year ended 30th June, 2022.

Report of the Auditor-General on the Financial Statements of the Mombasa Water Supply and Sanitation Company Limited for the year ended 30th June, 2022.

(Sen. Cheruiyot laid the documents on the Table)

The Deputy Speaker (Sen. Kathuri): Thank you, Senate Majority Leader. Let us proceed to the next Order.

QUESTIONS AND STATEMENTS

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STATEMENTS

The Deputy Speaker (Sen. Kathuri): We have a number of Statements; almost 12. So, I will limit the time for interventions to strictly two minutes when we get there.

Let us start with the Nominated Senator, Sen. Korir. She is not around and so, the Statement is deferred.

NON-COMPLIANCE WITH STANDARD WEIGHTS
AND MEASURES IN TEA MARKETING

(Statement deferred)

Senator of Murang'a County, Sen. Joe Nyutu, proceed.

DEATH OF WAKILI MACHARIA J. M. AT
MURANG'A LEVEL FOUR HOSPITAL

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. I rise, pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Health on the circumstances that led to the death of *Wakili* Wachira J.M. at Murang'a Level Four Hospital

In the Statement, the Committee should -

(1) Explain the circumstances leading to the death of *Wakili* Wachira J.M on Wednesday, 17th May, 2023, while undergoing treatment at Murang'a Level Four Hospital.

(2) Disclose the state of health facilities including availability of medical oxygen and ambulance services at the hospital during the time of his demise.

(3) Report on the overall state of health facilities in Murang'a County, particularly Muriranjua and Maragua Hospitals, stating the type of medical services and procedures provided at the hospitals, and whether the facilities have sufficient wards to admit patients, and adequate competent staff across hospitals in the county to respond to medical emergencies.

(4) State whether the said hospitals have adequate drug and related supplies to meet patient demands, stating the type and quantity of drugs available.

(5) Address allegations that doctors employed in the county hospitals are directing patients to private clinics owned by the same practitioners.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Let us have the next Statement by Nominated Senator, Sen. Hamida Kibwana. She has four Statements.

EARLY RELEASE OF INMATES
CONVICTED OF MINOR OFFENSES

Sen. Kibwana: Thank you, Mr. Deputy Speaker, Sir. I rise, pursuant to Standing Order No. 53 (1), to seek a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights regarding early release of inmates convicted of minor offenses.

In the Statement, the Committee should -

(1) Indicate the capacity of Kenya's prisons *vis-a-vis* the number of persons currently incarcerated.

(2) Clarify whether the treatment and living conditions of vulnerable persons in prisons, that is women and children, conforms to international standards and human rights guidelines, and whether they have access to education, health services, and other basic human rights.

(3) State the number of persons, by gender and age, incarcerated for minor offences with jail sentences of less than three years, including those unable to pay fines, further disclosing the annual cost of maintaining such inmates *vis-a-vis* any fines they ought to have paid.

(4) Indicate the rehabilitation programmes undertaken in prisons and the consequent recidivism rates for individuals with minor offences, drawing comparisons with other jurisdictions with successful rehabilitation programmes.

(5) Assess whether the Government and the inmates would benefit from early release of minor offenders, and whether there would be need to change the current legal framework to allow for such release.

ALLEGED MISHANDLING OF TENDER FOR THE SUPPLY OF TREATED MOSQUITO NETS BY KEMSA

Mr. Deputy Speaker, Sir, I rise, pursuant to Standing Order No. 53(1), to seek a Statement from the Standing Committee on Health regarding claims of mishandling of a KSh3.7 billion tender by the Kenya Medical Supplies Agency (KEMSA) for the supply of treated mosquito nets.

In the Statement, the Committee should -

(1) Cause an investigation into claims of a bungled procurement process for the supply of treated mosquito nets, stating actions to hold officers involved accountable.

(2) Address claims of inconsistencies and discrepancies between KEMSA's tender evaluation process, which indicate possible manipulation of the rules in favour of specific bidders, disclosing any ongoing internal investigations regarding the issues raised by the Global Fund's review of the tender process.

(3) State steps in place to improve transparency and accountability in procurement processes of state agencies, providing medical supplies and services.

(4) State interventions, if any, to ensure that the millions of households affected by KEMSA's error, receive the treated mosquito nets they urgently need.

(5) State measures, if any, the Ministry of Health will institute with the Global Fund to restore trust and confidence in the procurement processes of state agencies, and ensure continued support for critical health initiatives in Kenya.

CLOSURE OF KABARNET SCHOOL FOR THE DEAF

Mr. Deputy Speaker, Sir, I rise, pursuant to Standing Order No. 53 (1), to seek a Statement from the Standing Committee on Education regarding the closure of Kabarnet School for the Deaf.

In the Statement, the Committee should -

(1) State plans, if any, by the Ministry of Education to reopen Kabarnet School for the Deaf that was closed allegedly due to underfunding, leaving many students without access to special education.

(2) Disclose the amount of public funds allocated and disbursed to the school in the Financial Year 2021/2022 and Financial Year 2022/2023, and any further support provided, stating the reasons why the funding and support were insufficient for the school's operation.

(3) State plans by the Government, to offer relief to the school's staff who have gone without pay for 22 months.

(4) Explain the oversight mechanisms in place to ensure prudent use of public funds allocated to special needs schools.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Before I give a few Members to make their comments, let me make this Communication.

(Interruption of debate on Statements)

COMMUNICATIONS FROM THE CHAIR

VISITING DELEGATION FROM TOP VIEW
ACADEMY, BARINGO COUNTY

Hon. Senators, I would like to acknowledge the presence, in the Public Gallery this afternoon, visiting teachers and students from Top View Academy, Baringo County. The group comprises six teachers and 25 students, who are in the Senate for a one-day academic exposition.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

I thank you.

Sen. Cheptumo, Senator for Baringo County, I give you two minutes to welcome the delegation.

Sen. Cheptumo: Thank you, Mr. Deputy Speaker, Sir. Allow me to---

(Sen. (Dr.) Khalwale spoke off the Record)

The Deputy Speaker (Sen. Kathuri): Sen. (Dr.) Khalwale, please, the visitors will be welcome uninterrupted.

Sen. Cheptumo: Thank you, Mr. Deputy Speaker, Sir, for this moment to welcome the student and teachers from Baringo County. I take this opportunity to thank the school for visiting this House.

The students before us today are the leaders of tomorrow. All the Senators present here, at some point, were primarily students. They went to secondary school and university and finally, became leaders of this country.

I would like to encourage the students that the future is bright. If you take your studies seriously and focus, you can be sure that in some years to come when all these leaders will have retired, you will be the next Members of Parliament (MPs) or Permanent Secretaries (PSs). You will occupy offices in this country. You may also be doctors like the great Senator for Kakamega, our Majority Whip, who is with us here.

Mr. Deputy Speaker, Sir, I feel happy today and thank the teachers. As a country, we continue to cherish education. With the support of the Ministry, we are going to continue to work together. I wish them well as they listen and learn from the debate in the House.

It is important for them to know that this is the “Upper House” and then we have the National Assembly. Of course, they are on recess. Therefore, I am sure they will not go there today. Even if they go, they will not see a live debate like we have here.

Work hard and be focused and the future will definitely be bright for you. I will have a moment with you.

Mr. Deputy Speaker, Sir, I thank you and wish them well.

The Deputy Speaker (Sen. Kathuri): Thank you, Chairman of the Committee on National Security, Defence and Foreign Relations.

VISITING DELEGATION FROM ALLIANCE VIEW
JUNIOR SCHOOL, KIAMBU COUNTY

The Deputy Speaker (Sen. Kathuri): Hon. Senators, again, in the Public Gallery are 36 students accompanied by four teachers from Alliance View Junior School in Kiambu County, who are in the Senate on an education tour.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

I thank you.

(Applause)

Sen. Thang’wa: Mr. Deputy Speaker, Sir, as I stand to welcome the students from Alliance View Junior School, all I want to tell them is that they are lucky to be here when they are in primary school. Some of us stepped into this Senate when we were old enough after being elected. We never experienced Parliament and how they used to conduct their business.

I want to thank the teachers, not only from Alliance View Junior School, but also those from Baringo, for seeing it fit for the students to come to this Senate to see how we conduct our business and carry ourselves as people's representatives.

Members of this House represent the interests of the counties. We are here as the watchmen of county governments and the people to make sure that everything that they own and everything that is taken there by the national Government is well spent and taken care of.

When I was in primary school, we used to take school trips, but not to the Senate or the National Assembly. We used to go to Kenyatta International Convention Centre (KICC) to see the old man sitting on a rock. That is the First President of this Republic, Mzee Jomo Kenyatta. I remember when it was our turn, my mother could not raise Kshs300 that was required for bus fare to come and see the old man sitting on a rock.

Now that I could not afford to come at that time, I would like the students to know that my office is at KICC. I see the old man sitting on a rock every day for free. That is to say that if you could not do it, it does not mean you will never do it. If you did not experience it, it does not mean you will never experience it. All you have to do is to work hard, aim higher and always believe in your dreams.

Mr. Deputy Speaker, Sir, I welcome and tell them to always believe in their dreams. I thank you.

(Resumption of debate on Statements)

The Deputy Speaker (Sen. Kathuri): Thank you, Senator for Kiambu County. I will pick a few Senators to comment on the Statements that have been read out.

We will start with the Senate Majority Leader.

Sen. (Dr.) Khalwale: Sorry, I thought you are accepting my point of order.

The Deputy Speaker (Sen. Kathuri): You know what Standing Order No.96 stipulates. That is why I am allowing the Senate Majority Leader to make his comments. After that, you can raise whatever is agitating you, unless you want to assume the Office of the Senate Majority Leader.

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

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I am forewarned that Sen. (Dr.) Khalwale is planning to do something.

Mr. Deputy Speaker, Sir, my attention was drawn to this Statement by my friend, Sen. Joe Nyutu, on something I have just read on social media about what happened to the gentleman. I do not know if he is a lawyer, but he is from Murang'a County. There has been a discussion about county health facilities.

Presently, there is a debate, but I do not know where it emanated from, that county governments are unable to run health facilities and that the function should be taken back to the national Government. Others hold a different view.

When I was in my office early this morning, some medical practitioners issued a statement from Uasin Gishu asking the national Government to take up health facilities and

that kind of a discussion. What made me want to comment is because I know this House has Members of the Committee on Health.

If you read Schedule Four of our Constitution, health is a devolved function. My biggest concern is that the country is having a conversation about health without the voice of the Senate.

I wish to challenge our colleagues who serve in the Committee on Health, either by way of Statement or whatever proposal they want to give this House, to at least be part of this conversation. These are the opportunities that we continue to miss and then complain later that the Senate is being ignored or bypassed.

I want to say this with all due respect to Sen. Joe Nyutu. I respect his question, which is valid and I hope he gets the answer. However, as a Committee of the Senate dealing with a function that is heavily devolved, we need to rise beyond this investigation of just saying a doctor has done this or that.

There is a serious national policy discussion that is going on with Kenyans divided depending on whichever side of the conversation that entices their feelings and thoughts, but without the voice of the Senate.

I would like to hear from Members of the Committee on Health if they have conducted an audit of how this function has so far been undertaken and the challenges being faced. It cannot just be monetary because money is not the answer to all problems.

We must live in reality and know that there is no day we will say that a particular function has been fully funded and, therefore, there are no problems anymore. It may be a big contributor, but there are other things such as standards of practice.

I know doctors because one of them is a friend. The best student that I went to school with from Form One to Four is called Dr. Kenneth Shinga Mwarabu. He used to be number one in class and scored an A in every subject. Each time he comes to my office, I feel embarrassed because I know he did way better than me and perhaps deserves to live a more decent life, but just because he is a medical doctor---

Sometimes when you transfer services--- Like one time he had moved from Elgeyo-Marakwet to Bomet County and stayed without a salary for close to six months. He was being told that a particular service is not recognised. These are not issues to do with remuneration; they are issues of policy.

I expect that apart from just responding to the question by Sen. Joe Nyutu, our Committee on Health should help us as a House by guiding the discussion, so that when I make my voice known, whether in support or otherwise, to the discussion that is going on in the public, I do it from an informed perspective.

