

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Tuesday, 23<sup>rd</sup> April, 2013

*The Senate met at the Kenyatta International  
Conference Centre at 2.30 p.m.*

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

### PRAYERS

### MOTION

#### THANKS FOR THE PRESIDENTIAL ADDRESS

**The Speaker** (Hon. Ethuro): Senate Majority Leader? Is the Senate Majority Leader not here?

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

**The Speaker** (Hon. Ethuro): What is it, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, this is very serious. In the history of Parliament, this has never happened. The Senate Majority Leader---

**Hon. Senators:** He is here!

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, it is serious when the Senate Majority Leader, who is the equivalent of the former Leader of Government Business, does not present himself, not only to move a Motion, but a Motion on the Exposition of Public Policy by His Excellency the President. I want to urge the new coalition to reconsider their leadership!

*(Laughter)*

I am very serious because this is a very critical position. It will make or break Government business in this House.

**The Speaker** (Hon. Ethuro): Order, Sen. (Dr.) Khalwale! I am sure the Senate Majority Leader has a reason for running a bit late. He is already in the House.

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, but the House should not wait for him.

**The Speaker** (Hon. Ethuro): Proceed, Senate Majority Leader. I am sure you have heard the sentiments of the Senator for Kakamega County.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I have walked in when my colleague, Sen.(Dr.) Khalwale, was making those remarks. I have

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noted them. But I wish to quickly mention that we are all in the business of building this country. We want to do this within certain rules. We do not want to treat the public to theatrics because the same Senator, who was speaking very vehemently about observing rules and time when I came in, is the same Senator who is defying his political party, which has signed a coalition agreement with Jubilee. He is on a frolic of his own. Therefore, we should remain calm and gentle as the public expects a lot from us.

Mr. Speaker, Sir, without much ado, I want to sit---

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

**The Speaker** (Hon. Ethuro): What is it, Sen.(Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, you have heard the hon. Senator say that I am defying my own party and that what I was doing here were theatrics. With all due respect to him, may I kindly remind him that I was elected on the United Democratic Forum (UDF) and I will remain a member of the UDF until the end of this term. May I also remind him that he cannot shepherd me, because, again, with all due respect to him, he is my junior in politics.

Thank you, Mr. Speaker, Sir.

**The Senate Majority Leader** (Sen.(Prof.) Kindiki): Mr. Speaker, Sir, the sentiments are noted with a lot of humility and respect. I am his junior in politics, he is my junior in this House!

**The Speaker** (Hon. Ethuro): Proceed and move the Motion, Senate Majority Leader.

**The Senate Majority Leader** (Sen. (Prof.) Kindiki): Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, the thanks of the Senate be recorded for the Exposition of Public Policy contained in the Address of the President on the occasion of the opening of the Eleventh Parliament on Tuesday, 16<sup>th</sup>, April, 2013.

Mr. Speaker, Sir, I am greatly privileged to move this Motion before the Senate. This Motion will set the stage for debate of the Address that was given by His Excellency the President of the Republic of Kenya, hon. Uhuru Muigai Kenyatta, during the occasion of the Joint Sitting of both the Senate and the National Assembly, on 16<sup>th</sup> April, 2013.

I also want to register my personal appreciation to the leadership of the Jubilee Coalition headed by His Excellency the President and the Deputy President, the entire fraternity and individual Senators for bestowing upon me the very difficult responsibility of leading the business of the Government in this House.

Mr. Speaker, Sir, this is an opportunity for Kenya to reconstruct itself. His Excellency the President, in my view, brought out a very extensive position from the Government side on what the Jubilee Government intends to do to rebuild our nation, recreate our country and put it on a path for reconstruction, renewal and prosperity.

The Presidential Address started, and I say this with deep pride and appreciation to the Head of State, with salutations that placed this House where it belongs in terms of protocol. You may have noticed that in the last few days, there has been a bit of public debate in terms of the roles of the National Assembly *vis-à-vis* the Senate and the relationship between Senators and Governors. It gives me a lot of pride to note that His Excellency the President, with good legal advice, appreciates that constitutionally, the

Senate is the Upper House. In terms of protocol, we cannot and will not compromise the position of the Senate in the pecking order of the legislature. Therefore, we hope that every other functionary of the State will take the cue from the Head of State and recognize the Senate, not as a token or benevolence, but as an act of fidelity to the constitutional order which we crafted and which we must implement.

Mr. Speaker, Sir, the Address by His Excellency the President is extremely critical as it sets out the broad overview and agenda for the Jubilee Government for this country for the next five years. The Jubilee Government is aware that the outcome of the last General Election brought us a record number of women parliamentarians in both houses of Parliament. This is something that is in consonance with the Jubilee Manifesto. We recognize the critical role that women play in the leadership of this country and also in decision-making processes and structures of our land.

Mr. Speaker, Sir, the electioneering period is over. His Excellency the President reminded us that it is now time for all political parties to work together for the common good of this nation. Nothing could be so critical to this country than that kind of reminder.

At this juncture, I want to take this opportunity to congratulate the CORD Coalition and its entire leadership, both outside and inside this House. They have demonstrated unparalleled patriotism for this country. So far, they have conducted themselves with decorum and a lot of dignity, without necessarily compromising their legitimate constitutional position as the legitimate alternative voice in this country as provided by law. We want to appreciate our colleagues. His Excellency the President said he believes, and we, as the Jubilee Coalition also believe, that a vibrant opposition is essential for our democracy. Therefore, we are not here to intimidate the minority or try to assert ourselves simply because we are in the majority. As the majority, we will provide responsible leadership in this House. We expect the minority in this House to support important legislation and other decisions of this House that are relevant to the creation of a better Kenya. We do not expect them to agree with us all the time. It is wrong to expect so. It even nullifies the constitutional order under which we are operating.

Mr. Speaker, Sir, His Excellency the President, in his Address, called on legislators to respect, uphold and defend the Constitution of our country in line with our oath of office. I stand here, on behalf of the Jubilee Government, His Excellency the President and his Deputy, and the entire Cabinet, when it is formed, to restate that we shall, as is expected of us, do whatever is possible and required, inside and outside of this House, to ensure that the Constitution of our country is honoured, protected and upheld in all its respects.

I want to hasten that the problems that we have had in this country are because a few of our fellow countrymen assigned themselves the roles of being the only people who can defend our Constitution. The issue of upholding the rule of law and building a democratic society is not a one man's project. It is a collective project that calls on each one of us, from the President to the lowest and the youngest; from the richest to the poorest, to believe in our country, our Constitution and our democracy. Nobody has a copyright of being a reformist or being the only person who can implement the

Constitution. It is a collective responsibility. We, as the Jubilee Government, do not have the illusion that we are the only ones who can do it. We expect every Kenyan to play their role in this regard.

Mr. Speaker, Sir, His Excellency the President's Government will remain committed to multi-party democracy and will partner with the Senate and the National Assembly, as well as non-parliamentary parties and independent legislators, including those who have not decided where they belong, like some of our colleagues whom I do not want to mention here - because I do not want to attract points of order - This Government recognizes the role of the opposition as well as that of other players, including the civil society in taking our country forward.

Mr. Speaker, Sir, His Excellency the President has promised a lean Government. For the longest time, the taxpayer in this country has been overwhelmed with a large Government, the worst of it being the just ended Grand Coalition Government. It was a very expensive Government with Ministers who were more in number than the Backbenches; with the infrastructure that comes with this kind of arrangement. There were Ministries which had nothing to offer Kenyans other than competing, sometimes in a juvenile manner, for space to be recognized. Some of these Ministries ought to be units, not even departments. At this moment, I want to be humble enough to thank the new Constitution for limiting the number of Ministries. More importantly, I want to thank His Excellency the President and his Deputy for not going for the maximum number of Ministries that the Constitution provided for. His Excellency the President released the structure of his Government. That structure, he promised, will contain 18 Ministries and not the 22 Ministries that Kenyans were expecting. We are proud of the President for keeping his word and being loyal to his commitment of a lean and synchronized Government. He has brought many of the relevant departments together. That is good for the country as it will cut down on costs and improve efficiency. Like he said in his Address, the same will apply to other aspects of Government, including State Corporations as well as diplomatic missions, so that we do not have poor Kenyans, who are currently being displaced by floods, being overtaxed in order to support the greed for portfolios.

Mr. Speaker, Sir, the Jubilee Government notes that our country is doing well, but not well enough. Therefore, we appreciate that a lot of work has to be done. His Excellency the President has noted, correctly, the financial and ICT sectors could be doing well, but our core sectors of agriculture, manufacturing and transport remain underdeveloped. This is especially so for railway transport, which has been dormant for a long time. His Excellency the President, in his Address, has set out a raft of legislative and other measures that he intends to take to ensure that these other three sectors are able to take off in order to take Kenya to the next level.

Mr. Speaker, Sir, the Jubilee Government commits itself, as the President said, to ensure that the public wage is brought down. I do not think that any reasonable and patriotic Kenyan has qualms about bringing down the cost of Government. The public wage bill is unsustainable. We hope, as this exercise is going on, that we will look at the entire public sector and not just target legislators as some of the people have already

started doing at the moment. There are people in this country, some who are called commissioners, who earn a lot of money. They should also sacrifice for this country.

The President and we, as the Legislature, said that we will cooperate with that process. However, we have people who are called commissioners--- We have the Judiciary also which plays an important role in our country. However, I think that the salaries at the Judiciary are extremely high. So, as we look at the public sector wage bill, I hope that we will look at the public sector generally. We call upon every Kenyan to cooperate. But this cooperation does not mean impoverishing legislators.

Mr. Speaker, Sir, the Jubilee Government has stated that we intend, through the leadership of the President, to bring new areas under irrigation, to improve revenue collection, to enhance the business climate, to reduce the cost of living, improve public procurement and also provide an environment for an honest and a transparent Government in our country.

The President emphasised that he and his Government will endeavor to support judicial reforms, tackle corruption, ensure that devolution works as a duty rather than an option and also promote a vibrant and responsible civil society, as well as promote national security and peaceful co-existence in our country. The President is committed to deal ruthlessly and resonantly with internal threats in our land which have taken a worrying dimension. The situation in Garissa and many other parts of this country require that the Commander-in-Chief puts in place measures that will tackle the insecurity problem.

Mr. Speaker, Sir, the Jubilee Government has committed itself to create more jobs by harnessing talents of our young people and in this regard, to commit special funds for women and the youth to enjoy collateral and interest free loans at the constituency level. I think this is one of the high points of the Jubilee Government; a more synchronized fund for both youth and women and also making the conditions for accessing the funds better than what we have had before. The Jubilee Government intends to improve sports, entertainment and other related facilities and put more money into those sectors so that we have a youthful generation which has faith in their country and a role to play in the development of their country.

Mr. Speaker, Sir, some of the other issues that the President highlighted, which I think I should mention because I do not want to spend a lot of time here, is that we will ensure to support land reforms and also improve healthcare by abolishing all fees that are charged in dispensaries and health centers within the next 100 days. We will also make deliveries by the women of this country free of charge in public hospitals. Apart from that, the availability of laptops for our Standard I pupils from next year will also be a milestone in improving our education sector.

Mr. Speaker, Sir, I am sure that hon. Senators have had the opportunity to look at the entire Address by His Excellency the President which has also set out some of the legislative priorities that the Jubilee Government will consider. This is mainly in the area of the implementation of the new Constitution. We are aware that some of the legislations for the implementation of the new Constitution have an August 27<sup>th</sup> deadline. We, in the Jubilee Government, will ensure that, in consultation with the relevant agencies, legislation is brought to the appropriate House in good time. Beyond the implementation

of the Constitution, we have the Jubilee Manifesto which has been endorsed by majority of Kenyans. Out of that manifesto, we intend to draft a number of legislative priorities which will give legal effect to the promises that the Jubilee Government made to the Kenyan people.

Finally, I want to take this opportunity to thank you and the management of the Senate because you have already started attending to the initial concerns that Senators on both sides of the House brought to your attention. I just want to remind you that the Senate should not be treated as the poorer cousin of the National Assembly. We hope that under your leadership, very soon, we will be in a proper debating Chamber and that every Senator will be facilitated in terms of human resources, financial resources, office space and research support so that we can discharge our responsibilities as the protectors of devolution.

Mr. Speaker, Sir, I want to end my remarks there. With those few or many words, I beg to move and at the same time request Sen. Billow Kerrow to second the Motion.

**The Senator for Mandera County** (Sen. Billow): Mr. Speaker, Sir, I rise to second the Motion by the Senate Majority Leader. I also want to take the earliest opportunity to, first, congratulate all our Senators who made it to this House and at the same time express my appreciation for the Address by His Excellency the President.

First of all, I would like to take the opportunity to congratulate His Excellency the President and the Deputy President on their election. I would also like to take the opportunity to congratulate the Independent Electoral and Boundaries Commission (IEBC) for the good and wonderful job they did during the elections. The reason why I am saying so is very clear. First and foremost, this is the only election and the only one under the new constitutional dispensation where six elections were being held in one single day. This is an institution that was set up barely a few months before the elections. With all the challenges that we know; financial, human resources, political intrigues and every other thing that we know, the Commission went out of its way to conduct this election and that is why we are all here.

Mr. Speaker, Sir, We know that not everyone is happy with the outcome of the election, not only this one but any election. Some of our colleagues, with all due respect, obviously, theirs is a case of sour grapes. However, His Excellency the President and the Deputy President were validly elected by the people of this country and confirmed so, soundly, by the Supreme Court of this country. Therefore, that Commission; whose results were validated by the Supreme Court, stands to be commended, and I do so.

Mr. Speaker, Sir, the Address by His Excellency the President was remarkable in many ways because it addressed the many challenges that are facing this country. It also expounded on the manifesto and the objectives of his Government. In particular, I want to talk about two or three items. First, this is on the commitment by the President to fight corruption to ensure that there is accountability and transparency in his Government.

You will appreciate that the major problem we have had in this country is not the lack of resources but the fact that the resources that are available in this country; money that is raised by hard working Kenyans as revenue for the Government largely disappears in the pockets of people who are involved in corruption. The commitment by His Excellency the President that his Government will address the issue of corruption is,

indeed, a very welcome move. In fact, I want to urge the President that his commitment to zero-tolerance must be seen and should not just be a question of what we have seen in the previous Governments that they are going to do so. The President must walk the talk with regard to fighting corruption.

I also want to join the Senate Majority Leader in congratulating the President again for his commitment to the implementation of the Constitution. He has already shown the signs by committing himself to a Cabinet of 18. I think that is remarkable. As we go forward, one of the major concerns of Kenyans is the issue of devolution. The President has said so, in clear words, that devolution, indeed, will not be a matter of debate on whether the Government will act on it or not. That is a matter of commitment that his Government will, indeed, ensure that devolution is not only fast tracked but implemented.

The concerns we have which, and many Kenyans have expressed in the recent weeks, in particular about the Ministry of Finance or the National Treasury – this is important and I want to mention it – is that the National Treasury must remain committed to the constitutional provisions of this country in particular with regard to resource allocation. As we head towards the budget making, the Commission on Revenue Allocation (CRA) will have worked out the actual amount of money that will go to every county based on a formula that was approved by the National Assembly last year. We expect the National Treasury to commit itself to that formula and to the constitutional provisions. In this regard, we want to urge His Excellency the President and the Deputy President to ensure that the National Treasury remains committed to the provisions of the Constitution in ensuring that resources and revenue allocated to the counties are released not only in time but also in the amounts that have been approved or recommended by the CRA.

Lastly, Mr. Speaker, Sir, I want to talk about one important sector that the President talked about which is enhancing and promoting the tourism sector. In the last two years, we have seen high incidences of poaching to the extent that we see in the media everyday thousands of elephant tusks and rhino horns being impounding at the airport or in the ports. What is clearly emerging is a trend in the increase in poaching. We want to urge those people who are involved in the management of our tourism sector, particularly those who are in private conservancies, because what we have seen is that these things are happening in the protected parks but not the private parks. In this regard, I want to urge the Kenya Wildlife Service (KWS) to ensure that wildlife is protected. Without wildlife, we cannot talk of enhancing tourism. Tourists do not come here because of our beaches or to see how we look like, they come here to see wildlife. It is a concern to many in this country that wildlife is disappearing. So, I think it is very important that the President and his Deputy address themselves to KWS and ensure that there are adequate reforms to ensure that people who are mandated to run it do so without the problems that we have cited.

Lastly, I want to take this opportunity to second this Motion and to urge all our hon. Senators to support it.

*(Question proposed)*

**The Speaker** (Hon. Ethuro): Hon. Members, as I do so, I would like you to look at the Order Paper about the limitation of debate on the Presidential Address. This is a Motion we resolved on 17<sup>th</sup> April, 2013 as follows:-

“THAT pursuant to Standing Order 98(1), the Senate resolves that the debate on the Motion on the Presidential Address shall be limited to a maximum of three sitting days---”

That means today, the two sessions tomorrow will be the second day then the third day will be on Thursday afternoon.

“---with not more than 15 minutes for each Senator speaking excluding the Mover in moving and replying who shall be limited to 30 minutes in either case. Where the Mover is neither the Senate Majority Leader nor the Senate Minority Leader, then the two shall be limited to 20 minutes each.”

So be guided.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, thank you very much for giving me the opportunity to contribute to this Motion.

As I sat on 16<sup>th</sup> April, 2013 in the Chamber of the Lower House listening to our President, I left the Chamber a very disappointed man. All we heard were long well-couched and crafted statements, very heavy on rhetoric and very short on policy and substance. There are many things and many challenges that this country faces and one would have expected the President in his first Address to the country through the National Assembly and the Senate to outline very clearly and concretely what issues his Government wishes to do for this country and not laying out populist statements that have little regard to implementation possibilities and priorities. You can pick a few examples like I will do.

Mr. Speaker, Sir, if this Government is committed to the implementation of devolution, I expected the President to clearly say that his Government was going to sponsor a repeal of the so-called National Government Coordination Act that has put in place persons called county commissioners whom the High Court declared unconstitutional and illegal and whom the Government has arrogantly maintained in place. I expected the President to commit his Government to respecting court decisions and court orders but he never said anything of the sort. That Act is still in place and those commissioners are in place despite the court judgement and we are watching as they not only compete for space but positively undermine the process of devolution by failing to appreciate the presence of Governors and the work they are supposed to do. Where is the commitment to devolution?

Mr. Speaker, Sir, this country has developed on services. In fact, for a long time until recently, Kenya was the only most successful non-mineral based economy in Sub-Saharan Africa. We provide services to our neighbours and internal services like banking, insurance, transport and so on. When you hear the President telling Kenyans that he is going to give laptops to Standard One children, it begs a lot of questions. First, everybody knows that in this country, we have a terrible shortage of teachers. The teacher-student ratio in areas like where you come from, which is one of the most neglected parts of this

country--- Priority number one is to spend money to hire enough teachers in schools. We have been told that this country requires 60,000 primary school teachers. I am being corrected that it is 80,000. We have very many well-trained young people ready to be employed to teach. You will find that a school with 16 streams has only eight trained teachers posted by the Teachers Service Commission (TSC).

Secondly, Mr. Speaker, Sir, even with the Constituencies Development Fund (CDF), there are schools in this country where there is dire need for classrooms, desks and basic facilities like drinking water for children. Above all, even if you have to give laptops to school children, have you trained teachers sufficiently in Information Communication Technology (ICT) to help these children? I think not. I just did a quick calculation on how many children we have in Standard One. This year, we have 1.4 million children in Kenya. Assuming that laptops cost an average of Kshs50,000 each, that is a whopping Kshs70 billion. This is enough to reconstruct a standard gauge railway line from Mombasa to Malaba and spur the growth of our economy by perhaps 20 or 30 fold, then get enough money to put into the education sector and other things.

Mr. Speaker, Sir, there are so many questions around these laptops. You are giving a laptop to a Standard One child but have you provided for storage? Where are they going to keep them? Do they have power to charge them at home? How many rural homes have electricity? Do they have teachers to teach them? I already said there are none. This is the kind of misguided policy that CORD Coalition will continue pointing out in this country; that our priorities must be right. I hope that this is not another case of London taxis where crooked business people are waiting in the wings to supply these laptops to children without caring whether they will be put to good use or not but cut their profits and run away. I want to urge this Senate to be patriotic and point out these questions to the Government and advise them that their priorities must be right.

Mr. Speaker, Sir, I expected the President to come out very clearly and say that our number one trading partner is Uganda and beyond. We also have Rwanda, Burundi and Congo. Kenya must invest in infrastructure for our economy to grow. Instead of this misguided supply of laptops to schools, let us have a railway line running from Mombasa to Kampala, Bujumbura, Kigali and to Goma. This will turn around the economy of this country. Look at our roads, you construct a road this year but within one-and-a-half years, the road is torn to pieces because of trucks and yet we have a railway line that we have completely neglected and ignored.

I expected the President to clearly come out and say that this Government is going to correct the imbalance that this country has suffered for so long, the imbalance where some regions of the country have more roads than they need, have more water in their pipes than they need, while in other areas like where you come from, children only read about tarmac roads in books. They read about piped water in books. I expected this Government to say that having done 50 years of Independence with misguided and mismanaged policies, it is now a new turn to say that apart from the Mt. Kenya region, Western Kenya also needs tarmac roads. Lamu and Eastern also need tarmac roads. Where is the policy here?

**Sen. Kagwe:** On a point of order, Mr. Speaker, Sir. Is the hon. Minority Leader in order to imply that only one region of this country has roads when he knows very well

that every part of this country benefitted from Kibaki's Government through building of roads?

**Hon. Senators:** No! No!

**The Speaker** (Hon. Ethuro): Order!

**Sen. (Dr.) Khalwale:** On a point of order, Mr. Speaker, Sir. The Senate should not, indeed, allow Sen. Kagwe to get away with this. This is not a laughing matter. This is an issue that can cause national instability because Central Province has got 2,300 kilometres of tarmac road and Western Province has nil, Eastern Province has nil, Coast Province has nil. The hon. Senator should realize that he does not represent--- Once you come here as a Senator, you do not represent your county. This is the Upper House that should be the custodian of the general national good.

**Sen. Kivuti:** On a point of order, Mr. Speaker, Sir. I wish we could listen to every contributor to conclusion and if anybody is contributing in this House, they should address the document which was brought by the President instead of insinuations. It is very clear that the issue of roads, railways and everything was addressed by His Excellency the President.