Mr. Deputy Speaker, Sir, read the Fourth Schedule on devolved functions such as health. There are issues such as facilities, ambulance services and primary health care for which I have seen policy documents on the Universal Health Care (UHC). That is a discussion that is alive in our country. There is a proposal to hire more than 100,000 community health promoters. What is the place of county governments in that conversation and what is their contribution?

I was worried that Sen. Mandago might not be in the House, but I am glad he is here. I was happy that Sen. Mandago became the Chairperson of the Committee on Health

because we can gain from his experience as a former Governor. He can encourage us to know many of these things.

I request that Committee to help us appreciate this issue and guide the House. That way, we will know about the on-going conversation, the facts that have so far been laid out and the interventions the Senate can propose, so that the country appreciates us. We should stop hearing cases such as what Sen. Joe Nyutu has placed before the House.

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

The next one is Sen. Faki.

Sen. Faki: Asante, Bw. Naibu Spika kwa kunipa fursa hii kuchangia ombi la taarifa kutoka kwa Seneta---

Sen. (Dr.) Khalwale: On a point of order, Mr. Deputy Speaker, Sir!

The Deputy Speaker (Sen. Kathuri): What was your point of order, Sen. (Dr.) Khalwale? Let me hear your problem.

Sen. (Dr.) Khalwale: Thank you, Mr. Deputy Speaker, Sir. I was rising on Standing Order No.105 (1) that speaks to the accuracy of what a Senator states.

A Statement has been sought this afternoon, about the Kenya Medical Supplies Authority (KEMSA) matter. The Senator said that the Committee should establish actions that are being taken against the people responsible.

In terms of accuracy, is this matter not overtaken by events? The President has already taken action. He has sacked the Principal Secretary (PS) and disbanded the Board. Unless we want the Committee to go and behave as if they are carrying out a human post-mortem, this is a matter which has since rested. Is it worthwhile for this Statement to see the light of the day? It has already been overtaken by events.

(Loud consultations)

The Deputy Speaker (Sen. Kathuri): Let me give some guidance, so that we make progress. Sen. (Dr.) Khalwale, do not muzzle the work of Senate Committees. That Report should be brought here by the Committee. There might be more others who need to be fired. Why are you stopping the Committee from doing further investigations? There may be others who do not have any issue and should be reinstated.

(Applause)

Do not stifle the work of the Committee and the Chairperson is even here. I do not know what to say because he was not disagreeing with you, but from what I can hear, he is disagreeing with you that the Committee should not do its work.

(An hon. Senator spoke off record)

Do not harass Sen. (Dr.) Khalwale, he is an elder in this House.

Sen. (Dr.) Khalwale: Thank you, Mr. Deputy Speaker, Sir. I stand guided. As leaders of this nation, we have a responsibility not to use the Floor of this House to play politics.

If the intention of the Statement is so as to give the impression that the President is not up to it, we have done our bit. When they had the opportunity and there was a scandal at KEMSA, their President and his 'handshake brother' did absolutely nothing.

(Loud consultations)

If they want to play politics, we will play it better than them. We were here before them, we have done it better and we will continue teaching them the politics of the Republic of Kenya.

The Deputy Speaker (Sen. Kathuri): Sen. (Dr.) Khalwale, you are now out of order. I gave guidance on this matter. Why are you digging into it again and also inviting many points of order?

Sen. Onyonka, do you have your Statement? Do not speak on that KEMSA matter.

Sen. Onyonka: Mr. Deputy Speaker, Sir, it is not on KEMSA, but I am shocked that today, my hero, Sen. (Dr.) Khalwale, sounds like a sycophant.

(Laughter)

Thank you for giving me this opportunity to raise a question because it is also about medical issues---

The Deputy Speaker (Sen. Kathuri): I wanted to allow a few Members to comment on the first four Statements and then you give yours, next.

Sen. Onyonka: Thank you, Mr. Deputy Speaker, Sir. Can I contribute?

The Deputy Speaker (Sen. Kathuri): No, let us have Sen. Faki. You will have an opportunity to read your Statement.

Sen. Faki: Asante, Bw. Naibu wa Spika. Kabla sijachangia maombi ya Taarifa iliyoletwa Bungeni na Sen. Hamida, ningependa kumkumbusha Sen. (Dr.) Khalwale kuwa hili ni Bunge. Mambo ya Bunge ni mambo ya Bunge na mambo ya Rais ni mambo ya Rais. Kwa hivyo, mambo ya Bunge lazima yazungumzwe Bungeni.

Ningependa kuchangia Taarifa kuhusiana na kuachiliwa kwa wafungwa wanaotumikia vifungo vidogo vidogo gerezani. Ninawapongeza Maseneta wa Kenya Women Senators Association (KEWOSA) ambao juzi walizuru gereza la kina mama la Langata, ambapo waliwatoa takriban wafungwa 100. Wafungwa hao walikuwa wamefungwa kwa makosa madogo madogo.

Bw. Naibu wa Spika, hii sio mara ya kwanza kwa Bunge la Seneti kufanya ziara ya magereza. Nakumbuka Senate Mashinani ilipokuwa Kaunti ya Kitui, tulizuru gereza la Kitui na kutoa zaidi ya wafungwa 100. Wakati huo, Seneta wa Kaunti ya Nandi ndiye alikuwa Mwenyekiti wa Kamati ya Haki, Sheria na Haki za Binadamu. Seneta mwenyewe sasa amekua mtu wa kukaa *back bench*.

Tulitoa zaidi ya wafungwa 100 kutoka gereza lile. Baada ya hapo, Jaji Mutende aliyekuwa akihudumu katika kituo kile, alifanya ziara katika gereza lile, akaangalia zile faili za wafungwa wote waliokuwa na makossa madogo madogo, na wote wakaruhusiwa kwenda nyumbani. Ni kwa sababu ya kazi ambayo Bunge la Seneti lilikua limefanya.

Bw. Naibu wa Spika, ni muhimu swala hili liangaliwe kwa undani. Tulipokuwa tunahudumu katika Kamati ya Haki, Sheria na Haki za Binadamu, tulizuru gereza la Industrial Area. Hapo, wafungwa wanaishi katika hali ngumu sana, hususan wale walioko rumande wanaosubiri kesi zao zimalizwe ndio waende nyumbani. Hao wafungwa wanazuiliwa kwa dhamana ya Ksh5,000 au Ksh10.

Mahakama hazijaweza kuzingatia hali ya uchumi na hali ya maisha ya wananchi wa Kenya. Mtu anapelekwa mahakamani kwa makosa madogo, anapewa dhamana ya Ksh20,000 au Ksh100,000 ama atoe *title deed* au *log book*. Yote haya yanachangia kujaza wafungwa katika magereza yetu. Kulingana na jinsi hali ilivyo sasa, hairidhishi.

Ijapokuwa Serikali---

(Sen. Gataya Mo Fire spoke off record)

Bw. Naibu wa Spika, mkumbushe Sen. Gataya Mo Fire, hatuko Runyenjes hapa.

(Laughter)

Magereza yetu yote yalijengwa kabla ya uhuru. Kwa muda wa takriban miaka 60, Kenya haijajenga gereza hata moja. Kwa hivyo, nafasi ni ndogo katika magereza yetu na wafungwa wengi wanapata shida.

Kwa hivyo, jinsi ya kutatua msongomano katika jela zetu ni swala ambao lazima liangaliwe kwa undani zaidi. Wanaohukumiwa aghalabu wapate afueni kutokana na hali mbaya ya magereza yetu.

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

Hon. Senators, I gave direction that you should strictly take two minutes for comments on the Statements. This is because we have many of them this afternoon.

Sen. Cherarkey, proceed, but avoid a lot of protocols. Just go to the point.

Sen. Cherarkey: Thank you, Mr. Deputy Speaker, Sir. It is good to note that Sen. Kibwana is following in my footsteps.

In this country, we have 134 prison facilities. As Sen. Faki stated, the capacity of the 134 facilities should be 30,000. It is sad that we have 60,000 prisoners. Fifty one per cent are what we call pre-trial detainees who are 35,000. There is a lot of congestion in our prison facilities.

We were finalizing a report on reforms in borstal institutions before Sen Omogeni took over. However, it looks like they did not complete the work. Apart from the congestion in the prisons, there is also land grabbing issues, for example, in Shikusa Prison where private persons are tilling and farming maize in the area.

The Government should come up with modalities on how to pay fines. People who are arrested because of *changaa* are fined Kshs200 to Kshs500. It is very important that we

find a way out to ensure that we do not hold them unnecessarily in the prisons. I agree that we need to re-look at it.

There are many young Kenyans who have been arrested because of loitering, disorderly conduct and consuming some things.

Finally, on the issue of Kenya Medical Supplies Authority (KEMSA). The issues raised have been overtaken by events. I expected her to congratulate the President for doing a cleanup in KEMSA---

(Sen. Cherarkey's microphone went off)

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

Sen. Maanzo: Thank you, Mr. Deputy Speaker, Sir. First, I want to comment on the matter from Murang'a County. No Kenyan should die in our hospitals simply because there are delays or hospitals in the counties are not prepared to handle emergencies. The health sector should be fully devolved to the counties.

On the prisons matter, I thank the Kenya Women Senators Association (KEWOSA) for the action they took. They fundraised and paid some of these fines. When Governor Sonko was a politician, he used to do this quite a lot. He would pay Kshs100,000 fines to free people.

What is most important is that 1st June is coming. Ordinarily, the people who have served long sentences should be released by the President through a Presidential Order because that will decongest the prisons. This is because most of the prisoners have served their term and probably learnt their lesson.

As a lawyer, you will find many people in the prisons for small things such as misdemeanors and little fines. Most importantly, KEWOSA can press for a Presidential release. I know they have the statistics of all these offences. Then, the President would do the country good.

Many people will go back and start their lives in the villages and be useful to their families. We will also save one money that is used to feed and keep them in the prisons. It would also reduce the chances of disease caused by overcrowded prisons.

It is important that this House gets seized of the KEMSA matter. The President has done his bit, but I agree with you that the work of the Senate and its Committees must go on. This is because we are able to provide finer details and probably more people will be captured and sent to prison this time not to be released urgently, so that Kenyans can conserve their money.

Mr. Deputy Speaker, Sir, 3.7---

(Sen. Maanzo's microphone went off)

The Deputy Speaker (Sen. Kathuri): Sen. Maanzo, I have received a text message from the Chair of KEWOSA. They are looking keenly at what the men Senators can do.

Proceed, Sen. Kisang.

Sen. Kisang: Thank you, Mr. Deputy Speaker, Sir. You have just talked of the male Senators. So, I thank KEWOSA for going to Langata Women's Prison and helping the mothers and the children.

I hope they shall also extend the same during Father's Day in June, 2023, and maybe go to Kamiti Prison. We are there to help. We can send the female Senators to the male prisons too. We shall chip in and contribute, so that those with petty offences are released.

What also touched me was about the school in Baringo County in Kabarnet. This is a special school that has been closed due to lack of resources. I do not know what the business of the Ministry of Education is. It is supposed to pay for the teachers, workers and also feed these particular children in the special schools.

This is very urgent. It is something that requires the Standing Committee on Education to go to the region, find out why this is happening and hold to account those who have held the resources by putting them in jail. This is very serious.

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

The Senate Minority Leader (Sen. Madzayo): Asante, Bw. Naibu Spika. Ningependa kuchangia swala hili la madawa katika hospitali zetu. Shirika la KEMSA kwa sasa limepoteza sifa katika Global Fund inayotusaidia kununua na kusambaza madawa. Sijui ni njia gani itatumika kuhimiza Serikali kuchukua hatua ili kurejesha imani na shirika hili. Hivi sasa, shirika hili limepoteza wadhfa wake.

Pili, ikiwa hatua zimechukuliwa na watu walio fanya ufiisadi wa aina yeyote pale ndani wamejulikana wazi na kufutwa kazi, hilo si jambo la mwisho. Pesa zilipotea na Serikali inafaa kuzifuata. Ninataka kujua nia ya Serikali hii kuhusu jambo hili baada yao kufutwa kazi.