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

**The Speaker** (Hon. Ethuro): Order! Order! First, this is a Motion where each and every Senator can make a contribution. You resolved only last week that you will have a generous time allocation of 15 minutes. I am sure that most of these points of order are really points of argument, which should come at that particular moment. So, be guided.

**Sen. Khaniri:** On a point of order on procedure, Mr. Speaker, Sir. I want to seek your guidance and advice on this. To the best of my understanding, this is the first Motion and Sen. Wetangula is making his Maiden Speech. Our Standing Orders do not allow a Senator to be interrupted at all when making his or her Maiden Speech. Therefore, are the Senators rising on points of order in order to interrupt Sen. Wetangula when he is making his Maiden Speech?

**Sen. Orengo:** On a point of order, Mr. Speaker, Sir. Sen. Khaniri is so senior in this House that if he comes up with an issue like this on the basis of a point of order, he should be thrown out. It is demeaning for a Senate Minority Leader to be told that he is making his Maiden Speech, when he has made so many speeches before in Parliament. So, this cannot be a Maiden Speech by the Senate Minority Leader.

*(Laughter)*

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, if I may continue---

**The Speaker** (Hon. Ethuro): Order! You may continue but before you do that, I think it is important to address the matter raised by Sen. Khaniri and, definitely, not in the terms addressed by Sen. Orengo. I think that Sen. Khaniri has a valid point. This matter was raised last week and we all agreed that during procedural Motions that we are engaged in, those were not opportunities for a Maiden Speech. So, the Maiden Speeches should really be starting with your address to this particular Motion. The point that Sen. Orengo is raising, which should not take it away from the issue Maiden Speech, is that

the Senate Minority Leader is a senior functionary in the House. This is why you saw that immediately after the Senate Majority Leader spoke and the Motion was seconded, the Chair gave him the opportunity, because he is speaking in his official capacity as the Senate Minority Leader. That capacity allows him sometimes to engage in things that may not be appealing to the other side. So, let us just bear with him the way we understood the Senate Majority Leader.

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, thank you for that very wise ruling. For avoidance of doubt, my very good friend, the Senator for Nyeri, should know that Lamu, where a Jubilee Senator comes from, there is not an inch of tarmac 50 years after Independence.

Mr. Speaker, Sir, he also knows that I have been a Minister in Government and I recall a time when we went to hon. Kiraitu's constituency then and opened a road worth Kshs6 billion and launched another road worth Kshs4 billion, and yet a road for Kshs800 million is unfinished in Western Kenya for the last seven years.

**Sen. Murungi:** On a point of order, Mr. Speaker, Sir. I have been to Kakamega many times and the road to Kakamega was made many years before any road was made in Meru. Could the Senate Leader of Minority apologize to this House for giving misleading statements?

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, unfortunately, facts remain facts. Let me go on.

Mr. Speaker, Sir, one other area that is completely devoid of policy is the lack of commitment---

**Sen. Mbuvi:** On a point of order, Mr. Speaker, Sir. Is it in order for Sen. Wetangula to criticize the Government when he was a Minister in the former Government and a Member of Parliament for over 15 years and our current President, when he was Minister for Finance, channeled funds to each and every constituency through the Constituencies Development Fund (CDF)?

**The Speaker** (Hon. Ethuro): Order! Order, Sen. Sonko! Take your seat. In your own words, you said "former Minister." So, you answered yourself. In his earlier life, he could not have done so, but now he is the Senate Minority Leader.

**The Senate Minority Leader** (Sen. Wetangula): Thank you, Mr. Speaker, Sir. I will also advise Sen. Sonko for free that the CDF is not an individual fund, but a public fund from taxpayers.

Mr. Speaker, Sir, I was saying that one other omission from this Speech is what the Government intends to do with the heavy investment that we have done in peace initiatives in the region. We sent our Forces to Somalia to stabilize that troubled country. I would want a clear vision and policy on how to reap the peace dividends from Somalia. It is completely lacking in this Speech. Our boys died in Somalia. What are we doing to consolidate the peace in Somalia? Look at the runaway crime in the country, what did the President say? He wants to increase the ratio of policemen to citizens. You can have a policeman to every citizen in this country, but if you do not have a proper policy in fighting crime, it is meaningless. There are countries that are less policed with less crime, but here in Kenya, crime has taken a turn that nobody can control. Look at what is going on in Garissa, look at the massacre of policemen in Baragoi and the muggings going on

in Nairobi; I expected the President to come with a clean broom and say: “Criminals are put on notice and my Government is going to make sure that for us to embrace a 24-hour economy, like Uganda”---If you go to Kampala, shops are open from morning to morning. There are no thugs or criminals molesting people. Here in Kenya, look at our Central Business District (CBD) in the City centre. By 5.00 p.m., business people are barricading their shops for fear of muggings, robberies and petty thefts. Where is the policy on that in this Speech? It is nowhere.

Mr. Speaker, Sir, this country relies very heavily on tourism. I have said before that the Kenya Wildlife Service (KWS) alone has no capacity to control, police and protect our national parks. It is very important and easy to say, like the President did, that tourism is very critical to our economy. But what are we doing about this runaway poaching? Jumbos are being slaughtered daily. For the tourists, if you are told that in Maasai Mara or Tsavo, they are slaughtering Jumbos, you could very well be the victim yourself. This is undermining our economy. Where is the policy on this?

Mr. Speaker, Sir, I heard very clearly the President say that he is going to widen supply of clean drinking water, but he did not say that he was going to control and correct the imbalances of the past where some regions of this country have more water than they need and some regions in this country have no water at all. We could very well be faced with a situation where those who have water are going to be given more water and those who have no water are going to get absolutely nothing. This is part of the lack of policy in this Statement.

Mr. Speaker, Sir, Kenya committed itself to building the Lamu Port-South Sudan-Ethiopia Transport Project (LAPSET), linking Kenya, South Sudan and Ethiopia. I expected the President to put the highest priority on this programme rather than a casual mention that we shall look at LAPSET. You know that once completed, the LAPSET Programme linking Kenya, Ethiopia, South Sudan and beyond, was going to translate into a more than 30 per cent Gross Domestic Product (GDP) growth of this country. Instead, we are engaged in trivia like salaries of Members of Parliament and small things that add very little value. If we want to control the national wage bill, we do not do it in bits and pieces and populist fashions. If you want to cut down the national workforce, you reduce the number of people and have few quality people, but pay them more. That is what happens all over the world. You do not just stand on the rooftop and say: “Salaries are too high.” If you want the best, you must pay. What you need to do is to make sure that you have one James Orengo doing the job of ten lawyers, and then pay him the salary of three lawyers. You will still have saved the salary from the seven lawyers that are not there.

**Sen. Orengo:** That is a good example!

*(Laughter)*

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, the other thing that is lacking in this Policy Statement is the agrarian reform that is required in this country. If you look at the breadbaskets of this country, that is, Trans Nzoia, Uasin Gishu, Nandi, Bungoma, Trans Mara, Narok and so on, there is a serious undermining of

agricultural land through reckless subdivisions and human settlement. I expected, for a country that is so heavily depended on agriculture, the President to commit himself to agrarian reforms. You cannot just make statements; that there will be land reforms. We want clear agrarian reforms, so that---

**The Speaker** (Hon. Ethuro): Your time is up!

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, with those many words, I want to reiterate that there is little policy in this Statement.

**The Senator for Meru County** (Sen. Murungi): Mr. Speaker, Sir, first, from the outset, I rise to support this important Motion.

Mr. Speaker, Sir, I have heard many Presidential addresses on policy and I think that this is one of the best. The way to test whether this Speech was good or bad is to check whether or not it touched on important matters of policy. If you read it, you would completely disagree with the Senate Minority Leader. What he said here was very general; clear evidence that he had not even read this particular Speech. Our challenge to him, being an eminent lawyer and former Minister, is to go and read this Statement again, and when he comes here again, I know that he will have different views from what he has expressed.

Mr. Speaker, Sir, allow me, first of, all to thank my people of Meru for electing me to this august House. They gave me overwhelming support. Over 90 per cent of the votes cast for Senate candidates in Meru County were cast for Senate candidate No.5, Sen. Kiraitu Murungi. So, I sincerely thank the people of Meru. I promised them that I would make Meru great and I am very happy that through this Senate, we are going to make Meru one of the greatest counties in this country.

As senators, we have to focus on our mandate. We have to distinguish ourselves from the National Assembly. The Senate Minority Leader forgot that he was no-longer in the National Assembly – we are now in the Senate and our focus is as far as possible to promote the interests of our counties; to fight for them and to pass laws which benefit them in accordance with the mandate given by Article No.96 of the Constitution.

Mr. Speaker, Sir, what pleases me most is the fact that President Uhuru Kenyatta said that his Government puts the devolved system of Government as the centre of the vision of his Government. This is very encouraging to us and indeed, even outside the National Assembly, he has said several times even when he met the Senators that the County Governments will get support from him.

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

**The Senator for Meru County** (Sen. Murungi): Mr. Speaker, Sir, I do not need to be informed by younger Senators. I think I can inform them a lot.

Mr. Speaker, Sir, if you recall, President Uhuru Kenyatta said that his Government is fully committed---

*(Sen. Hassan stood up in his place)*

**The Speaker** (Hon. Ethuro): Order, Senator Hasssan! You are just confirming Sen. Murungi's sentiments. When you request for a point of information, he has to allow you to inform him. So, since he has declined, the Chair cannot help you much.

**The Senator for Meru County** (Sen. Murungi): Thank you, Mr. Speaker, Sir. You still have a lot of teaching to do.

The President has said that he is fully committed to realizing the goals of the County Governments in this country. If you look at the debate at the Constitution of Kenya Reform Commission (CKRC), it was a demand by Kenyans from all over that we decentralize power and resources. Some of the things that are being said here are things which are already being implemented through the framework of the Constitution. It is up to us, Senators, to make sure that there is fair distribution of national resources through the devolved system of Government.

Mr. Speaker, Sir, having said that, I think what is left for us is to see how the Government next moves. There is a whole difference between a good speech and the actions. I think for us, as Senators, we shall be watching the actions of the Government of President Uhuru Kenyatta to see whether it is very serious about implementation of devolution. As the Senator for Meru, it was my duty to visit the Meru County last week to see how the Governor and the County Assembly are settling down. I was shocked by what I saw. The Governor is sitting in the office of the former Mayor of Meru and it is still written at the door; “the Mayor of Meru”.

Mr. Speaker, Sir, the County Assembly is sitting in the Chamber of the Meru County Council and outside the Chamber is a board written on “The County Council of Meru”. So apart from knowing who these characters are; that one is the Governor and the other one is the Speaker, they are sitting - in the minds of the people - as if it is the Mayor of Meru and the County Council of Meru which is sitting.

Although, we passed the Constitution in 2010, not a single cent has been allocated to the County Government of Meru as we speak. The Governor is operating from his own house where he sleeps. It is about 30 kilometers from Meru Town because he has no residence in Meru Town. If you go to the District Commissioner’s office which is next, you are welcomed by Administration Police officers who salute as you get in. If you go to the Governor’s office, you just walk in as if you are walking into a private office.

Mr. Speaker, Sir, there are great fears that although the President could be committed to the implementation of devolution, the mandarins at Treasury are going to frustrate and strangle the devolution system in this country. You recall what happened between 1963 and 1966; there was a lot of talk about support to the regional assemblies and the regional governments but there was a lot of dependency as far as the administration was concerned. It was never decentralized and there was even no fiscal autonomy of the regional governments and that is why they died. It is our duty, as Senators, to take the President at his word and to ensure that resources move to the County Governments, not tomorrow but yesterday. It is our duty as Senators to make sure that the County Assemblies work to make sure that the resources that are moved from the centre to the counties are not embezzled at that local level and that they will indeed give services to our people.

Mr. Speaker, Sir, it could be very populist to come here and cause more tensions in this country like what my learned friend was trying to do, but it is our duty to make sure that there is peace and prosperity in this country and that, indeed, the counties need more than mere tax resources from the Government. The counties need much more than

the levies that we are collecting if we are to sort out the issue of youth poverty and unemployment in this country. It is a challenge to us to make sure that our counties are centres of productivity. The county will not develop merely by getting handouts from the Central Government. It depends on what you and the Governor are going to do in your own county to make sure that your people work hard; to make sure that you create agricultural productivity and to make sure that you move more investments to the counties. That is the only way that our counties are going to develop and that is the only way we are going to resolve the issue of poverty and unemployment in this country. It is true that every county including Turkana County where you come from, Mr. Speaker, Sir, is endowed with enormous resources. Those who thought that Turkana County is the last, now it is going to be the first because of the oil reserves that have been found in that area. So this is not the time to continue complaining about the past. It is time for us to make a fresh start and make ourselves the first.

Mr. Speaker, Sir, I intend to mobilize resources; I intend to borrow external loans to make sure that Meru County has even more tarmac roads than what my friend is complaining about. I want to make sure that we mobilize resources - we do not have a single industry in Meru - to make sure that we have industries in Meru. The Meru National Park is in size larger than the Maasai Mara but there are no tourists there. It is my duty as the Senator to work with the County Government of Meru to make sure that we compete with Maasai Mara.

Mr. Speaker, Sir, let us not always sit and blame; let us also look at ourselves. We were all Ministers in the previous Government.

**An hon. Senator:** Not all!

**The Senator for Meru County** (Sen. Murungi): Mr. Speaker, Sir, it was your duty as an MP to go and harass those who were in offices to make sure that resources move to your constituency. You were moving all over the world not knowing what is in your backyard. You could not go for resources. Let us not complain about what we did not do but focus on what we are going to do, now that wananchi have given us opportunities to uplift them from poverty. Once again, let me say that, as Senate, we have a special responsibility to correct any historical injustices. We have a historic responsibility to make our counties great, we have a historical responsibility to make sure that all these issues we are complaining about are done but we should not rest. We should not allow the civil servants to undermine this great system which is now entrenched in our Constitution.

I want to thank you for giving me this opportunity.

**The Senator for Machakos County** (Sen. Muthama): Mheshimiwa Spika, ninashukuru kwa nafasi hii niliopata ili niweze kuchangia kuhusu Hotuba ya Rais wa nne wa Jamhuri ya Kenya.

Bw. Spika, nimemsikiliza kwa makini sana Kiongozi wa Wengi katika Bunge letu la Seneti. Ni haki yake kusifu na kuchangia yaliosema huko, lakini kuna kiini cha kuangalia ikiwa yaliosema ni ya haki na yanaweza kutumizwa au ni kurudia maneno yalioyosema katika taifa letu miaka 50 iliyopita.

Bw. Spika, mhe. Rais alipokuwa akiwaniani kuwa Rais wa tatu wa taifa hili mwaka wa 2002, niliandamana naye kwa ndege kwenda kufanya kampeni za urais.

Tulipaa juu ya Mto Athi, na tukiwa juu aliniuliza: Je, unafikiri kutatua tatizo la maji katika taifa letu na hasa sehemu za Ukambani na kuelekea Pwani ni nini? Nilimjibu kwamba kiini cha kutatua matatizo hayo ni kulinda Mto Athi na Mto Tana kwa sababu maji yanayopita pale kati ya miaka 50, tukikumbuka kwamba blueprint ya kwanza ambayo ilitoka na ilikuwa ya Rais wa kwanza ilikuwa ikisema kwamba mwaka wa 2000 kila nyumba itakuwa na maji ya mfereji katika taifa letu. Baada ya hayo, nilishangaa sana wakati Rais wa nne alipozungumza kutatua tatizo la maji na hakusema kwamba atafanya juhudi kuona kwamba maji yanayopita Mto Athi na Mto Tana hadi Mombasa hayatafungiwa yote, lakini yatapunguzwa kiasi na kutumiwa katika sehemu hizo. Alirudia maneno ya Rais wa kwanza, Rais wa pili na Rais wa tatu kwamba yuko tayari kutatua tatizo la maji, lakini bila kuonyesha vile atakavyolitua tatizo hilo.

Bw. Spika, ni kweli na ni dhahiri kwamba Rais alihutubia Taifa na kusema kwamba mitambo ya tarakilishi (laptops) itapewa watoto wa miaka saba. Ilikuwa ni kicheko, sarakasi na kasheshe ya maneno tu. Mheshimiwa Spika, nilifika kwako nikitafutia mrengo wa CORD kura na ninachoweza kufanya kwa sasa ni kuomba Mungu tu, ili watoto wa sehemu ambayo unatoka wewe na sehemu ambayo ninatoka kama watapata laptops hizo, Mungu awajalie. Kwa sababu hakuna jambo ambalo ni la aibu kuamua kwamba, baba yangu, mama yangu nami mwenyewe hatujaendesha gari au baiskeli halafu unatuambia kwamba utatupatia barua tuende DT Dobie tuchukue gari la aina ya Mercedes Benz tuende nayo nyumbani. Utakuwa unatuchekelea tu. Kwa hivyo, pesa zinazotengwa kwa ajili ya kununua tarakilishi kwa watoto, kama tuongee ukweli, hiyo itakuwa kama kashfa ya Anglo Leasing nyingine. Mtu ambaye anataka kuuza mitambo yake na inapitishwa hapa na mheshimiwa spika, ninakuambia tarakilishi ambazo zitanunuliwa hazitakuwa na thamani. Huo utakuwa ukurasa wake. Maisha yake yamepita na haifai hata kutumika katika kueleza barabara ambayo itakayokanyagwa na watu.

Bwana Spika, katika Hotuba yake, Rais alisema kwamba---

**Sen. Mbuvi:** On a point of order, Mr. Speaker, Sir. I think we cannot sit down and watch people criticising our President.

**Hon. Senators:** No, no!

**Sen. Mbuvi:** Mr. Speaker, Sir, let me finish. This is a “digital” Government and we had all the time to prepare our people for this digital moment. What my colleagues are forgetting is that these laptops will be solar powered. They will not use electricity. If you will allow me to comment on this because everyone is criticising the President---

**The Speaker** (Hon. Ethuro): Order! Order, Sen. Sonko!

**Sen. Musila:** That is why we are here.

**The Speaker** (Hon. Ethuro): Senator Sonko, you will take note of the criticisms and when you have the opportunity, you will respond to them.

**The Senator for Machakos County** (Sen. Muthama): Bw. Spika, Rais wa nne wa Kenya katika kampeni zake alisema kwamba laptops hizo zitafika baada ya siku 100 kutoka siku atakapoapishwa. Taarifa yake na mazungumzo yake hapa inasema laptops hizo zitaingia katika mwezi wa Januari. Huu ni ushauri ambao unaona kwamba Wakenya hawajui hesabu. Ningetaka kumwambia kwamba tangu aapishwe, mwezi wa nne, mpaka

Januari mwaka ujao, itakuwa zaidi ya siku mia mbili. Hii ni kusema kwamba siku 100 zitakuwa zimepita.

Mheshimiwa Spika, ni dhahiri kuwa yeye ni kiongozi ambaye ameteuliwa na wananchi wa Kenya na ametoa ahadi zake. Mimi sikuchaguliwa na watu wa Machakos County ili nije hapa kusikiza maneno na kuwapelekea. Hivi sasa, tunataka uwezo wa kufanya na kuona kwamba mambo yanafanyika.

Kiongozi wa Wengi katika Seneti amezungumzia kuhusu uchaguzi ambao ulikuwa wa maana na ulifaa sana. Alizungumza na kusema kwamba upanuzi wa Serikali ya Muungano iliyopita ulitokana na tamaa na watu kutaka kushirikishwa katika Serikali. Ni dhahiri kwamba muungano wa Serikali iliyopita ulitokana na ulanguzi wa kura na kura kufanyiwa ukarabati. Kama kura zingewekwa sawa sawa, hakungekuwa na muungano wa Serikali iliyokuwa awali. Mheshimiwa Raila Odinga angekuwa rais wa nchi hii na hakungekuwa na Serikali ya muungano. Muungano ulitokana na wale waliokarabati kura.

Tunajua Serikali iliyoko sasa iliingia kimungu mungu kwa sababu tulishuhudia na kuona kwamba wale ambao walikuwa na akili na uwezo walikuwa na waakilishi wawili ambao walitoka Tume ya Uchaguzi; mmoja alikuwa wa Serikali na mwingine alitoka Tume ya Serikali. Ilibainika wazi kwamba baada ya kuhesabiwa kura katika kituo cha kupiga kura, waliokuwa wengi walitengeneza kituo kingine katikati ya upigaji kura na kituo kile cha Independent Electoral and Boundaries Commission (IEBC). Tulishuhudia kwa uwazi kwamba waliokuwa wakituma matokeo ya kura za wananchi wakitumia mitambo yao na kuweka ujumbe tofauti. Ujumbe uliotokea katika simu zao ulikuwa ukisema; matokeo unayotuma tayari yamepokelewa na kuandikishwa.

Kiongozi wa Wabunge Wengi katika Seneti, badala ya kusema kwamba anaomba msamaha kwa yale yaliofanyika ambayo yalimfanya kuwa kiongozi wa wengi na walio wengi wakafanywa wachache, ni jambo ambalo Mungu tu anaweza kutusaidia.

**Sen. Haji:** Hoja ya nidhamu, Bw. Spika. Hii hali ya kulia kila siku itabadilisha nini? President ameapishwa na Serikali kuundwa! Kwa hivyo, tuzungumze yale ambayo yanafaa kuzungumzwa na tuwachane na hayo mengine.

**The Senator for Machakos County** (Sen. Muthama): Bw. Spika, walio wengi wana nguvu za kupita lakini walio wachache wanaweza kutumia sauti zao. Hapa tunatumia sauti kuelezea kwa uwazi kwamba kuna kudhuluma na kufanya yale ambayo hayafai. Naomba tuachwe kwa sababu walio wengi wamekuwa wengi na kuwachukua walio wachache. Nafasi tuliyonayo sasa ni kulia tu. Kwa hivyo, wacha tulie tu!

**An hon. Senator:** Basi, lia!

*(Laughter)*

**The Senator for Machakos County** (Sen. Muthama): Ikiwa taifa letu litaongozwa hivyo na kila tunapopiga kura, kutakuwa na kunungunika na mambo ambayo yasiyo wazi, tumeona korti akiamua - kama korti kwamba wasimamizi wa Tume la uchaguzi la (IEBC) wachunguzwe na kupelekwa kortini---

*(Sen. Mungai raised his hand to catch the Speaker's eye)*

**Sen. Mungai:** On a point of order, Mr. Speaker, Sir. I rise to object the line that Sen. Muthama is using. He is supposed to confine himself to the Speech of the President.