Kitendo cha uhalifu hakiwezi kumalizika. Lazima sheria ifuatwe. Waliofutwa wanafaa kupelekwa mahakamani na kushtakiwa ili haki ya wananchi ipatikane.

Swala la pili ni kuhusu shule ya watoto viziwi iliyo kule---

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

(Sen. Madzayo spoke off record)

The Senate Minority Leader (Sen. Madzayo): Ninaomba dakika moja.

The Deputy Speaker (Sen. Kathuri): Upewe dakika moja.

The Senate Minority Leader (Sen. Madzayo): Ingekuwa bora zaidi kama Serikali ingeweza kujitoa kimasomaso ili kuona watoto wanaosoma katika shule ya viziwi ya Kabarnet wamepata pesa za kuendelea na masomo yao.

Nasisitiza kuwa wanafaa kupelekewa hundi la pesa ili ifunguliwe na iweze kusaidia wananchi.

The Deputy Speaker (Sen. Kathuri): Asante sana, Kiongozi wa walio Wachache.

Hon. Senators, let me make this other Communication, so that we can release the visitors to proceed to their schools.

(Interruption of debate on Statements)

COMMUNICATION FROM THE CHAIR

VISITING DELEGATION FROM EMBAKASI GIRLS
HIGH SCHOOL, NAIROBI CITY COUNTY

Hon. Senators, in the Public Gallery this afternoon, we have 78 students accompanied by five teachers from Embakasi Girls Secondary School in Nairobi City County, who are in the Senate on an education tour.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them. On behalf of the Senate and my own behalf, I wish them a fruitful visit.

I thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Senator for Nairobi City County, Sen. Sifuna.

Sen. Sifuna: Thank you, Mr. Deputy Speaker, Sir. I take this opportunity on behalf of my colleagues and the House, to join you in welcoming the students from Embakasi Girls. They have come on a good afternoon when there are some good matters on the Floor of the House. You will experience the debate on the Floor of the House and learn something during your trip. I hope you have gotten the opportunity to go to the National Assembly.

I wish you a fruitful tour of the Senate. I can assure you that these seats do not have any person they are reserved for. If you finish school, work hard; listen to your parent and teachers you will find yourself in this Chamber one day debating matters of the nation just as you can see happening this afternoon.

I wish you well. Tell your parents that I thank them, especially those who vote in Embakasi and voted for me. I assure them that I will do my best on this Floor to represent the people of Nairobi.

The Deputy Speaker (Sen. Kathuri): I understand that Nairobi delegation has several Members. A Senator who is also from the Nairobi delegation would like to welcome the students.

Sen. Tabitha Mutinda: Asante Bw. Naibu Spika. Nachukua fursa hii kuwakaribisha wanafunzi wa shule ya upili ya Embakasi. Shule ya wasichana tunayojivunia hapa Nairobi. Nafahamu kuwa wasichana wa shule hii wanatia bidii. Nawahimiza wanafunzi kutia bidii kwenye masomo.

Kazi yetu kama Maseneta ni kuangalia shughuli za magavana, vile wanachapa kazi na kutekeleza majukumu yao kama magavana. Pia sisi tulipitia kitengo cha shule ya upili. Pia nyinyi munaweza kuwa hapa tulipo. Wanafunzi, mchukue nafasi hii kupata mwelekeo na mwangaza ambao kesho utawasaidia ili mutimize ndoto zenu. Heshimuni walimu na wazazi wenu wakati wote na mungu awabariki.

(Resumption of debate on Statements)

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

Sen. Cheptumo: Mr. Deputy Speaker, Sir, I thank Sen. Kibwana for requesting a Statement on the closure of Kabarnet School for the deaf.

Last week, I had a chance to reach out to the Cabinet Secretary in charge of education. The Member of Parliament for Baringo Central did the same too. We were given assurance that the school will be reopened and that Government will facilitate the provision of food and other amenities. I am shocked that to date, they have not done so.

This is an unfortunate situation. You are talking of children in a condition where they do not have food and their teachers are not being paid. As we speak about the situation in Kabarnet Baringo County, it is important that the Government look at these schools across the country. Sometimes we do not give them appropriate attention like we give to the other institutions.

I thank my sister for this Statement. I request the Cabinet Secretary in the Ministry of Education to fulfil the promise and assurance he gave. He said that he was going to act immediately in ensuring the school is reopened, so that our students can learn.

The Deputy Speaker (Sen. Kathuri): Let us get the Statement by Sen. Korir.

NON-COMPLIANCE WITH STANDARD WEIGHTS AND MEASURES IN TEA MARKETING

Sen. Korir: Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order 53(1), to seek a Statement from the Standing Committee on Trade, Industrialization and Tourism on non-compliance with standard weights and measures in tea marketing affecting smallholder farmers.

In the Statement, the Committee should –

(1) Shed light on reports of non-compliance with standard weights and measures in tea growing zones, stating specific measures the Ministry of Investments, Trade and Industry is implementing to ensure that weighing equipment used in tea buying centres is calibrated and is in compliance with the Weights and Measures Act CAP. 513.

(2) State plans to strengthen the enforcement of regulations governing compliance to standard weights and measures in the agricultural sector, specifically in tea growing areas.

(3) State initiatives in place to improve extension services and enhance negotiation skills among smallholder tea farmers to effectively deal with tea brokers and traders in tea markets who exploit farmers.

(4) Cause the Ministry of Investments, Trade and Industry and the Department of Weights and Measures to deploy more county officers to inspect weighing machines at tea buying centres, stating resources required to enhance compliance.

The Deputy Speaker (Sen. Kathuri): Thank you, we will have the Senator for Kisii, Sen. Onyonka present his Statements.

STATE OF OPERATIONS AT THE KISII TEACHING AND REFERRAL HOSPITAL

Sen. Onyonka: Thank you, Mr. Deputy Speaker for giving me this opportunity. I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Health regarding the operational status of Kisii Teaching and Referral Hospital.

In the Statement, the Committee should –

(1) State the reasons for the inordinate delay in opening the Mother and Child wing of the Kisii Teaching and Referral Hospital.

(2) Table a detailed report on the operational ability of medical equipment in use, the availability of drugs, and the capacity of essential hospital facilities, giving reasons for any observed deficiencies.

(3) Indicate whether a system has been put in place to monitor and control how medicine is distributed to the health facilities in Kisii County, and if not, state when it will be implemented, indicating the timeframes.

(4) Disclose how much revenue the hospital has collected since September 2021, stating the specific accounts where these funds were deposited.

(5) Undertake an assessment visit of the Kisii Teaching and Referral Hospital by the Committee to assess its operational ability and the availability of basic services such as running water and all the other essential services.

(6) State the reasons for the closure of Kisii County Government's hospital at the Nyamarambe Health Center, which served many residents of South Mugirango Constituency. I would also like them to indicate whether this hospital has been opened or not.

(7) Explain measures in place to ensure the affected residents of the Nyamarambe area are accessing medical services if it has not been opened.

(8) Lastly, I would like the Committee to Table a report on all the health facilities in Kisii County, stating the number of doctors, clinical officers and nurses that are providing their services to these facilities with an audit report on the titles and their professional qualifications.

Thank you.

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

PROPOSED RELOCATION OF HOMA BAY GOK PRISONS TO NDHIWA SUB-COUNTY

Sen. Ogola: Thank you, Mr. Deputy Speaker, Sir I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the proposed relocation of Homabay GOK Prisons to Ndhiwa Sub County instead of a proposed University on the same parcel.

In the Statement, the Committee should-

i) State when this decision for the relocation of the GoK prisons to Ndhiwa was arrived at disclosing the parties who were involved.

ii) State when public participation with the residents of Ndhiwa community and stakeholders was conducted, tabling evidence of the consultations, who was involved in the consultations and the basis for the resolutions that were made.

iii) State the considerations that were made in the selection of the proposed university land in Ndhiwa as it is at the heart of our locals where the GoK prison would be relocated to, stating the exact location of the land where the prison is to be relocated to and who was consulted on that location.

iv) The Committee should undertake a visit to Ndhiwa Sub-county to ascertain the lack of consultation which is a constitutional requirement and to avert a potential conflict with the community.

I thank you.

The Deputy Speaker (Sen. Kathuri): Let me give two or three Senators to make comments.

Sen. Omar, you have the Floor.

Sen. Mariam Omar: Thank you, Mr. Deputy Speaker, Sir. I rise to support the Statement raised by Sen. Kibwana regarding the early release of inmates convicted of minor offences. As a treasurer of the Kenya Women Senators Association (KEWOSA), I thank our male Senators for contributing and not forgetting our clerks.

On the issue of the School in Kabarnet, if that school is closed, where do you think those children will get education? In my opinion, in the budget for education, there must be a line budget for special education for schools. That budget must be ring-fenced so that it cannot be used for another purpose.

I have noticed that there are almost three or four Statements that are touching on health. Health is devolved function. The national Government and county governments must be very serious about health issues.

You will find one Statement has to do with the issue of lack of drugs in hospitals. Another one talks about lack of wards in hospitals. There is no infrastructure there. The question we ask ourselves is: "Where does this money that is allocated in the budget for county health go to?"

I thank you.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Deputy Speaker, Sir. I rise to contribute to the Statement by the nominated Senator from Kericho on the need to enhance the growing and marketing of tea through more centres.

I want to comment on the structure of the Agriculture, Fisheries, and Food Authority (AFFA) of 2013, which consolidates the law on the management of crops and was enacted at the same time as the Crops Act of 2013.

I wish to state that there is a need for the Government to ring-fence the administration of AFFA because it deals with several crops, including tea, coffee and sugarcane.

The board that is established under Section 6 of the Act has the roles that go to questions and that speak to the Statement read in the House today. The board of AFFA

must rise to the occasion and ensure that contracts entered into protect the marketing, the sale and ring-fence crops such as tea.

(Sen. Korir consulted with Sen. Cheruiyot)

The Nominated Senator from Kericho is busy talking there and yet I am contributing to her Statement.

Should speak to the authority---

(Sen. (Prof. Ojienda's microphone went off)

The Deputy Speaker (Sen. Kathuri): Since you are a Professor, let me give you one minute.

(Laughter)

Sen. (Prof.) Tom Ojienda Odhiambo SC): Thank you, Mr. Speaker, Sir. We know that the advent of AFFA repealed several statutes that administer many crops. Since the board of AFFA deals with every crop in this country, it is crucial to every Senator from an agricultural area.

Given that agriculture is a devolved function under Schedule Four of the Constitution, we as the Senate should ensure that we ring-fence the administration of AFFA so that the board has sufficient funds to administer tea, coffee, sugarcane and all the crops defined under the Crops Act.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Shakila Abdallah, you may proceed.

Sen. Shakila Abdallah: Thank you, Mr. Deputy Speaker, Sir. I rise to support the Statement by Sen. Ogola on the issue of relocating the prison. We have just been having a discussion on prisons whereby the Government has no capacity to expand the existing prisons. I really wonder how they do have the capacity to relocate an existing prison to a new location.

Consultation is key. If the people or the community is not consulted or public participation is not done on the issue of land as to where this prison is going to be relocated to, this is bound to bring some conflicts. As we are all aware, the issue of land is very emotive. So, I wonder whether this issue was deeply thought through and proper consultations done because it really does not make any sense.

I am sorry, but it does not make any sense to relocate a prison instead of expanding it. We know expanding a prison is much cheaper than relocating it, to put a new building or a new facility somewhere else.

With those few remarks, I support this Statement by Sen. Ogola.

I thank you.

Sen. Okenyuri: Thank you, Mr. Deputy Speaker, Sir. I rise to support the Statement by the Senator of Kisii County, Sen. Onyonka. I would like to bring to the

attention of Members that the Senate Standing Committee on Health had prioritized visiting that area, but that was postponed.

On the issue of the Nduru Hospital, I would like to bring to your attention that hospital has been closed for a while now. Initially, the health officials who are working there were withdrawn after some skirmishes arose, which was because of the transfer of medical equipment that was moved from that hospital to another area.

Consequently, the hospital was shut down. Who suffers most in this area? It is the citizens of Nduru Hospital who are relying on services to get close to them. So, in as much as there could be these issues, I support Sen. Onyonka for bringing this matter up now.

It is taking longer because now the citizens are missing major medical services. Do not be surprised we might lose several lives because the distance taken from Nduru Hospital to any other nearby hospital facility is a very long one.

I commit to Sen. Onyonka that as Member of the Standing Committee on Health, we are going to prioritize this issue. Surely, the citizens of South Mugirango deserve services closer to their people.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Let us have the three Statements from Sen. (Dr) Murango.

AMPUTATION OF BABY RIDHWAN YASIR NOOR'S
FINGER AT KERUGOYA COUNTY REFERRAL HOSPITAL

Sen. (Dr.) Murango: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No. 53 (1) to seek a Statement on Standing Committee on Health regarding the amputation of Baby Ridhwan Yasir Noor's finger at Kerugoya County Referral Hospital in a suspected case of medical negligence.

In the Statement, the Committee should-

(1) Explain the circumstances that led to the amputation of one-year-old Baby Ridhwan Yasir Noor's fingers while undergoing treatment for pneumonia at Kerugoya County Referral Hospital on 7th March 2023?

(2) Clarify whether the amputation was a result of medical negligence and neglect of duty by hospital administration and medics.

(3) State the steps taken, if any, by the Ministry of Health to ensure that justice is served to the victim, stating the actions that will be taken against the medical practitioners involved.

(4) Provide details on the level of adherence to medical safety and precaution measures in the administration of medical care at Kerugoya County Referral Hospital.

(5) State reasons, if any, why the management of Kerugoya County Referral Hospital has not provided Baby Ridhwan's family with his medical report despite several requests from the parents.

PLANS TO ESTABLISH A PUBLIC
TEACHER TRAINING COLLEGE IN KIRINYAGA COUNTY

Sen. (Dr.) Murango: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order 53(1) to seek a Statement from the Standing Committee on Education on the establishment of a public teacher training college in Kirinyaga County.

In the Statement, the Committee should-

(1) Explain the reasons the Government has not established a public teacher training college in Kirinyaga County despite establishing many such colleges in other counties.

(2) State key considerations made by the Government before establishing a public teacher training college in a county.

(3) Spell out measures, if any, that the Ministry of Education has put in place to establish a public teacher training college in Kirinyaga County, stating whether funds for the same will be provided in the 2023/2024 Financial Year Budget.

THE DELAYED CONSTRUCTION OF WAMUMU KEMRI
STATION MEDICAL FACILITY IN KIRINYAGA COUNTY

Sen. (Dr.) Murango: Lastly, Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order 53 (1) to seek a Statement from the Standing Committee on Health regarding the delayed construction of Kenya Medical Research Institute (KEMRI) Wamumu Station Medical Facility in Mwea West Sub-County, Kirinyaga County.

In the Statement, the Committee should-

(1) Apprise the Senate on the nature of the medical facility intended to be constructed on the 100-acre piece of public land given to the KEMRI by the Kirinyaga County Government stating the works to be undertaken and the range of services to be offered once the facility is complete.

(2) State whether the contract for the construction has been awarded and, if so, indicate whether there is a clause in the contract safeguarding job opportunities for locals during construction, as espoused in the County Government Act (2012), particularly for unskilled labour.

(3) State any logistical and or financial challenges KEMRI may be having in undertaking the projects and measures put in place to address those challenges.

(4) Indicate when the construction is likely to commence and the tentative completion date.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Ogola, do you want to comment?

Sen. Ogola: Thank you, Mr. Deputy Speaker, Sir for allowing me to comment on the Statements. I support and wish to comment on the Statement by the Senator for Kisii County Sen. Richard Onyonka on the operations at the Kisii Teaching and Referral Hospital and the closure of Nyamarambe Health Centre.

For some time and up to just the other day, Kisii Teaching and Referral Hospital was a Referral Hospital for our region because it is Level 5. It is a hospital that is closer to our hearts. The second reason why I comment on this is that I have seen the operations and

management at this hospital. I have seen the Governor of Kisii at some point go to the hospital and purport to close the mortuary and send away staff.

In management, there is something called division of labour where workers have duties that they perform. Leadership does not just call for chest thumping and showing who you are.

What will this country be if the Head of State were to walk to Kenyatta National Hospital (KNH) or any other hospital and send away all staff, including mortuary attendants?

In this country, there is order. We struggling here with the issues of Health Ministry in counties and we are saying that let us not add to the problems that we have. Let there be order and running facilities. Let the governors allow the staff that they have appointed as County Executive Committee Member (CECM), as Chief---

The Deputy Speaker (Sen. Kathuri): Thank you. Sen. Ogola, I did not cut you short, but you know we had already done with the Statements by Sen. Onyonka. Now, we are on the Statements by Sen. (Dr.) Murango. Let us have Sen. Methu as the last person contributing to the Statements.

Sen. Methu: Thank you, Mr Deputy Speaker, Sir. I also rise to comment on the three Statements that have been sought by the Senator for Kirinyaga. I will start with the sad Statement he is seeking about Baby Ridhwan Yasir Noor's finger.

It is very sad. The Standing Committee on Health must pronounce itself on these occurrences in our health facilities. It is not fair that every time a Senator comes here seeking Statements on issues that are suspected to be as a result of medical negligence.

I do not want to comment because I know the Committee on Health will do due diligence. I have heard and saw on television during news bulletin the one-year-old baby who was being treated pneumonia. He was given a prescription, but unfortunately, he lost four fingers on his left hand.

It is sad that he will now live in such devastating situation out of the suspected medical negligence. I urge the Committee on Health to pronounce itself on this.

The second and final thing, the good Senator for Kirinyaga is seeking a Statement to know why there is no established teachers' college in Kirinyaga County. Devolution is all about taking services closer to the people.

Probably, he would have also said in the whole of Mt. Kenya Region it is only Nyandarua County, which does not have a university.

(Sen. Methu's microphone was switched off)

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

Sen. Kibwana: Mr. Deputy Speaker, Sir, I also want to support Sen. (Dr.) Murango regarding medical negligence of baby Ridhwan Yasin Noor's finger. It is sad for a one-year-old baby's finger to be cut because of medical negligence. The baby had pneumonia, but his finger ended up being cut.

Mr. Deputy Speaker, Sir, medical negligence is on the increase. Therefore, Kerugoya County Referral Hospital should be investigated. As a Member of the Committee on Health, I promise to champion that.

I thank you.

Sen. Tabitha Mutinda: Bw. Naibu Spika, nachukua fursa hii kukushukuru kwa kunipa nafasi hii ili niweze kuchangia Taarifa iliyoletwa na Sen. (Dr.) Murango kuhusu mtoto ambaye vidole vyake vilikatwa katika Hospitali ya *Referral* ya Kerugoya. Inakuwaje mtoto ambaye anaogua ugonjwa wa pumu kukatwa vidole na madaktari wa hospitali hiyo?

Tumeelezwa kwamba madaktari hawajapeana ripoti kwa familia ya mtoto huyo. Ni uchungu sana kwa mzazi. Inasikitisha sana kuona kwamba hospitali za kaunti ambazo Seneti inatetea zinakosa kutimiza majukumu inavyofaa kisheria.

Hili ni jambo ambalo Kamati ya Afya inafaa kushughulikia kwa dharura na kuchunguza kwa kina. Tunafaa kupewa ripoti inayoeleza kwa nini mtoto huyo alipoteza vidole vyake akiwa na umri mdogo. Huo ni uzembe wa madaktari wa hospitali hiyo kwa sababu hawajaeleza kinagaubaga kilichosababisha hilo.

Bw. Naibu Spika, vile vile, Sen. (Dr.) Murango amezungumzia uchunguzi unaoendelea katika ile hospitali ya kufanya uchunguzi zaidi iliyoko Kerugoya katika Kaunti ya Kirinyaga. Ninge---

(Sen. Tabitha Mutinda's microphone was switched off)

The Deputy Speaker (Sen. Kathuri): Hospitali ya kufanya uchunguzi inaitwa hospitali ya rufaa. *Referral* ni rufaa.

Next is the Statement pursuant to Standing Order No.57(1) by the Senate Majority Leader.

BUSINESS FOR THE WEEK COMMENCING
TUESDAY, 30TH MAY, 2023

Sen. (Dr.) Khalwale: Mr. Deputy Speaker, Sir, pursuant to Standing Order No.57(1), I hereby present to the Senate the business of the House for the week commencing 30th May, 2023, being a Tuesday.

Mr. Deputy Speaker, Sir, before I proceed, let me take this opportunity to welcome hon. Senators back from the short recess. We look forward to a fruitful Session over the next few weeks, until the next recess which is scheduled to begin on 29th June, 2023.

There are important financial instruments, which require to be prioritized within Part III of the Senate Calendar. These are-

- (1) The County Allocation of Revenue Bill (Senate Bills No.16 of 2023).
- (2) The Equalization Fund Appropriation Bill (Senate Bills No.3 of 2023).
- (3) The Equalization Fund Administration Bill (Senate Bills No.14 of 2023).

The expeditious consideration, passage and assent of these financial instruments will give way for the instruction of the County Governments Additional Allocation Bill, 2023, and County Governments Cash Disbursement Schedule.

Mr. Deputy Speaker, Sir, it is envisaged that the Second Reading debate on the County Allocation of Revenue Bill (Senate Bills No.16 of 2023) will commence on 30th May, 2023, being a Tuesday. I hope that the Standing Committee on Finance and Budget will table a report thereon so as to inform Senators during the Second Reading.

On the other hand, the Equalization Fund Appropriation Bill (Senate Bills No.3 of 2023) is scheduled in today's Order Paper, at the Committee of the Whole, for Division. I, therefore, urge all hon. Senators to be available in the Senate to consider and pass this very important Bill.

The Equalization Fund Administration Bill will be scheduled in the Order Paper from 5th June, 2023, or at any other earlier time that the Senate Business Committee (SBC) so directs, of course, in consultation with its Mover.

Mr. Deputy Speaker, Sir, with respect to other Bills in the Senate, a further 19, in addition to the County Allocation of Revenue Bill, 2023, and the Equalization Fund Administration Bill, 2023, are at the Second Reading Stage, while another four, together with the Equalization Fund Appropriations Bill are in the Committee of the Whole Stage.

Four Bills are undergoing concurrence pursuant to Article 110(3) of the Constitution and one other Bill was enacted into law and is now an Act of Parliament. This adds up to a total of 31 Bills in the Senate.

From the above statistics, however, we are moving at a rather slow pace in consideration and passage of Bills. I, therefore, implore upon hon. Senators to prioritise House business in Plenary and that Movers of Bills to be available in the Chamber whenever the Bills are listed on the Order Paper.

I also request the Majority and Minority Whips to mobilise requisite number of Senators for Divisions on Bills to be undertaken in a timely manner.

Mr. Deputy Speaker, Sir, other businesses before the Senate include 19 Petitions and various Statements pursuant to Standing Order No.53 and Standing Order No.52. I urge Standing Committees to expedite the consideration of Petitions and Statements and to table reports pursuant to the Standing Orders.

There are 20 Motions on diverse topics, which are also pending consideration. I urge the respective Movers of these Motions to be in the Chamber whenever they are scheduled on the Order Paper.

As Senators will recall, the Speaker issued a Communication on 2nd May, 2023, whose effect was that Standing Order No.64(3) would apply in the event that a Mover of a business scheduled on the Order Paper is not present in the Chamber at the time specified.

In this regard, I take this opportunity to urge all hon. Members with business scheduled in the Order Paper to be in the House to prosecute those businesses.

Mr. Deputy Speaker, Sir, the procedure for consideration of Questions is taking root. At its meeting held on 23rd May, 2023, the SBC approved the fourth set of Questions to be scheduled in the Order Paper and the summary of those Questions and the Cabinet Secretaries to appear are as follows-

(1) Question by the nominated Senator, Sen. Veronica Maina, MP, to the Cabinet Secretary for Mining Blue Economy and Maritime Affairs, concerning the suitability and capacity of Bandari College to train seafarers.