**Hon. Senators:** No! No!

**The Senator for Machakos County** (Sen. Muthama): Bw. Spika, wale ambao wanasimama kwa hoja za nidhamu ni----

**Sen. Wetangula:** Mr. Speaker, Sir, when the hon. Senator for Nakuru County stood up on a point of order, he raised his hand.

*(Laughter)*

**The Senator for Machakos County** (Sen. Muthama): Bw. Spika, naona kwamba wengi wetu hapa hatuelewi demokrasia ni nini. Rais katika Hotuba yake, ukurasa wa 18, alisema kwamba sisi tunaweza kuwa na mawazo tofauti. Unaruhusiwa kusema unavyofikiria. Hiyo haiwezi kutufanya tukawa maadui. Ni lazima tuungane na kuwa taifa moja. Mawazo hayo, kwa wengine, ni wimbo ulioimbwa na kasuku ili wengine wafurahi. Serikali iliyoondoka ilikuwa na msimamo wa maneno kama hayo. Nasikitika sana kwa sababu sehemu niliyowakilisha ya Kangundo inapakana na Thika. Katikati ya barabara inayotoka kwetu hadi Thika, unapoelekea Tala, kutoka tunyakue Uhuru, Hayati Mzee Kenyatta alimwambia Marehemu Mheshima Ngei kwamba ingewekwa lami. Mheshimwa Moi aliniambia kwamba barabara hiyo ingewekwa lami, mheshimiwa Kibaki, aliyekuwa pale mara ya mwisho, nikiwa nimesimama naye Ol Donyo Sabuk, aliniambia ingewekwa lami. Hadi leo, lami imetoka hapa hadi Thika na huishia hapo. Ukitoka hapo unapoelekea katika barabara ya kuenda Mombasa, hakuna lami. Mimi nasikia kwamba Serikali iliyotangulia ilitengeneza barabara.

Watu wakiongea mambo ya blanketi wanazotumia kujifunika na wewe hauna hata moja; wakiwa wanaimba mambo ya usafi na vile wanajifunika, unawezaje kufurahi na kuelewa kwamba blanketi inaweza kuzuia baridi?

**Sen. Karaba:** On a point of order, Mr. Speaker, Sir. The Member is telling untruths in this House. I have just driven from Masinga this afternoon. I passed through the road he is talking about and it is tarmacked. Could he tell us whether he is telling the truth?

**Sen. Mbuvi:** Hoja ya nidhamu, Bw. Spika. Je, Seneta Muthama yuko sawa vile anavyoendelea kupotosha Bunge hili kwa kusema kwamba Serikali iliyopita imepuuza eneo la Ukambani bali yeye mwenyewe alikuwa Kinara katika Serikali iliyopita? Makamu wa Rais, katika miaka mitano ya Serikali iliyopita alitoka sehemu ya Ukambani. Kuna viongozi wapya kutoka sehemu ya Ukambani ambao wamechaguliwa ambao watatua shida hiyo. Mimi natoka Ukambani. Kangundo kuna stima na barabara sawa. Kwa hivyo, tusifanye unafiki. Rais Uhuru hajamaliza miaka miwili katika Serikali. Kwa hivyo, hatufai kumsulubisha Rais Uhuru kwa makosa yaliyofanywa na rais wengine. Kila Wizara ilikuwa na bajeti yake. Wizara ya Barabara ilikuwa na bajeti yake.

**The Speaker** (Hon. Ethuro): Order, Sen. Sonko. Fursa hii ni ya Seneta Muthama na sio yako.

**The Senator for Machakos County** (Sen. Muthama): Bw. Spika, barabara ninazozungumzia ziko nilivyosema. Huo ni ukweli wa mambo. Kwasababu tumeingia katika Serikali ya ugatuzi, tumeona dalili za kutaka kuziharibu Serikali hizo ya Ugatuzi.

Ni katika kupitia Serikali za Ugatuzi ambapo sehemu unayowakilisha itafaidika na kuijenga Serikali. Hadhari tunaoyona na ambayo tunafaa kuitoa kwa uwazi ni kwamba atakaye dhubutu kucheza na Serikali ya Ugatuzi ambayo inawakilisha muafrika ambaye hana wa kumujalili, kutakuwa na kizaazaa kikuu. Kwa hivyo, wanaozungumza hawafai kuona hii ni kama siasa za mzaha.

Tumechaguliwa kufika hapa kutetea na kuweka uwazi masilahi ya watu waliotuchagua. Kwa hivyo, anayebabaika na kuona hayo hayawezi kusemwa atakuwa katika shida kubwa.

**The Speaker** (Hon. Ethuro): Muda wako umekwisha.

**The Senator for Machakos County** (Sen. Muthama): Bw. Spika, asante lakini nimesumbuliwa sana.

**The Nominated Senator** (Sen. Kittony): Mr. Speaker, Sir, thank you very much for noticing me. I stand here as a senior citizen and as a mother in this country with a lot of experience. I thank the Almighty God and my party for nominating me to the Senate. I feel it is the most senior House and I promised through my oath to serve diligently and support this country to better prospects. As I stand here, I support the Presidential Address. I said I am a senior citizen and a mother. We have come a long way and we have seen many things in this country. We have seen very many good changes and listening to one hour of the President's Speech, to me, I gathered that it was very well researched and very well articulated. It is a responsibility to this senior House to support the Presidential agenda and build Kenya to better prospects. If we do so all of us jointly, we can see a realistic and meaningful country. I am saying so because I think that the digital president we have and his deputy were well brought up by a woman of Kenya, a mother like Zipporah, and I am very proud to be associated with good upbringing. It is only good for us to support the work of a mother.

I would like to particularly pick out in the speech, the free maternity support. If all mothers had those facilities, we would have many people surviving in this country but for us who survived, we thank God for that. I want to say that if this facility has to be meaningful then I would like to see proper mapping in our counties. If they have to get the free maternity services, I would like to propose that let them have free post and pre-natal support. Let them get those services within a reasonable radius. When I look at the country which I have served very diligently as a leader of Maendeleo ya Wanawake for 11 years, I think I know Kenya very well and there is no county I do not have knowledge of. The distances that mothers walk to a dispensary or to a maternity home are very long. Therefore, the support from this big House to the county governors will be important to map out quick implementation of this policy so that our mothers can benefit as soon as possible. Realizing that it is a rigorous exercise, I would, here and there propose that when we form the health committee, it should quickly look at countries like China - I have some knowledge about what they do to their expectant mothers. They have what we call mobile buses. These buses go to where the mothers are and the children are delivered in safety and they survive.

For us to support the President's idea, we need to involve the Governors. It is the responsibility of this august House to give advice and support the President and the Governors to implement the speech to the letter. It is unfortunate that some of you did not read it, and I do not want to criticize but it is only important to be positive in our thinking to make a better country for all to enjoy and live in because there is so much in this.

Mr. Speaker, Sir, another item I would like to turn to is the women and children's fund. I hope that these funds will not be like what we have seen in the past because it never benefitted the women *per se*. I hope that the committees that will be formed will get down to business and appoint a think-tank to look at pros and cons of how these funds will be disbursed. When you look at the 100 days that we were promised, I think it means a lot. I said that the President is a well brought up child by a mother of Kenya, we are very proud to have such a digital president and he needs every support. Some of you have been in the Government for long and you know what this country needs. When I said that we have been around for a long time, indeed we have. Some of us who have been involved in women movement, we know that long ago a woman could not stand like I am doing now. I remember when I was a young social or community worker in the 1960s, I could not address a rally but right now things have changed. The country has changed and so we cannot just criticize. I would want to see my grandchildren being more digital than the president we have now so that this country can compete with other countries. Kenya is a part of the global village and therefore we cannot condemn good things that are coming our way by saying that it will not work for us. If they do not work, where are we going to be because we are competing with others? This Speech addressed many things like businesses, roads and so on. When I hear people criticizing roads, I do not know where Kenya is, because there are big developments that have taken place and we have seen them. Therefore, it is our responsibility to support what is in place. If the policies are not clear enough, I think it is our duty to make a difference and change must be seen. As Obama said, "Yes we Can", and why not yes we can? So, the women of Kenya are very proud and we thank the President and the Jubilee Government for a very well articulated speech.

I would like to urge all of us to support the President's Speech.

**The Senator for Samburu County** (Sen. Leshore): Mr. Speaker, Sir, thank you for giving me a chance to contribute to this Presidential Speech.

First and foremost, I would like to thank the people of Samburu for having elected me to the Senate. Secondly, I would like to thank the people of Kenya who have peacefully elected all of you and elected President Uhuru Kenyatta and his Deputy, Mr. William Ruto, to guide us for another five years. Thirdly, I would like to thank the people of Lagdera for having elected Mr. Mohamed Shidiye and also the people of Kamukunji for electing Mr. Yussuf Hassan. I also thank the people of Westlands, where I live, for electing Mr. Wanyonyi.

Mr. Speaker, Sir, in the Presidential Address, the President articulated many things that he is going to do for Kenya. I know him and I know that he means well for Kenya. Let the likes of Mr. Wetangula criticize because that is their duty. They must keep them on their toes. I believe that all of us, as Senators, we are there to support the President so that he can give Kenyans what he is able, especially regarding devolution. I

remember very well when we were in Bomas of Kenya, very few of us wanted this country, especially resources to be devolved to the counties. I am happy that President Uhuru Kenyatta has stated in very clear terms that he is going to do that for Kenyans.

Mr. Speaker, Sir, I just want to talk about one issue regarding the security of Kenyans. All of you know that 13 years ago I was like you, I was like Mr. Wetangula. I was walking and I was a warrior. I know Mr. Wanyonyi and I know he was a warrior. I was not involved in cattle-rustling, I was not a poacher but an hon. Member of the august House. The people of Samburu would like to know what happened. I am lucky that the former Attorney-General is here. The people of Samburu would like to know what happened to that file. That file should be re-opened and be given to the Director of Public Prosecutions so that he can find out what happened to me. The people of Kenya would like to know what happened to Mr. Wanyonyi, the people of Kenya would like to know what happened to Mr. Yussuf Hassan, the people of Kenya would like to know what is happening in Garissa. Why are there so many innocent people being killed in Garissa? The people of Kenya would like to know why police officers were killed in Baragoi. Were there external forces involved? The people of Kenya would like to help President Uhuru Kenyatta so that he could tell Kenyans what is happening and improve the security of Kenyans. I believe that Kismayu is now safer than Nairobi. We need peace in Garissa, Nairobi, Baragoi, Turkana and so on. The people of Kenya have seen President Uhuru Kenyatta take oath to protect and defend them. I would like this House to assist him so that he can deliver what he has promised in his Speech.

Mr. Speaker, Sir, I do not want to say much because I am at pains. My family is at pain when they see me seated. I received many insults during the campaigns and yet I am like this because of insecurity in Kenya. I said that I was not involved in cattle-rustling, I was not a poacher nor a car-jacker but a Member of Parliament. I would like us to assist President Uhuru Kenyatta so that he can restore peace through employment of more policemen. I do not want to say much because I want to go to Samburu. May God Bless you all. Thank you.

**The Nominated Senator** (Sen. Wangari): Mr. Speaker, Sir, I rise to support the Address by the President. When that Address was being read, I think that it was music to my ears. But at the same time, I think that the President and the Deputy President would be very impressed if they were in this House, to know that not only are we supporting but also critiquing positively for the good of this country.

Mr. Speaker, Sir, I want to speak for two constituencies that I represent; the young people of this country who constitute over 70 per cent of the population and the young women of this country. When I listened to the President, there are several things that caught my ears. The first thing is what Sen. Zipporah talked about, which I will not repeat. Secondly, there was the issue of the national television local content that would be raised from 40 per cent to 60 per cent; in line with what has been stipulated as a Cabinet Secretary position for arts and entertainment. As the youth of this country, I think that this will be a great step. So, as we criticize this Speech, I want us to look at it positively and be able to offer advice to the Government. This is because the President cannot implement this alone. He will need all arms of the Government to be able to carry out the mandate that has been given to him by the Constitution and the people of Kenya.

Mr. Speaker, Sir, free primary education was introduced in 2002 and free secondary education has followed suit. When I talk to the managers in this room – and I know that they are many - there is something called change management. Change management is not easy because it involves leaving a comfort zone. The reason it is called a comfort zone is because it is comfortable. So, I think that the people who were skeptical about implementation of free primary and secondary education are now looking back and acknowledging that it was not impossible. It only needed us to make the first step, and we did as a country, and are still moving forward. When I listened to the President talking about 18 years of education for any child in this country, as a young mother, I could only smile and hope that I will be able to increase the number of children that I wanted to have from two to four or five because I will be taken care of. So, we applaud the President for that and offer all the support that he needs to implement the same.

Mr. Speaker, Sir, the other thing that I would like to talk about is the Youth Enterprise Development Fund. As we go through the transition and the devolution structures, it would be---

**The Speaker** (Hon. Ethuro): Sen. Wangari, are you sure that, that was the intention of the President?

**The Nominated Senator** (Sen. Wangari): Not really, Mr. Speaker, Sir, but I think that it will be my personal decision, now that education will be taken care of and maternity is free. So, you can be sure that we will be able to up the game.

Mr. Speaker, Sir, the Youth Enterprise Development Fund has done a lot for this country. But as we implement and set up the structures for devolution, I think that this Senate needs to take its place as we devolve the Youth Enterprise Development Fund and Women Enterprise Development Fund. As the sole body that is charged with bridging the gap between the national Government and county governments, it will be our role to take charge of the process and be able to offer advice to the two funds, so that they are able to attain the intended goal.

**The Speaker** (Hon. Ethuro): Sen. Khalwale!

*(Sen. (Dr.) Khalwale walked to the Dispatch Box)*

**The Senator for Kakamega County** (Sen.(Dr.) Khalwale): Mr. Speaker, Sir, I have taken that trouble to cross over because it is not yet clear who is supposed to speak at the Dispatch Box and who is supposed to speak on the right side and left side of the Dispatch Box. Maybe in due course, you will be guiding us.

**The Speaker** (Hon. Ethuro): Then why are you trying to make it clear? It is still not clear and so, you can use either. You will also notice that your Speaker does not bow to the two sides. We just bow once because the two sides are not distinguishable in the current sitting arrangement.

**The Senator for Kakamega County** (Sen. (Dr.) Khalwale): Thank you, Mr. Speaker, Sir. I was thinking that it is because of the awkward way that the Chamber is made. But all the same, I concur.

Mr. Speaker, Sir, may I thank you for allowing me to speak on this very important Motion. I wish to use this opportunity to congratulate, first and foremost, hon. Uhuru Kenyatta for winning the Presidency and, of course, my colleagues, Senators, the Speakers, Governors, Members of County Assemblies and other elected leaders.

Mr. Speaker, Sir, I would also like to use this opportunity to thank the voters of Kakamega County who voted for me overwhelmingly. I would like to use this opportunity to assure them that I am going to deliver at the local, county and, indeed, the national level.

Mr. Speaker, Sir, as I make my Maiden Speech in this Senate, it is saddening to remember that the wife of the first man to be a Senator in Kakamega, the late hon. Clement Lubembe, passed away and we shall be burying her on Saturday. I, therefore, want to use this opportunity to send my condolences to the family of Sen. Clement Lubembe whose wife we shall bury.

Mr. Speaker, Sir, I went and listened to President Uhuru during his victory speech. I also went to the inauguration ceremony at Kasarani Stadium and listened to him. I also listened to him when he came to talk to us at the Joint Sitting. I was, indeed, happy to note and very impressed with his optimism. It was clear that he was reconciliatory in the way he approached his Speech and that he has grand plans for this great nation, Kenya. It was so clear that he confirmed his commitment to devolution. If he is committed to devolution, it goes without saying that hon. Uhuru knows the importance of the Senate in the current set up. I want to say: "Thank you and congratulations, Mr. President."

Mr. Speaker, Sir, I want to pray to God that he visits the mind and heart of hon. Uhuru, so that everytime we talk to him as his friends and supporters, he has at his side a lot of cotton, so that whenever a sycophant is addressing him, he takes the cotton and plugs his ears. He should have a lot of time to listen to critiques. Without critique, he is going to become no different from the other dictators that have been visited upon Africa. I, therefore, want to assure the hon. President that I will support him unconditionally when he is on the path of addressing the challenges that Kenyans face on a day to day basis. However, that unconditional support will become conditional if it is on the understanding that we shall be converging in the commitment to good governance, especially, zero tolerance to corruption.

Mr. Speaker, Sir, the President mentioned only in passing – and it is there in his Speech – the matter of corruption. It was very sad because the country loses Kshs380 billion every year through corruption, and the people who pocket this money, believe it or not – I have been Chairman of the Public Accounts Committee – are none other than us; politicians, senior civil servants, professional lawyers who draw contracts and senior accountants. They are the ones who perpetuate corruption. So, hon. Uhuru should make it his business, that before he talks about the wage bill, he quickly closes those taps of corruption to ensure that this money is available to us. Towards this end, we would like to see the President appoint immediately a substantive chair to the Ethics and Anti-Corruption Commission. It will also do us a lot of good if the President was to put more emphasis on the support for the special division at the courts that deals with anti-corruption matters. I would like to urge the President to support the Chief Justice in this

very important matter. Already, we note with a lot of happiness that the Chief Justice has already appointed 60 special magistrates of the rank of principal magistrate, to create a special division that will be listening to cases of corruption and economic crimes. He must be supported. The President should ensure that cases of corruption that were witnessed over the last ten years, are investigated, heard by our judges and determined. If the President has forgotten, I am talking about the Anglo Leasing scandal and the maize scandal. The President was there in the last Parliament when we fought on this issue of the maize scandal and some of the people who sit in high positions in the new arrangement today have reason to answer questions on what happened in the maize scandal.

Mr. Speaker, Sir, the National Assembly that we just came from addressed the grand scandal of the printing of new currency notes, where Kshs1.8 billion was lost and pointed a clear finger at who the possible culprits are. This must be concluded. I would like to urge the President to remember that whereas the Independent Electoral and Boundaries Commission (IEBC) succeeded in pronouncing all of us, him included, as winners, there was a scandal there. You were in the House and participated in the debate when we fought the tender of the Biometric Voter Registration (BVR) kits. We made passionate presentations to the Constitution Implementation Oversight Committee that was chaired by hon. Abdikadir and they refused to listen. It is the same evidence that we were giving at that time that is now the reason the Supreme Court directed that this tender of BVR should be investigated. It would be even more important that the President ensures that there are no new cases of corruption. As I say that, I want the President to know that we are ready and willing - and we are going to do it - to help them to make sure that people within his Government do not create new scandals in this country.

Mr. Speaker, Sir, unknown to Kenyans, even as we speak now, as early as less than two months in the life of this Government, we already have the tender for the supply of fertilizer. The fertilizer arrived in Mombasa and it is now being taken to various depots in the country. It is shocking that such a multimillion project and tender can be done through single-sourcing. I am hoping that the President will make sure that the circumstances under which Buseki Enterprises Company was given this tender to transport fertilizer is properly concluded and Kenyans be told what were the special circumstances why one company was given this lucrative tender. Could it be that some people, high and mighty in the system, have got an interest in Buseki Enterprises? Kenyans would like to know.

Mr. Speaker, Sir, on the issue of education, I want to laud the President for the commitment on keeping all our children in school up to the age of 18. The President has a fantastic idea on information technology. He must accept to be told that this idea is going to come at a cost and, therefore, the implementation matrix must be queried. I am one of the leaders who support the provision of laptops, but we are querying the matrix of that provision because the cost of giving these laptops and free maternal healthcare is estimated at Kshs100 billion per annum. Therefore, we cannot just sit back as loyal friends and members of the President's party and cheer him without querying the value for the money that is called Kshs100 billion per year. We shall, therefore, be telling the President that his intention to give every primary school child a laptop is wrong. You

have to start with constructing classrooms, equipping those classrooms with computers, training at least two teachers in every primary school and let the children go and learn. I am afraid that hon. Ruto, who happens to be from my generation, might be seeing the children in his family who by the way, look and grow like the children in my family, and think that, that is the prototype of the Kenyan child. They are not. If you give the children in Ikolomani those laptops they will be grateful. However, the fathers of those children spend their days hundreds of metres down the ground, prospecting for gold. If they go home and find there are laptops worth tens of thousands of shillings in the house, they will sell them. They are not bad people, but because it is an easy way of getting money, they will sell them. People who want these computers are many and they will buy them. We want President Uhuru Kenyatta to exercise something we call in management “Appropriate Technology”. The appropriate technology is not to give every child a laptop, but to create a conducive learning environment.

I listened to the Deputy President at Kasarani and he was very passionate. He said something which I would like Kenyans to remember. That besides the many reasons they came together with the President Uhuru to form this Government, the major one was because they did not want members of their communities in the Rift Valley to fight again. I thought that was fantastic and we all cheered at the stadium. But amazingly, when the President made his Address to us, he never mentioned the issue of IDPs. He should have gone to great lengths to tell us his programme on how he will settle the IDPS who are actually there.

Mr. Speaker, Sir, while still on this issue of IDPs, if it is true that the Deputy President believes that with him working with the President, then that is the solution to the problems in that area, then I urge them to go further and not waste public funds by looking for land to buy to settle IDPs, but to go back to those communities and ask them to be tolerant of each other, so that those people can go back to their land. If they do not know where that land is, the assistant chiefs, the chiefs and the District Commissioners can tell them that Mr. Kamau who was displaced from point X can now go back to his land because now the panacea of their problems has been created.

Mr. Speaker, Sir, in his Address, the President addressed the important issue of sports. I was so shocked to hear him say he will construct five stadia. That is okay and we support him. But as he gives these stadia, he should ask himself what is the history of sporting in the communities where he intends to start these stadia? How on earth would he deny a modern stadium to Kakamega? Kakamega County is the one that provided the man who is the face of football in this country; Mr. Francis Kadenge. Kakamega County is the one that provided the first African coach who by the way is my father-in-law, Mr. Elijah Lidonde. How can we not build a stadium in Kakamega? The best players of football in this country, if you will allow me to use our rich ethnic language are Luos and Luhyas. Therefore, the best football stadia should be in those areas with academies so that our children can actually train.