(2) A question by the Senator for Laikipia County, Sen. John Kinyua Nderitu, (MP) to the Cabinet Secretary for Interior and National Administration, concerning the state of security in Laikipia County and the wider North Rift Region.

(3) A question by the Senator for Laikipia County, Sen. John Kinyua Nderitu, (MP) to the Cabinet Secretary for Interior and National Administration, concerning rampant abuse of Ketamine.

(4) The question by the Senator of Kakamega County, Sen. (Dr.) Khalwale, (MP) to the Cabinet Secretary for Education, concerning the action taken to facilitate the resumption of learning at Mukumu Girls High School in Kakamega County.

Mr. Deputy Speaker, Sir, on Tuesday, 30th May, 2023, the SBC will consider and approve business of the day. This will contain business that will not be concluded in today's Order Paper and also the business scheduled in today's Order Paper and any other business scheduled by SBC.

The Order Paper of Wednesday 31st of May, 2023, will contain business that will be scheduled by SBC, as well as any business that will not be concluded on Tuesday, 30th May, 2023.

In conclusion, Thursday, 1st June, 2023 is a public holiday. As such, SBC has not scheduled any business for the day.

Thank you and hereby lay this Statement on the Table of the Senate on behalf of the Senate Majority Leader, Sen. Aaron Cheruiyot, MGH, MP.

(Sen. Dr.) Khalwale laid the document on the Table)

The Deputy Speaker (Sen. Kathuri): Sen. (Dr.) Oburu, have a seat so that I can give some directions then you can proceed.

Hon. Senators, I wish to reorganise the business pending for today. The business appearing under Order Nos.8, 9, 10 and 11 are deferred. So, we now go to the business under Order No.12. Clerk, read out the order.

BILL

Second Reading

THE PROMPT PAYMENT BILL
(SENATE BILLS NO. 8 OF 2022)

(Resumption of debate interrupted on 23.5.2023)

(Division)

(Bill deferred)

COMMITTEE OF THE WHOLE

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THE EQUALIZATION FUND APPROPRIATION BILL
(SENATE BILLS No.3 OF 2023)

(Resumption of debate interrupted on 24.5.2023)

(Division)

(Committee of the Whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY VOCATIONAL EDUCATION AND TRAINING BILL
(SENATE BILLS No.3 OF 2022)

*(Resumption of debate interrupted on
24.5.2023 – Afternoon Sitting)*

(Division)

(Committee of the Whole deferred)

MOTION

ALTERATION OF THE HOURS OF MEETING
FOR WEDNESDAY, 31ST MAY, 2023

THAT, notwithstanding the Resolutions of the Senate made on 16th February, 2023 and 29th March, 2023, pursuant to Standing Order No.32 on approval of the Senate Calendar (Regular Sessions) for the Second Session 2023; and further notwithstanding the provisions of Standing Order 34 (1), the Senate resolves to suspend its sitting on Wednesday 31st May, 2023 (Morning Sitting).

(Motion deferred)

BILL

Second Reading

THE COTTON INDUSTRY DEVELOPMENT BILL
(SENATE BILLS No.5 OF 2023)

(Sen. Syengo on 24.5.2023)

(Resumption of debate interrupted on 24.5.2023)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, the last time this debate was interrupted. Sen. Kibwana had a balance of 15 minutes. Are you ready to execute the 18 minutes or you were done?

Sen. Kibwana: Mr. Deputy Speaker, Sir, I did five or three minutes but then I was through. Unless now I want to---

The Deputy Speaker (Sen. Kathuri): Thank you for saving on time.

Next is Sen. Cherarkey.

Sen. Cherarkey: Thank you, Mr. Deputy Speaker, Sir. Yesterday when we wanted to contribute, time had run out. I also welcome the students who are in the Public Gallery. I hope they are following the debate keenly and learning a lot.

Mr. Deputy Speaker, Sir, the Cotton Industry Development Bill, 2023 is a very important Bill. We are looking at developing the capacity of farmers. In my County, 80 to 90 per cent of people entirely depend on farming crops such as tea, coffee, milk, among others.

This Bill has come at a better time because we need to revive our industries. There used to be the Kisumu Cotton Mills (KICOMI) and Rivatex. Rivatex is being revived in Eldoret. In the last dispensation, I remember the Indian Government gave around Kshs4 billion to revive Rivatex and KICOMI. If we revive these ginneries and textile processing, we will be able to do a lot with cotton.

Mr. Deputy Speaker, Sir, Nandi County and its neighbours have the potential to grow cotton. However, from the schedule that I see, they have become selective. I am aware that where Sen. Okiya Omtatah, the people's watchman, comes from, has the biggest ginnery in the Western part of the country. He normally says he is the Senator of the Republic of Kenya, but elected by the people of Busia County.

I am happy the Chairperson, Sen. (Dr.) Murango and his Committee visited Busia County and we followed the proceedings. We are waiting for the report. I am also made aware that Meru County *ni watu wa pamba*. However, it is not the famous *pamba* that we use in politics. I know of somebody in this country who says that *yeye ni mweupe kama pamba*. That is not the *pamba* we are talking about. We are talking about *pamba*, the serious crop.

Nandi County also has the potential because I have seen they are talking about Rift Valley and mentioning potential areas such as Baringo, Elgeyo-Marakwet, Kericho and so on. Kericho and Nandi counties have almost similar climatic conditions. Therefore, the revival of cotton is very important.

Mr. Deputy Speaker, Sir, we are looking at providing incentives as per the plan or the manifesto that President William Ruto has put in place. I am happy that Sen. Beth Syengo is a good student of the plan by President William Ruto.

This revival is very important. We should speak to it so that we ensure that we revive the cotton industry. We have the golden opportunity to revive and also look at the

sustainability. Looking at the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs), we should look for a way of subsidising production over consumption. That should be the real motivation going into the future. Cotton is a crop that can be grown in various parts of the country and it should be given the necessary attention.

I am happy that the Senate has prepared a raft of legislative interventions to support farmers. We now have the Coffee Development Bill. I was telling the Chairperson of the Committee of Agriculture, Livestock and Fisheries, Sen. (Dr.) Murango, that his Committee is doing extremely well. It is because I can see the number of Bills they are working on, including mine, which is on livestock and produce. Prevention of theft of livestock is also part of it.

Agriculture is fully devolved and I am excited that this Fourth Session of Senate, will become a serious Session. It will be known as “Agricultural Session” because without agriculture, this country will not be there.

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

[The Temporary Speaker (Sen. Mumma) in the chair]

Madam Temporary Speaker, you can see the tourism, the main foreign exchange earners has collapsed because of COVID-19. We now need to revive agriculture to reclaim their position of giving us the highest foreign exchange.

I congratulate Sen. Beth Syengo for this wonderful Bill. However, I wish to express a few reservations. For example, I have seen a provision that looks idol, but it will be very dangerous in the long run.

Part III, Clause 23(1)(d)---

I am excited that the Senator for Nairobi City County is in the House today.

Part III of the Bill is on the Role of County Governments. Clause 23(1)(d), says:

“Each county government shall –

Regulate the cutting or destruction of cotton in order to conserve and protect the resources devoted to the cotton industry in the prospective county.”

Madam Temporary Speaker, if you remember, this is the provision we fought in the colonial Tea Act. It was criminal to cut tea plants.

Sen. Okiya Omtatah: Point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): Sen. Okiya Omtatah, what is your point of order? You may have the Floor.

QUORUM

Sen. Okiya Omtatah: I rise on a point of order under Standing Order No. 39 on the quorum of the Senate. Do we have quorum to conduct business?

The Temporary Speaker (Sen. Mumma): Clerk, can you confirm that.

It has been reported to me that we do not have quorum. I wish to order that the Quorum Bell be rung for 10 minutes.

(The Quorum Bell was rung)

The Bell can be stopped now. Members, please settle down.

Sen. Cherarkey, please proceed.

Sen. Cherarkey: Thank you, Madam Temporary Speaker. It is important. These are House procedures---

(Loud consultations)

The Temporary Speaker (Sen. Mumma): Hon. Senators, please sit in silence.

Sen. Cherarkey: Our students should learn about the issue of quorum.

According to Standing Order No. 39, we should have a minimum of 15 Senators in the House to allow business of the House to proceed.

I was raising the issue of Clause 23(1) (d), on the role of county governments. It states-

“Regulate the cutting or destruction of cotton in order to conserve and protect the resources devoted to the cotton industry in the respective county”

This is one of the colonials and relic sections of the law that was in the Tea Act. I hope and pray that Clause 23(1) (d) be deleted, amended or rephrased by the author, Sen. Beth Syengo. It was under the Tea Act and we fought it because we grow tea in Nandi Hills, Aldai and many other parts of Nandi.

We struggled because when you cut down even one plant, the law said that you could be arrested. The colonialists had their own thinking by forcing us to plant tea, among other crops.

Madam Temporary Speaker, as you are aware, tea has become a problem across the country. Most of our people were evicted and lost land. That is why we have historical land injustices, especially in tea growing areas, including Nandi County. Therefore, this section of the law evokes sad memories of people like Dedan Kimathi, Koitalel Arap Samoei, Mekatilili wa Menza, among others who fought for our freedom. Respectively, let us relook this clause.

Clause 23(2) (j) states that-

“in collaboration with law enforcement agencies, enhance security in cotton growing areas”.

I do not know why there is the importation of that part of the law. I am only aware that people are stealing coffee sacks and beans from certain parts of this country. I do not want to mention the region so that I do not appear to be profiling certain regions.

In Chepkube, big names were mentioned to the highest office in the land those days, on what was happening in Uganda, especially on the issue of coffee.

I do not know why you should need collaboration of security agencies for this crop and yet it is not a threat. It cannot be used scientifically to create a biological warfare or weapons of mass destruction.

Madam Temporary Speaker, the importation of that part of the law by the author should be relooked at or re-worded. This is because we might think that cotton is like gold.

It is not a security issue that people might want to go and uproot cotton from somewhere in Busia, Homabayo or Mombasa. It is just like any other crop thus the practicability on the importation of the law will be simple.

How many farms can the police walk into when we are doing badly? It is one police officer against more than 3,000 people. In fact, we are not meeting the threshold of the United Nations (UN) as recommended.

Madam Temporary Speaker, if we cannot be protected at that level, then the justification of the importation of that part of the law needs to be re-looked. When you look at the licensing of manufacturers, we are creating it as if it is elitist. The Hustler Fund is giving money to individuals, Savings, and Credit Cooperative Societies (SACCOs) who should be given an opportunity to develop their own manufacturing process of cotton ginnery.

This part of the law will make the bourgeoisie, the wealthy and the elitist smile all the way to the bank yet we are talking about 'bottom-up.' We need to think about the people at the bottom as we go up. I can see Sen. Ogola smiling shyly because she is enjoying the gospel.

Under Clause 23 states-

"A person shall not engage in the manufacturing or processing of cotton products unless such person has applied for and obtained a license in accordance with this law."

Madam Temporary Speaker, that is why our brothers and sisters from your side always say the ease of doing business in Kenya is cumbersome. Have you walked into some of these shops in Nairobi where our brother Sen. Sifuna is from? You walk into a shop; you will see so many licenses on the wall from public health, copyright society, National Environmental Management Authority (NEMA) and many others.

How can we talk about ease of doing business when we are not looking at countries such as Rwanda or Singapore? Why are we creating another license under this law? We might even come up with a Kenya Plant Health Inspectorate Services (KEPHIS) license, Kenya Forestry Research Institute (KEFRI) and the Agriculture and Food Authority (AFA).

What we should be doing is synchronizing the issuance of licenses. For example, if you have the AFA license, we use it for issue of agriculture products. Demand for many licenses will create corruption.

I have sat in the Committee on Public Accounts and seen way governors are raising their own source revenue through single business permits. You walk into an office and the whole wall is mosaic. You no longer see the colour of the paint of that shop because everybody comes with a license. You board a Matatu on your way to Kitengela or Ngong, I am told those are the nearest places. You cannot listen to the song titled, '*Enda uskie vibaya uko kwenu*' because the copyright society officers can walk into the matatu and ask for the license allowing you to listen to that song. At the end of the day, it is a big challenge.

The Senate must think of ways of resolving that at the lowest level. I can see a number of serious colleagues here. I ask Sen. Sifuna to advise Governor Sakaja to streamline the issuance of licenses. They are destroying and frustrating our hustlers. The

other night, I saw some hawkers selling shoes to Sen. Sifuna at night. I do not want to imagine Sen. Sifuna is not only active at night. I hope that he is also active during the day.

Madam Temporary Speaker, I had only five points to the aspect of revocation of license. My proposal is, it should be easy to give you the license, but hard to revoke it. That should be easier so that you protect the business. Somebody can be malicious and decide to withdraw your license.

It is stated in this Bill that the funds of the boards shall consist of monies appropriated by Parliament. Where is the money? It is good that Sen. Beth Syengo is part of the people questioning the Finance Bill 2023. How can we get the money if you do not allow us to pass the Bill to get the money to appropriate this board?

We have said that the house levy fund is only at three per cent of the basic salary. A figure of Kshs2,500 will be deducted from the high-income earners. The Government, the biggest employer, will match the same amount. You can reclaim your money within the seven years. How does it---

(Sen. M. Kajwang and Sen. Olekina consulted loudly)

Madam Temporary Speaker, you need to protect me from my Chairman, Sen. M. Kajwang', and Sen. Olekina. I do not know what they are eating, but it looks like they are on a serious mission.

When you say that you need to appropriate money, where do you get it if we do not collect it through taxes? Currently, the debt ceiling that was raised by the 12th Parliament is Kshs8 trillion. As of today, the local and foreign debt of this country is Kshs9.4 trillion.

It is either we tax or borrow more money. Borrowing more is no longer sustainable because the country might not repay within time. We might default and lose serious national strategic assets.

I remember our former President when he was being interviewed in Mombasa; he said he would disclose the agreement with the Chinese company that financed the Standard Gauge Railway (SGR). However, no disclosure was ever made. We do not know whether the Jomo Kenyatta International Airport (JKIA) or the port of Mombasa was used as collateral.

With time, the credit worthiness and raising of taxes and revenue becomes a challenge. Sen. Beth Syengo needs to review the provision for a board in this Bill. I wish she could add donations, grants, loans or gifts made to the board. That is better because it can sustain the board. Talking about appropriating money, from where I sit and projecting the economic situation of the country, we might not have spare money to give to the board.

Finally, on the issue on violation of the law, I agree with you on incentives. What you should be pushing for is subsidized fertilizer to maize, cotton, tea, coffee and sugarcane farmers. Let us give everybody a standardized subsidy.

Clause 45 of the Bill states that a person who commits an offence under this Act for which no penalty is provided is liable for conviction of not less than Kshs20,000 or not twice the value of the cotton or the by-product. I think Kshs20,000 is a little amount. If you want to make this law deterrent, we must increase the figure. You and I, who studied

criminal law, know that we should make it deterrent to discourage people. If we set a figure of Kshs20,000, someone will easily pay. Why do we not increase the figure to Kshs1.5 million or Kshs1 million to deter?

The aim for provision of an offence of sentencing and punishment is to deter individuals from participating in the offence. You can increase and put up to three years maximum jail term or both. I agree with you on the aspect of corporate governance, especially on lifting the veil if you misappropriate the funds.

Sen. Beth Syengo, through you Madam Temporary Speaker, you have heard the commitment of the President. He said that he would not entertain any corruption or misappropriation of public funds. You saw how the President swept the Kenya Medical Supplies Agency (KEMSA) clean. We are sweeping clean the sugar sector too. I am told that somewhere in Nairobi, somebody bought half a kilogramme of sugar and when it was used it to make tea, it turned black.

I agree with you that the commitment of the President on punishing corruption has been how high or close you are. You must face the full force of the law. I believe that is the kind of goodwill that we need as a country. If it is from the highest office and he did not tell us 100 days like during COVID-19 time. We served in the COVID-19 Committee then and at that time, we were told within 100 days heads will roll. This one global fund only reported and those people were fired.

An upshot of this Bill is that the intention and form are good, but I think we should remove one or two clauses only that might affect it. There is no provision of the law that lies idle. You might just want to find one provision that will affect everything and will negate the goodness of the Bill. I hope and pray that the passage of this Bill will give an opportunity to most of our cotton farmers.

Madam Temporary Speaker, my only worry is the National Assembly and I am happy that former Sen. Wetangula was elected the Speaker. When the Bills from the National Assembly come here, we process them in a record speed. However, regarding Bills from the Senate, if we pass this today, it takes forever to be passed by the National Assembly. Sen. Maanzo knows that National Assembly normally uses Article 110(3) on Money Bill.

I hope the National Assembly will fast track the passage of this Bill. Let us work in concurrence so that we do not need to fight over our legislative business.

With those many remarks, I congratulate my sister and wish her well. I hope to see fruition of this Bill and revive our cotton farming in the country once again.

(Interruption of debate on the Bill)

COMMUNICATION FROM THE CHAIR

VISITING TEACHERS AND STUDENTS FROM METEITEI
BOYS HIGH SCHOOL, NANDI COUNTY

The Temporary Speaker (Sen. Mumma): Hon. Senators, I have a Communication on the visiting teachers and students from Meteitei Boys High School in Nandi County.

Hon. Senators, in the public gallery, we have 98 students, accompanied by four teachers from Meteitei Boys High School in Tinderet Constituency, Nandi County, who are in the Senate on an educational tour.

Hon. Senators, in our usual tradition of receiving and welcoming visitors to Parliament, I extend a warm welcome to them and on behalf of the Senate and on my own behalf, wish them a fruitful visit.

I thank you.

Sen. Cherarkey from Nandi County will want to welcome them.

Sen. Cherarkey: Madam Temporary Speaker, I did not know it is my school. Meteitei Boys High School is one of the best schools in Nandi County, of course, after the great Kapsabet Boys where I went. The second and fifth Presidents are my alma mater in Kapsabet Boys. Meteitei Boys High School is one of our best schools. I am happy they came in when I was contributing. They do not doubt the capacity of their Senator. So, feel most welcome. I hope you learn a lot.

Meteitei Boys High School is in Tinderet Subcounty. It is in a very cold area but it is a very nice school. We are doing a lot to expand the school. It has been performing very well. I want to wish them well as they are in Nairobi City County. They have seen the Senate. I wish them well as they go back. All the best in your exams. We were once where you are. In no time, you will be where we are. All the best and God bless you as you go back to Tinderet. I will be in Tinderet on Saturday. If I get time, I can pass by.

Thank you and *karibuni* Senate.

Sen. M. Kajwang': On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): What is your point of order, Sen. M. Kajwang'?

Sen. M. Kajwang': Madam Temporary Speaker, it is not politically neat that when the students and teachers from Nandi come to the Senate, they find the man from Nandi is the only one welcoming them to the Senate. I believe that the Senator for Nandi sees them regularly during prize giving days, visits them and changes their diet regularly. So---

The Temporary Speaker (Sen. Mumma): Sen. M. Kajwang', do you want to welcome the guests?

Sen. M. Kajwang': You read my mind perfectly.

(Laughter)

Let me join Sen. Cherarkey in welcoming the students from Nandi County. The reason why I stood up is to help these students know that Kenya is bigger than Nandi, Rift Valley, Nyanza and Western. Kenya is such a great country that sometimes as the proverb goes, if you have not gone out of your mother's house, you might think that you mother is the best cook.

In this House, we have got representatives from all the 47 counties in Kenya. We have got people from Turkana, Mandera, Kwale and those from the furthest corner of the

country called Vanga. I want the students to know that the education they are getting is not the end. It is a means to help them appreciate the universe, conquer and improve the world that they are living in.

Madam Temporary Speaker, I want to encourage the students that their aspirations should not just be to complete high school, go to a university within Nandi County, then go back and work in Nandi County Government. Their aspiration should be to conquer Kenya, Africa, the world and the universe. They should remember that it is an African born person who today is the richest man in the world and who today is organizing how humans can go to Mars and other planets.

It is very possible. If they were to take the example of a son of the soil who started from very humble beginning and today is the resident of the house on the hill. Mark my words very carefully, he is the resident of the house on the hill. It is possible even for these young boys not just to be the residents of the house on the hill but also the President of the Republic of Kenya. So, I want to encourage them that the sky is the limit.

I thank you.

(Resumption of debate on the Bill)

Sen. (Dr.) Murango: Asante sana, Bi. Spika wa Muda, kwa kunipa nafasi hii niongee kuhusu Mswada tulio nao mbele yetu kuhusu pamba.

(Sen. Olekina spoke off record)

Sen. Olekina, I am very sober.

Sen. Olekina: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): What is your point of order, Sen. Olekina?

Sen. Olekina: Madam Temporary Speaker, I have tremendous respect for my colleague whom I always support whenever he stands up to raise issues; particularly on the issue of agriculture; one which he is very passionate about which has got to do with macadamia nuts. Is it in order for the distinguished Senator to purport that I was entertaining myself here with a bottle of Glenfiddich? That I am drunk? Seriously? He is saying that he is very sober. Did I ever say anything like---

When he says that he is very sober, it means that I have been having a glass of Glenfiddich here or any other glass of whisky. Is he in order? He needs to substantiate or withdraw that statement.

The Temporary Speaker (Sen. Mumma): Sen. Olekina, the Hon. Senator said he is sober and---

(Sen. (Dr.) Murango spoke off record)

No. Sen. (Dr.) Murango, please, proceed with your presentation.

Sen. (Dr.) Murang'o: Asante, Bi. Spika wa Muda. Kwa heshima kubwa, ninajua Sen. Olekina hunywa maziwa pekee. Kwa hivyo, sikusema kwamba yeye ni mlevi ama kuna kinywaji chochote ambacho anakunywa pale.

Nachukua nafasi hii kwanza, kumshukuru Sen. Beth Syengo ambaye ni mwanachama wangu katika Kamati ya Kilimo, Uvuvi, Mifugo na Uchumi Samawati. Ni nadra sana Seneta maalum kufanya bidii kiasi hicho kwamba amekuwa ni mmoja wa wale ambao wamewasilisha Miswada muhimu katika Bunge la Seneti.

Bi. Spika wa Muda, pamba inatupea takriban Kshs6 bilioni, lakini tuna uwezo wa kupata Kshs7.5 trilioni tukifanya kilimo cha pamba na kuwapa wakulima pembejeo na kuondoa wakiritimba wanaonyanyasa wakulima katika ukuzaji na uuzaji wa pamba.

Pamba inakuzwa katika kaunti ishirini na tisa. Kamati ya Kilimo, Uvuvi, Mifugo na Uchumi Samawati iliamua itatembelea wakulima kule mashinani. Tulijua tunapoitisha maoni ya watu, wakiritimba pia watatuma yale mapendekezo yao ili kufanya Miswada inayosaidia wakulima isipite.

Tulikaa chini eneo la Kyulu na mji wa Kitui. Tulienda Busia na tukakaa na Seneta Okiya Omtatah na tukapokea maoni kutoka kwa wakulima. Pale Busia, tulipata wakulima kutoka maeneo yote ya Bungoma, Kakamega na Kisumu. Kituo kikubwa cha utafiti wa pamba kiko Kisumu – Makasembo.

Jambo ambalo halikufurahisha sana ni kwamba, tulipokuwa tunafanya ushirikishwaji wa umma, zile pesa Kamati ya Kilimo, Uvuvi, Mifugo na Uchumi Samawati inapewa hazikutosha ikabidi, tusiende zaidi. Hata hivyo, tulikuwa tunakusudia kuzuru kaunti zote 29.

Bi. Spika wa Muda, hata kama pesa hazitapatikana, tutaendelea kufanya hivyo, kwa sababu ni muhimu kupokea mapendekezo na kuona nyuso zao.

Sen. Cherarkey: On a point of order, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): What is your point of order, Sen. Cherarkey?