Mr. Speaker, Sir, it is not enough to build another Kasarani Stadium in Garissa County or Kakamega County, if we cannot use it to train our children. It is very important to start academies where children can be exposed to sporting activities at a very tender

age. In Brazil, for example, children are exposed to football from the age of three years. This is why they have soccer giants.

I would like to comment on the issue of the wage bill. Whereas I would like to congratulate the President on the fact that he appreciates the fact that 12 per cent of the GDP goes towards the wage bill as opposed to the expected 7 per cent, I would like to also bemoan that in so doing, it leaves us with only 30 per cent for development. We will go nowhere if we allow only 30 per cent of our GDP to go towards development. However, why is the President being so simplistic on such a complex issue when he talks about the wage bill? It is because Kenyans are hungry for quick fixes. They always think about salaries of parliamentarians. If he wanted us to listen to him seriously and take him seriously on this complex issue, he should have factored in how he is going to manage public debt which today stands at Kshs1.8 trillion. When Moi left the Government, the public debt was at Kshs700 billion. Today it is now Kshs1.8 trillion. Thank God some of this money was used by President Kibaki's Government to do infrastructure.

Sen. Murungi, never again should you ever dress us down because it is this expanded public debt that went and favoured only certain parts of the country leaving out others. The roads you are talking about in Western Province were built by the colonialists and not any of the three Presidents. I expected the President to talk about the Current Account Deficit (CAC), because until we narrow down on the CAD, we will continue allowing cheap and useless imports into this country at the expense of us encouraging export for purposes of narrowing the CAD. We expected the President to tell us what he will do to revive pyrethrum. What will he do to improve tea production in this country? We expected to hear him say what he will do to make sure that we stop importation of sugar, so that the sugar which is cultivated in the western part of the country can now be used as a net foreign exchange income earner.

Mr. Speaker, Sir, today as we speak, revenue collection is targeted to be around Kshs839 billion. Surely, in a country with a budget of Kshs1.5 trillion, you cannot be proud of having targets of Kshs839 billion. The President should have told us firmly how he will increase revenue collection so that we make sure---

**The Speaker** (Hon. Ethuro): Your time is up!

**The Senator for Kakamega County** (Sen.(Dr.) Khalwale): Mr. Speaker, Sir, I wish to take this opportunity to thank the President and support this Motion.

**The Senator for Kitui County** (Sen. Musila): I thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to this Motion. Let me start off by congratulating you for being elected as the Speaker because this is the first time that I am having the Floor. I would like also to congratulate my colleagues for being elected to represent certain counties of this Republic and those who were nominated.

I also want to thank the people of Kitui County for doing me the honour of being their Senator. As Sen. Murungi has pledged to serve the people of Meru, I also want to say that I pledge to serve the people of Kitui County with all my energy and, indeed, as I will be directed by the will of God.

Mr. Speaker, Sir, the role of the Senate as it is in Article 96 of the Constitution is very clear, particularly, 96(1); the Senate represents the counties and serves to protect the interests of the counties and their governments. I have chosen to deliberately speak about

devolution knowing very well that the hon. Senators here have some concerns and also those who have contributed have talked about what they think about devolution. I want to lead and appeal to my fellow Senators that this matter of devolution must be approached in a bipartisan manner. This is not a matter of Jubilee, CORD or anybody else.

**The Senate Minority Leader (Sen. Wetangula):** Tell them!

**The Senator for Kitui County (Sen. Musila):** Mr. Speaker, Sir, it is a role that the Senate has been given by this Constitution. I chose to talk about devolution because the recent events have not augured well to give us comfort that devolution is getting support of even the previous Government, and we are yet to see how the current Government will behave towards devolution knowing very well that this is not the first time Kenya has gone the devolution way. We had devolution of the regional assemblies; we had a Senate, but because we did not have the goodwill of the Government, it died miserably. It is incumbent upon every one of us here today as Senators, as a second attempt of the Republic of Kenya, 50 years after Independence, to go the devolution way. We must all join hands together and ensure that never again will the National Government kill devolution in this Republic. I say this because, sadly, recent events have shown that the Government, particularly the previous Government was not committed to devolution. It started during the inauguration of Governors. These fellows called County Commissioners took over and it appeared to everyone that they were in charge.

Mr. Speaker, Sir, even there was no colour in that ceremony. The Senate Majority Leader will bear me witness that the Governors, other than the swearing in, were even denied the opportunity to inspect a simple guard of honour as people who were now taking authority as Governors. But it was just watered down to a very minor ceremony conducted by the Country Commissioner who, apparently, the Executive arm of Government wanted to take the limelight.

Last time in Parliament, we passed the National Government Co-ordination Act. When we did so, we were assured by the hon. Attorney-General of two things; first, that the County Commissioners and administrators envisaged in that Act were not meant to undermine devolution. They were not meant to undermine Governors and that Governors would exercise full authority as provided in this Constitution. I want to remind my colleagues that when we were writing this Constitution as a Select Committee of Parliament, some of us fought very hard to retain the Provincial Administration until we came down to restructuring on the Provincial Administration. We never meant that the Provincial Administration would be structured to come and undermine devolution. Therefore, that assurance by the Attorney-General did not hold water because even before the ink dried, after the President assented to that Act, the County Commissioners were there trying to show that they were superior to Governors.

Mr. Speaker, Sir, the other assurance that we got from the Attorney-General then was that the Provincial Administration will not be used to meddle in the political affairs of the Republic. That assurance we were given because of past history where the Provincial Administration had been used by previous Governments to meddle in politics and campaign for certain persons or parties. But I want to shock this Senate and let you know that during the last elections, the Government of the day used the Provincial Administration very effectively to campaign for the Jubilee Coalition. In my county, the

Governor was elected and the Senator was elected. How do they expect us to relate with those County Commissioners who were instructed to go and fight those who were not in the Jubilee Coalition?

Mr. Speaker, Sir, the National Government Coordination Act has already been violated. The Provincial Administrators have interfered with the governance of counties. They have refused to vacate office, facilitate governors and to even extend the smallest amount of courtesy to them. They have participated in partisan politics which is very unfortunate. Therefore, I welcome the President's assurance in his Speech that one of the Acts of Parliament that he will forward to the National Assembly to be repealed is this Act.

I was a great supporter of this Act and I can now say I wish I knew better. The signs of time are showing us that this was ill advised. I hope that this Act will be repealed and that these fellows; being Kenyans, will be given something else to do. I honestly do not think that they will manage to remain in the counties. It is our role, as Senators, to ensure that they do not meddle in the operations of the county.

I take comfort in the assurance by the President to Kenyans. I have heard him not once, but three times, repeating a sentence which is in this Speech; that;

“Devolution is central to my Government's vision for Kenya – it is not optional, it is a constitutional duty, one shared by all of us.”

Mr. Speaker, Sir, the President will not be doing us any favour by adhering to that statement because it is a constitutional requirement. He has no alternative. If he goes out of this Constitution, which he swore to protect, we will stand firm and ensure he will not do it like it was done in 1966.

The other issue I want to talk about is on equal distribution of resources. I want to caution my colleagues, Senators, that when we talk about marginalisation of certain counties, this is real. If you do not know that some counties have been marginalized for the past 50 years, take a tour and get to know the North Eastern Province where my former Minister and former District Commissioner Mohammed Yusuf Haji comes from. Take a walk to the Speaker's place and to Kitui County. There are no roads. When you celebrate about roads here, I feel very bad because Sen. Haji does not have an inch of tarmac and yet, when that point is raised, some people stand on points of order. Why should we have points of order when that is true? The Government should address this matter properly and squarely. This is not the first time that a President has stood before us and said that he will do “a,” “b,” “c” and “d” and thereafter we clap.

This is my fourth time to be elected. Every President who has spoken before us has told us these things. So, this is not a matter of a Speech being beautiful. Yes, it is beautiful, but let the President walk the talk. Let the President ensure that all the areas of this Republic have roads. Let him ensure that those areas that have been given more roads than others hold on for a while for those which do not have their share.

There are places where there are no teachers. The issue of laptops is noble, but not applicable. We have the Free Primary Education (FPE) which holds 100 pupils in a classroom, if a classroom exists. Some study under trees without teachers. How will they play around with laptops? We have secondary schools that go up to Form Four with only

one Teachers Service Commission (TSC) teacher and yet they expect these schools to compete with others in the country.

Mr. Speaker, Sir, I am appealing that we should not be bipartisan when we are talking about these issues. Issues of development are very sensitive. That is why we have been brought here. I was brought here by the people of Kitui County to address the unequitable distribution of resources. During the last 50 years, it has not been done fairly. My county and other counties have been marginalized in the last 50 years. There is no hope because 50 years is a long time. There are people who were born and are now adults and yet they have never seen a tap with running water. There are people who were born and are now 50 year old adults, but they still receive hand outs of food because they cannot grow their food since they have not been facilitated to grow it.

I welcome the President's statement on irrigation. This is not the first time. Every time we hear that we clap. This is my 16<sup>th</sup> year of representation. This has been the same thing and the same story, but there have been no results. Therefore, we hope that this time round, we will be serious. We are the people who have been entrusted by our people, to at least, for a change, make sure that there will be change in this country and that it develops. But when I say I have no roads you stand on a point of order to say the contrary. Why should you say that I have roads when I do not have roads? Why should you say that in Turkana there are roads when there are none? Why should you say that the people of North Eastern Province have roads when they do not have any? This is a real issue that we, as Senators, must approach soberly in a bipartisan manner. The way I have seen this afternoon, I am sorry, we will not live up to the expectations of Kenyans.

I beg of my colleagues that we look at these issues in a bipartisan manner, so that this country can move forward. We have been entrusted with this. I come from Kitui County and I know that there are people who come from the Central Province - my most favourite posting and where I started when I joined the Public Service Commission (PSC). When I say that there are more roads in Central Province compared to Kitui, I am not lying. I am speaking the truth. All I am asking is, please, Mr. President, do not just look at your province as others have done. Go out there and show Kenyans that you can make a difference. So far, the policies we had from previous President's have not borne any fruit.

**The Nominated Senator** (Sen. Elachi): Thank you, Mr. Speaker, Sir. It is my pleasure this afternoon to thank you because I finally caught your eye. I also thank the President and his Deputy President for being elected to serve this country.

In 2010, Kenyans promulgated a new Constitution because they wanted it to address challenges of development, distribution of resources and marginalization. That is why the President in his Address came out strongly in support of devolution. This is the only framework within which we can realize development in this country.

He also talked about economic pillars which will be the guiding principles for us to achieve development in this country. That is why I support the policy on the Free Primary Education (FPE) and the provision of laptops to our children. In Rwanda, for example, each child in a primary school has a laptop. If a country like Rwanda is able to provide laptops to children in primary schools, I believe Kenya will even do much better.

We have public schools in Nairobi and other places where children have laptops. Parents are paying Kshs2,000 for their children to access this very important service. I am happy they will now have their own laptops. We know for a long time children in public schools have been disadvantaged in many ways. Those in academies have the best facilities because their parents are able to pay. So, let us give children in public schools the opportunity to learn like other children in academies. Kenya is one and that is the advice that the President is giving us. If, indeed, Kenya is one, then our children in public schools deserve better infrastructure and better access to technology.

One of the economic pillars highlighted in the Presidential Address was job creation. Many of us are worried that some people, in the process of procuring of these laptops, will be out to make money. This is not true because laptops will be locally assembled by our universities. I believe that will reduce the cost of each laptop and create job opportunities for our people in universities.