Sen. Cherarkey: Bi. Spika wa Muda. Singependa kumtatiza Seneta Murango. Kulingana na Kanuni ya Kudumu ya 105, ameibua jambo nzito kwamba wangependa kuendelea kulingana na Sehemu 118 ya Katiba ili kukusanya maoni ya wakulima lakini walifika mahali pesa zikaisha. Je, hayo si ni mambo ya nyumbani, yaani *in-house*?

(Laughter)

Ikiwa tutawaambia wananchi wa Kenya kuwa hatutaenda kupokea maoni yao kulingana na Ibara ya 118 ya Katiba, inamaanisha kuwa hatutaweza kupata maoni ya wananchi. Haya ni mambo tungesema saa zile tuko peke yetu.

Asante, Bi. Spika wa Muda.

The Temporary Speaker (Sen. Mumma): Sen. Cherarkey, the hon. Senator was just stating a fact of what prohibited them from proceeding. I do not find anything out of order with that statement.

Sen. Murango, proceed.

Sen. Murango: Asante, Bi. Spika wa Muda. Ningependa kuelezea Seneta wa Nandi kwamba, wakati watu wanafanya ushirikishwaji wa umma, hawatunii miguu kama wakiritimba wanaouza ng'ombe. Inabidi kuwe na malazi na vitu vingine vinavyohitajika.

Kwa hivyo, niki sema Kamati haikuweza kumaliza shughuli zake sababu kulikuwa na upungufu wa fedha, ninamaanisha kwamba, ni lazima tuwezeshwe kama Seneti ili tuweze kufanya kazi kwa makadirio ya bajeti. Naongeza pia kwamba, mambo tunayojadili katika Seneti, si ya siri, ni ya umma.

Bi Spika wa Muda, Seneta wa Nandi ametatiza tena mtiririko wa mawazo. Hili ni jambo singetaka kufanya, itabidi nifikirie hata zaidi ili nirudi pale nilikuwa.

Katika ukuzaji na uuzaji wa pamba, pamba nyingi kutoka Kenya inauzwa kutoka mataifa ya Tanzania na Uganda. Katika mifumo viwanda vya pamba, wanawake asilimia sitini wanapata faida kwa kupata kazi katika zile kazi. Kuna maeneo ya kiuchumi yanayoitwa *Export Processing Zones (EPZ)* kwa kimombo.

Nguo zingine za kifahari na za bei ghali zaidi kama Polo na Tommy Hilfiger zinatengezewa kwa hayo maeneo ya uchumi, na kisha kuuzwa Canada na kule Marekani halafu Mkenya anazinunua tena kama mtumba. Yeye ndiye mkuzaji wa pamba mkuu ambaye anafaa kufaidika na pesa na zile nguo zinatoka kutoka ukuzaji wa pamba.

Wakati Serikali inapanga kupeana pembejeo kama vile madawa na mbolea ya ruzuku, ni vizuri wazingatie kwamba wakulima wa pamba wameachwa pakubwa. Ni jambo la kuhuzunisha kule nimetoka Kirinyaga kwa sababu shamba la kiwanda cha kukuza pamba limeenda. Nilikuja kuuliza Kauli kutoka Kamati ya Mashamba hapa, takriban miezi kadhaa ili tujue kulifanyika nini kwa hilo shamba na kile kiwanda.

Kwa sababu ya muda na ninajua kuna wengi wangetaka kushiriki kwa jambo la pamba, mimi pia nikiwa Mwenyekiti, roho na damu yangu huchemka kwa sababu ya kilimo. Ninajua kilimo ndicho kitatunasua kutoka minyororo ya watu tulikuwa tunaita *hustlers*. Kwa shule, wanaitwa mahuluku-taabu.

Bi. Spika wa Muda, asante kwa kunipa nafasi ya kuchangia Mswada huu.

The Temporary Speaker (Sen. Mumma): Sen. Maanzo.

Sen. Maanzo: Thank you, Madam Temporary Speaker, for giving me an opportunity to contribute on this very important law.

I am also in the Committee on Agriculture, Livestock and Fisheries and I congratulate the Chair and the Members. It came to a situation where the Chair was using his own money and I believe God will pay him one day, so that we do public participation.

The cotton grown in Kenya has gone through a lot of problems over the years. It used to be very popular in the 1980s but now, it has staggered and there is a lot of problems in the country yet cotton is a product needed worldwide. It is very marketable and is not a perishable good. So, it can be stored.

One of the biggest challenges we have had is that we are now growing seven million tonnes when we have a capacity of 200 million tonnes. This will employ many farmers and young people. It will go a long way to help Kenyans create employment and earn.

Madam Temporary Speaker, there are many regions in Kenya which can grow cotton. The communities rearing cattle can invest comfortably in cotton because it grows in dry areas and it favours many places as well. We realized in places such as Busia, there are small-scale holders. There are other places such as coastal region, Ukambani and parts of North Eastern that can have huge farms.

The problem has been how the country has handled this crop. Firstly, it is lumped in the Agriculture and Food Authority (AFA). That is why we want to have a new law. It has come out clearly from the discussions that have gone on in this House that we will have many amendments during the Committee of the Whole.

When you look at the history of cotton in the world, it has been grown in America. The African slaves used to grow cotton. It has also been used to make clothes which is a basic need. It is therefore highly needed.

Unfortunately, it has been infested by cartels worldwide, such that, few people want to own it and then release it when they feel the prices favour them. We have now the Bt cotton seeds for farmers to grow in the country. They have been approved through a Presidential Order when Genetically Modified Organisms (GMO) products were allowed in the country.

The problem with GMO products is that when you plant the tree, you have to look for a seed the next day. Every other time, you go to buy seeds from the company manufacturing those seeds. Right now, there is only one dealer in Kenya and a kilogram of the cotton seeds is going for Kshs4,000 that must be paid for in US dollar.

We need millions of kilos to give farmers. Therefore, it will cost Kenyans billions of shillings if we are to go the Bt Cotton way.

During our tour, we met Kenyans who are passionate about cotton. The current seed we have can be improved the same way the mango seed was improved. We now have better mangoes. We can improve the current seed we have through research, so that every time we gin, we do not throw away the seeds. Instead, they are taken back to the farmers for planting.

In Uganda, a kilo of cotton is bought at about Kshs100 but in Kenya, it is Kshs52. Kenyans at the border prefer to sell their cotton in Uganda than to the ginners in Kenya.

Some of the people doing the ginning have private companies. There is a monopoly on where you can supply but farmers should be free. The price keeps being regulated by a few individuals. The question is; what is the benefit to a farmer?

A farmer puts a lot of input and, eventually, ends up in a lot of trouble by failing to recover what they spend. One way that the Government can help the farmer is to supply the seeds.

In Tanzania, the Government gives farmers the seeds and the inputs such as herbicides and pesticides. It also buys from the farmers. They also deal with other processes such as value addition.

In India, some of the by-products of the Bt Cotton are food for animals and biodiesel. There are quite a number of products such that you end up utilizing 99 per cent and lose only 1 per cent of the cotton plant.

In India, when the cakes were given to cows, which is a serious matter in the Indian culture, they had diarrhea resulting to death. There was more research and many farmers came up with a better seed than Bt Cotton.

It is not that Bt Cotton is perfect. In fact, it needs a lot of herbicides and sprays. That means it is very expensive. Kenya is not helping any farmer as it is the case of

Tanzania. Therefore, Tanzanians end up with a lot of cotton which they sell in the world markets at best prices because their government is involved by helping the farmers.

We need to come up with a solution by ensuring that the proposed board is devolved. Are we really going to have a national board? If that is the case, how are we going to appoint the members and the Chair?

Are we going back to the case where the President appoints the Chair or will it be Parliament or the counties? Should the counties have their own boards? What would be the role of the Council of Governors (CoG) because this is a devolved function?

Since Sen. Beth Syengo has been taking notes, I believe during the Committee of the Whole, we will have amendments originating from the committee and Members in order to make this law much better.

One of the biggest problems also is competition. If competition was encouraged, it means we will have the best prices and other benefits for farmers.

Allow me to give an example. In Germany, Mercedes Benz domineered and they did not allow competition from other makes such as Audi and BMW. There were cartels before one acquired a car. However, they opened the market to other competitive brands and even allowed Toyota and others to sell there.

Although Mercedes Benz is a popular car followed by BMW and Audi, you will still find a Nissan or Toyota in Germany and many other parts of Europe. Therefore, growing and selling of cotton should be competitive.

In Kenya, it is sold by cartels and there is only one place where you can sell. They determine the prices and exploit the farmer. Therefore, the farmer gives up and never grows cotton again.

I will give another example. When I was a Member of the Standing Committee on Agriculture and Livestock in the National Assembly, there was a problem of tea in Meru. We went there with the then Assistant Minister for Agriculture, and Member of Parliament for Maara; Hon. Kareke Mbiuki, together with quite a number of Members.

The farmers told us they had given Parliament a week, failure to which they would cut down all the tea and grow macadamia and avocado trees because they were fed up with being exploited. The way they put it, we had no choice but to help them as a House. In a week, they had money in their pockets. This is the same problem that cotton is having. The farmer ends up being exploited and feeling bad.

We have many regions in the country where cotton can be grown such as Tana River. I wish Sen. Mungatana, MGH, was here but I know he is attending the Pan-African Parliament (PAP) sittings. I am sure he will be useful during the Committee of the Whole.

The problem is prices. This particular plant is needed in the world. If we invested and grew it, we would increase the Gross Domestic Product (GDP) of the country. Farmers will make money and they will be taxed appropriately. They will not feel exploited and the country will grow. There has been a problem when it comes to this.

When we went around and we realized there were small-holders in places like Busia. We have those with small farms while others have big farms. The smallholders need to be assured otherwise, they will prefer growing food crops such as maize.

Cotton can persevere dry seasons. If you make cotton growing better, they will start growing it. They have ginneries around Busia and they are looking forward to this. One of the ways of managing this is through the cooperative movement.

Cooperatives in Kenya can cooperate with other cooperatives abroad. That will get rid of the brokers, which means that we will do our own ginning and spinning and deal with the final product which is clothing. Therefore, the Government has to take the cooperatives seriously because there are countries which have succeeded in growing this plant such as India and Israel.

In Israel, they have Kibbutz and Moshav. Kibbutz grows the plants and Moshav Market is a cooperative. We need to help and regularize through the cooperatives where they will look for the seeds and farmers will help one another.

We also need to form SACCOs for cotton growing farmers, so that they can save money when they are paid. That will enable them to acquire capital quickly when they need it.

The good thing about the cooperative movement is that it begins from the grassroots. However, in Kenya, it is national. We have the Kenya Union of Savings and Credit Co-operatives (KUSCCO) which is a national body.

Internationally, we have the World Council of Credit Unions (WOCCU) which deals with financing. When you talk about agriculture and business cooperatives, we have the International Cooperative Alliance (ICA). The WOCCU usually gives grants to help small and upcoming cooperatives. Therefore, a struggling cotton farming cooperative can easily get international grants to stabilize and grow.

The cooperatives cooperate with other cooperatives. When CIC Insurance Group was down, it was helped by a similar cooperative under the leadership of Mr. Collier from Canada. They took over CIC Insurance Group, which I am proudly part of because they are reliable, and it was revived.

Now that we have bigger cooperatives in other parts of the world, they can help us revive our cooperatives here. That is how the Government can be assisted if they do not want to have like the Tanzanian Model of funding the cotton farmer from the grassroots to the top.

Under the ICA, there are many other cooperatives in Asia and other places which grow cotton. They cooperate and determine the world prices. Therefore, farmers will not be exploited because that is what led to cotton farmers becoming miserable.

I am aware that coastal region is looking forward to this crop. Taita-Taveta and the three counties in Ukambani are also looking forward to it. Farmers and their children will be busy. We will not have idlers because people will be busy either picking or planting cotton.

This Bill must come up with a regulation to guide farmers on the planting season, so that the whole country plants cotton at the same time.

Madam Temporary Speaker, extension officers are critical. They will be needed to advise farmers how and what to spray. The country is now encouraging organic spray for environmental reasons. When I was young, excessive spraying of cotton would kill insects, snakes and many other small animals. As a result, cause more damage.

We would like to save the environment by implementing safe farming methods. We should encourage organic farming and spraying so that the pesticides do not injure Kenyans who will handle the pesticides.

This country has experienced the 'death' of the extension officers. Agriculture is devolved and so, deployment of extension officers has to move from the national Government to the counties. The existing extension officers have about two years to retirement. I hope they will be good citizens who will continue helping the farmer in the village.

The country has to train more extension officers in agriculture because there are none. We must have a policy on extension officers because Kenya is an agricultural economy. We are doing away with extension officers gradually. Therefore, we must have a training policy for extension officers and have them placed in counties. They will work to save the nation from the gap we will face when there will be nobody with knowledge on handling herbicides, animal husbandry or crop production.

All the extension officers who know about cotton are retiring. Others are dying out of economic hardships upon retirement. We have to look at the issue of extension officers so that when we grow cotton, we will have people who can guide the farmers. Unfortunately, today, farmers are guiding themselves when it comes to pesticides and herbicides. Companies such as Twiga Chemicals which manufacture these chemicals, are unable to do this.

Financing the farmers is important. The Cooperative Bank of Kenya has been kind enough to work with coffee and tea farmers. They can now work with cotton farmers in cooperatives. They can finance cooperatives to buy and own ginneries.

Finally, in the land tenure system, we need to be sure what role will be played by small holders. Big holders are mostly private companies who can grow the crop the way pineapples are grown. Having the cotton farmers belong to cooperatives will enable regional zoning and in turn, control of pests will be better especially if they are using natural methods.

Cotton is attacked by pests when it is in balls. When it bursts open and the white cotton can be seen, there are pests which attack and give it bad colouring and damage the crop. Some of the pests are nasty and even breed in the situation. Therefore, we have to find a way of making sure the crop is taken care of properly. Then we will help Kenyans grow this crop.

This Bill is important because without regulations or policy, there is a problem. The policy of cotton growing in this country is still wanting. Even before we make a law, the Government should have brought a policy ahead of the law. Since the Government has not brought a policy, we have to develop the law and the policy at the same time. This is why this law should also give good guidelines.

The good news is that once the Bill becomes an Act, the regulations will now rely on this Act and fit in what was left out in the main Act. The regulations will also go a long way to explain how some of these processes should be implemented, so that the country and farmers can benefit.

Madam Temporary Speaker, this is an important law. I would like to make a distinction between the National Assembly and this place. It is almost next to impossible to get a private Member's Bill going through in the National Assembly. After this Bill is passed here, it will go to the National Assembly. Since the National Assembly has many Members from cotton growing constituencies – such as those in Makueni County – I hope they will improve this Bill and even hasten its processing. As a result, cotton growing in this country will not only be well censored but also profitable.

The Temporary Speaker (Sen. Mumma): Sen. Wafula, proceed.

(The Speaker consulted the Clerk-at-the-Table)

Sen. Wafula, I am advised that you already contributed to this Bill. We will proceed to Sen. Osotsi.

Sen. Osotsi: Thank you, Madam Temporary Speaker, for this opportunity to contribute to this important Bill. I thank the sponsor of this Bill, Sen. Beth Syengo. She deserves commendation for this important initiative to try and improve the living standards of our people by providing a framework for production, marketing, farming, value addition and distribution of cotton in this country.

From the onset, I support this Bill. It is high time this country focused on bringing back the country to the position it had in the 1970s when Kenya was one of the leading cotton producers in the world. Cotton, then, supported over 200,000 households in this country.

In the counties where we come from, we see many ginneries which are not being used now. When we were growing up, we saw them all over. Closing down of ginneries is a sign that the cotton industry is dead. If this Bill is well implemented, Kenya will take its position as one of the leading cotton producers in the world.

Many people think that cotton is just about production of textiles. However, cotton can be used in many other ways. It is used in the health sector to manage wounds and in production of pharmaceuticals. In the fishing industry, cotton can be used in production of fish nets. It can also be used in production of coffee filters, livestock feeds and fertilizer. The beauty industry can also use coffee in the production of soap and cosmetics.

Madam Temporary Speaker, cotton can do a broad range of things that can help grow an economy. As much as we call ourselves an agricultural country, the biggest challenge we have is value addition.

Madam Temporary Speaker, if we do not have value addition for our agricultural products, then we will not maximize on our investment in agriculture.

I happen to have been one of the Members of the Liaison Committee, who recently travelled to Dubai. In our trip, we visited the Export Processing Zone (EPZ) equivalent of Dubai.

One of the companies in the EPZ of Dubai is Kenya Tea Development Agency (KTDA). They are doing value addition. Machinery were given by the Government of Dubai and because of that, they are able to export to several countries.

We looked at the kind of machinery that is there and it is not difficult for Kenya to have such. We can have the same machinery to do value addition in Kenya and maximize our production of tea in this country.

So, the Government must seriously think about the issue of value addition not only in tea, cotton, and sugarcane but in everything, value addition is critical.

I am happy the Chairperson of the Standing Committee on Agriculture, Livestock and Fisheries is very passionate about Macadamia nuts. He is working very hard to ensure that value addition for Macadamia nuts is done in this country.

I would like to commend you, Sen. (Dr.) Murango, for that. However, you need now to enhance your interest in other crops like coffee, tea, sugarcane, and others so that we can maximize the opportunities available for value addition.

We know there are a lot of challenges in the cotton industry. One is poor quality of seeds that are given to our farmers. We have issues to do with high input costs and the cost of production.

This is not just for cotton but also for other crops. The cost of production, in this country is so high. That is why we cannot compete favourably with other countries.

The issue of climate change is a key factor. However, our Ministry of Agriculture, Livestock, Fisheries and Cooperatives has not integrated climate change into its planning on agricultural issues. So, the Ministry has to look at these challenges very carefully.

If this country was able to sustain its position in terms of being one of the leading cotton producers in the world, probably it would be a major income generator for this country.

Turkey has become an important country globally because of its strength in the textile industry. Also, everyone is asking for cotton made in Egypt. That is the space that we should be occupying as Kenyans but it has been taken away by other countries. So, those who talk about improving the economy should start by improving our agricultural sector so that they can spur the Gross Domestic Product (GDP) and make this country an economic giant.

This Bill reminds me of the wrong decision that was made some time back by the Government of Kenya to try and put all crops under one regulation, the Agriculture, Fisheries and Food Authority (AFFA).

That was the worst decision that was made in the agriculture sector. They lumped together sugarcane, tea, coffee and cotton under one regulation. You can now see that there are efforts to try and unbundle that. There are efforts to try and get back the Sugar Act. I know, we now have the Tea Act and now Sen. Beth Syengo is coming up with this Bill.

That decision largely affected the agricultural sector, especially the sugar industry. That was the beginning of the collapse of the sugar industry that we know today. Otherwise, in my view, the sugar industry would still be stronger if it was still managed by the Kenya Sugar Board.

I will be looking at this Bill as we go on in the Committee of the Whole House to try and raise amendments particularly, on the aspect of aligning it to the Agriculture and Food Authority Act, which we are clearly moving away from. If this Bill is aligned properly, then, this is a way to go.

Once again, I commend our Orange Democratic Movement (ODM) woman president for bringing up this Bill. The ODM is a party that is well structured. So, the women of this country who are listening to us today---

(Sen. Cherarkey walked into the Chamber)

I see my friend and my colleague neighbour, Sen. Cherarkey, coming in. I would like to tell him that ODM is a party of progress that brings changes in all sectors.

If this Bill is passed, it will be the first Bill that has been passed by the woman president of ODM, whom we thank so much, Sen. Beth Syengo.

I support.

The Temporary Speaker (Sen. Mumma): There is no other contributor. So, I call upon the Mover to reply.

Sen. Beth Syengo: Thank you, Madam Temporary Speaker, for this opportunity to reply to the Bill.

I recognize the contributions that have been meant by different Senators to this Bill.

Taking points that they have raised, I appreciate all the 10 Senators who have contributed and supported the Bill. I do not take it for granted. For example, Sen. M. Kajwang', the Senator for Homa Bay, brought out the reasons why the cotton industry should be revived because it is a way of empowering farmers and ensuring that there is development in this country.

He also alluded that the time cotton was being grown in Homa Bay, it played a big role for the people of Homa Bay.

The Senator for Narok County, Sen. Olekina, also supported the Bill. He said that it is also giving hope to an industry that had collapsed. Although he also suggested some amendments.

Sen. Ogolla also supported the Bill and talked of the importance of bringing the agricultural extension officers in full force in our counties. That will also support credit facilities in the country.

Sen. Tabitha Mutinda also supported the Bill and talked about how cotton will be a great way to bring income and the impact cotton growing had in this country. She also said that if the cotton industry is revived, manufacturing processes will also take place.

Madam Temporary Speaker, allow me also to thank the Senator for Busia County who supported the Bill. He talked about how cotton products are useful in this country. He also talked about how we should strengthen the research institutes to ensure that the cotton industry is improved.

Sen. Kibwana, who is nominated by ODM, gave a good name to this crop. She said that cotton is white gold and it has medicinal value. Cotton is white gold and it has medicinal value.

I thank the great Senator for Nandi County, Sen. Cherarkey, from the Majority side who supported the Bill. He referred to industries that collapsed because of cotton growing back. He quoted Kisumu Cotton Mills (KICOMI) Industry in Kisumu County. He also

talked of sustainability, development and ensuring growth through Sustainable Development Growth (SDGs).

Sen. (Dr.) Murango who is also my Chairperson in the Standing Committee on Agriculture, Fisheries and Livestock, gave statistics of the produce from cotton. He is also very passionate about cotton revival. He talked of how cotton can give us more than Kshs60 trillion as income in this country. He said that the cotton that is used by ginners within the country come from neighboring countries yet this country has great potential of cotton production. He also spoke of how this revival of cotton the industry will also ensure value chain of the crop and other byproducts that will come.

The Senator for Makeni County, Sen. Maanzo, spoke well and supported the Bill too. He said that the product is not very perishable and it can last for long. The Bill is suggesting that we create collection centers so that the produce can be stored for long and not go bad. Therefore, farmers will not suffer losses. He also talked of the seeds that need to be given to the farmers or rather the support that the Government should give to the farmers who grow cotton. The farmers should not just rely on BT Cotton. He also spoke about the improvement of the cotton prices.

Sen. Osotsi, the Senator for Vihiga County, spoke about value addition. He stated the importance of reviving the cotton industry among many other good things that he said about this Bill. I wish to thank all Senators who supported the Bill.

As the Chairperson of the Standing Committee on Agriculture, Fisheries and Livestock, mentioned, we went round the country to conduct public participation. The Committee is compiling the report that will also be analyzed and the inputs will be brought for incorporation in the Bill before it goes to the next level.

Madam Temporary Speaker, I thank you and all the Senators who have contributed to this Bill. I look forward to the revival of the cotton industry in this country. Cotton will ensure that farmers have money in their pockets. It will also bring revenue to our counties and the national Government.

Madam Temporary Speaker, I beg to reply.

Pursuant to Standing Order No.66 (3), I request that putting of the Question be deferred to a later date.

Sen. (Dr) Murango: On a point of order Madam Temporary Speaker.

Temporary Speaker (Sen. Mumma): What is your point of order?

Temporary Speaker (Sen. Mumma): Sen. Beth Syengo, the putting of the question on your Bill is deferred as requested up to Tuesday next week.

(Putting of the Question on the Bill deferred)

QUORUM

Sen. (Dr) Murango: Bi. Spika wa Muda, kwa mujibu ya Kanuni za Kudumu za Seneti 41, ningependa kukujulisha kwamba hakuna Maseneta wa kutosha kuendeleza shughuli za Seneti.

Temporary Speaker (Sen. Mumma): Clerk, please verify the issue of quorum.

(Clerk- at- the Table consulted the Speaker)

I am informed that we do not have quorum. Ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

ADJOURNMNENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, pursuant to Standing Order No. 41, there being no quorum, the Senate stands adjourned until Tuesday, 30th May, 2023 at 2.30 p.m.

The Senate rose at 5.35 p.m.