I want to applaud the President for emphasizing the issue of two-thirds in his Address. This is an issue that I know he will take into consideration when he will be appointing Cabinet Secretaries. He also promised to serve all Kenyans. I am sure Kenyans will look back after five years and appreciate the role of women in this country because God has blessed us with the best brains in the Senate. We will develop this country.

We will positively criticize the President because we want him to steer this country to greater heights of development. However, we would not like to be drawn into political ambitions, as we saw in the Tenth Parliament, at the expense of serving our people. Kenya is bigger than all of us. Let us build this country because God has given us the opportunity to do so.

We must address all injustices in this country. Everyone is crying about the roads in their counties. But if we were to be honest to ourselves, Kenyans will be shocked because many Senators here have served in successive governments in various capacities. Most of the leaders here were part and parcel of the development agenda of this country. If it is within the purview of public service that we have challenges, then the President promised to address. I am sure there are guidelines in the CORD manifesto, the President highlighted in his Speech. There are ten main points that the CORD manifesto proposed to Kenyans. The President talked of uniting and leading Kenyans. He said he will look at what his competitors were proposing in their manifestoes and what Vision 2030 says in order to initiate development projects in this country.

Mr. Speaker, Sir, as I sit, I plead and ask Members of the Senate that it is time we looked at our counties. When you look at the Act that deals with devolution, you will see that roads now fall under the county governments. It is time we looked at how we will lobby to ensure that we have money that will take care of our roads from Lamu, Garissa, Mandera and many other counties.

With those few remarks, I beg to support.

**The Senator for West Pokot County** (Sen. (Prof.) Lonyangapuo): Mr. Speaker, Sir, I stand to support this Motion. At the beginning of the Presidential Address, I realized that he was candid enough to say that we have come out of an election and Kenya needs to begin to put itself together again and work as a people. He was calling

upon all of us to be united in terms of the way we take the issues of our country and the way we also put his Government on its toes. He mentioned about the Constitution and the spirit in which we must all support his Government to implement it. I saw that he had a lot of good will in his Address, especially when he talked about the position of the Senate, that is, the Upper House. For that purpose, whatever we will be discussing and passing here should have the weight and attention required to build this nation. We should look at the calibre of people that Kenyans bestowed upon the mandate of running this House. It is, indeed, genuinely true that we are here to take care of 47 counties. These 47 counties make the total sum of Kenya.

Mr. Speaker, Sir, he talked about having a lean and effective Government. In fact, we have seen the structure of 18 ministries. The reason he mentioned this is the issue of overlapping responsibilities. I am hoping that there will be order in the way in which we will do business in this House. There was competition particularly in the last Parliament where we had about 40 Ministries. Some of them were doing the same work.

He also talked about agriculture which is the back-bone of the nation's economy. I want to mention that we have depended on rain-fed agriculture for a long time. It is a pity that when the rains come, we are never prepared to harvest water. Sometimes we do not have the requisite inputs like fertilizers and seeds. You may be surprised that even as it is raining now, in some parts like West Pokot where I come from, the first lorry of fertilizer arrived last weekend. Just imagine the first rains came a month ago. I want to say that we have been planning all this time and there is money set aside for agricultural activities in this country. As I support this Motion, I call upon the new Government to fast-track and make sure that there is enough fertilizer in the depots. They should also start purchasing fertilizers for next year so that as we go to November and December, the cereal boards should have them.

Mr. Speaker, Sir, the President also talked about manufacturing. What do we manufacture if we cannot add value to our farm produce? I have just mentioned that the farm is not in order. I have a lot of hope in the new Government with the promise that they have given. Our people are watching in the county to see whether this will be addressed.

His Excellency the President also talked about Kenya's economy. He said he would like to see Kenya becoming a middle income country within this generation. We have Vision 2030 which says that we must become a middle income country by 2030 which is 17 years from now. I hope he meant 17 years and not within a generation because a generation is a mighty long time from now, that is, 50 years and above. We want to enjoy this if we can move fast.

He also talked about the wage bill. When we talk about the wage bill, I do not want to imagine that we will retrench people yet in the same Address, he talked about job creation. This means that we need to look at how the industrial revolution in our country can be started. Some industries have collapsed, including cotton and pyrethrum. Maize milling plants are no longer in the right places. Currently, we have maize milling plants in the Port of Mombasa. So, maize is transported all the way from Kitale to Mombasa. What does it take for this Government to make sure that the industry required for a

particular commodity is taken to the source? These are some of the hopes that I have as we move on.

He also talked about investment. He wants us to attract a lot of investments to this country. I have been a Permanent Secretary for about five years. I know that we have a lot of bottlenecks which I am hoping that the new Government will address. It has taken over six years for an investor in West Pokot to start a cement plant. It has taken him many years to get the required certificates and approvals. If we are serious enough, these should take a short while. If an investor is interested in starting a cement plant, why put many roadblocks which frustrate him until he migrates to other countries?

Much has been said about the scourge of corruption. He also talked about transparency. I want to know how this can be done. You will notice that the new fellow in the county is now called the Governor. We also have County Commissioner. You will also notice that some of our counties were designed according to the original Plan of 1963 where the seat of throne was. It would be appropriate and I am hoping that most prominent position where the Governor should live is where the original boss was. This should also apply to the offices so that we can know who is in charge of the county.

I looked at the way he commended our Kenya Defence Forces for bringing order in Somalia and the neighbouring countries. My colleagues have talked about internal threats and problems that we have. We have been having a small problem in the northern corridor called cattle rustling. It affects my county and the neighbouring county where the Speaker comes from. It affects Turkana and Samburu people. We hope that the President will address this problem together with us.

When people talk about roads, I am one fellow who has a lot of hope that for the first time we are going to have good roads in our county. When I went into politics, I bought new tyres for my car. However, in three months, they were all worn out and I had to go for new ones. The reason is that there is literally no road that I could use. These are some of the challenges that we need to mention. I appreciate that some counties have moved slightly better than us. It is now our turn. Over 50 years have elapsed and we are now going to be looked at with a closer mirror than the rest.

We need to strengthen our police force. The officers have no houses and vehicles.

When I look at education, we have just talked about nursery and class one children getting laptops. Personally, I look at it positively. Singapore decided to face this head on. It does not cost a lot of money. These are going to be tailor-made laptops. These will not be ordinary laptops. They may cost between Kshs10,000 and Kshs15,000. There will be many programmes for children. How much money have we lost in the course of running our business and corruption related issues? If we try this and find that it is not working, we will change our direction. In the same vein, I am expecting that the Government will employ enough teachers. In West Pokot, for example, we have a shortage of 1,420 primary school teachers. Even with that challenge, we managed to become position nine out of 47 counties. We have a shortage of over 600 secondary school teachers and yet we came second last year. I want to thank the teachers and the community for working hard despite all the problems and challenges in that region.

I also want to mention that in line with the successes that we saw, some schools did well in our county. Everybody got a Grade A in Mathematics. Somebody asked how

a school can perform like that in such a far-flung and marginalized county. So, they refused to give the boys marks and instead awarded them a Y or cancelled their results. Some of these problems arise because we do not have enough teachers. So, people imagine that if something great comes from that place, then it is not genuine.

The President talked about water and electricity. You know that we share a river called River Swam with Turkana County. It gives a lot of water which also goes to KenGen Turkwel Generating Plant. As I speak to you, we have a power line in Pokot called a low voltage line or single phase in the entire county. We produce almost 18 per cent of the power used in the Republic of Kenya. I do not think that there is any in Turkana. The challenge I have is, where there is a resource, local people do not benefit from it. I am calling upon the new Government, since we have a lot of expectation, we should see the benefits. Sometimes we have insecurity issues where people steal cows in Turkana and Pokot, but KenGen should not use that excuse to migrate from Turkwel. I have never seen a government that migrates from her country just because some two or three people are fighting. This has become like drama when people see that we are able to run a power plant using a computer in Nairobi. They also hear that people are employed in the name of Turkwel and posted elsewhere. I have hope that this will be corrected as I come in as the Senator of that region.

Mr. Speaker, Sir, today, some of the people of Tana River County, Budalangi and parts of Nyanza are now swimming. Their houses have been submerged. The Government should immediately address this problem, so that we can harvest water for use next year.

**The Speaker** (Hon. Ethuro): Your time is up!

**The Senator for West Pokot County** (Sen. (Prof.) Lonyangapuo: Thank you, Mr. Speaker, Sir.

**The Senator for Nyamira County** (Sen. Okong'o): Thank you, Mr. Speaker, Sir, for giving me this opportunity to contribute to the President's Address. My name for the record is Mong'are Bw'Okong'o, the Senator for Nyamira County.

Mr. Speaker, Sir, the President's Address was broad. However, I need to just pick a few issues on what he said. Specifically, I have to start from health. I have seen what he intends to do with regard to the health sector. I come from Nyamira which has a population of about 600,000. We have a hospital which was started four years ago called Nyamira District Hospital. It is a sub-district hospital according to the records at the Ministry of Health. I hope the President, guided by his policy on health, will look at this issue. Maybe I will have an opportunity to go to Nyamira and officially open that hospital. As I speak now, that hospital does not have a title deed. It is lacking so many things.

Mr. Speaker, Sir, secondly, I am an educationist. I have had an opportunity to do social work in terms of education. I have traversed many schools in Gusii land and its environs. I have seen my colleagues dwell on the issue of laptops. That is a Government policy. Let us give him and his Government the benefit of doubt. I concur with my colleagues who have just said that this is something that can be done in a tailor-made form. Let it be even for cartoons for those children in Standard One. There is no problem with that as long as he focuses on the long-term plan for education. Where I come from

there has been a lot of interference from the church on the issue of education. I hope that the new Government will address the issues of the churches which sponsor some schools and insist on appointing principals. That is an issue which needs to be addressed. As they are developing these issues at the county level, I hope that they will work closely with the Governors and the educational sector.

Mr. Speaker, Sir, the other issue that I would like to address is agriculture. I have heard my colleague, Prof. Lonyangapuo, speak about the rains and how fertilizer was delivered. Gusiiland is historically known as the “bathroom” of God. There is plenty of rain. We need to harvest rain water. I hope that this Government will have an opportunity to harvest water. As I speak now, there is a lot of water that is going to waste. It has affected the environment. Although the Government is so casual in its approach on agriculture, it will have mechanisms under the new Cabinet Secretaries who will be appointed, so that some of us can walk to their offices and challenge them to have better policies on agriculture.

The tea sector has also been affected greatly in the so-called *soko huru*. *Soko huru* affects the mainstream tea industry in the region. There are some policies which were put in place in the past to address this issue. I hope that the new Government will put in place mechanisms to ensure that those who participate in the *soko huru* really give the farmers what is due to them. It has affected factories which are running on a shortage. It does not have the capacity to deal with the inferior quality of tea which goes to the factories. This is an issue that I will need the Government to address.

Mr. Speaker, Sir, the President spoke candidly about building of stadia. I come from a region where we specialize in athletics. Those stadia may not really assist us, but we would like the Government to set up high-altitude training centres, like the ones that we have in Iten. I have had an opportunity to be a consultant in the athletics sector. It is also known historically that the Kisiis and Kalenjins are the best athletes in this country. We hope that the Government will also deal with issues of football and indoor games.

Mr. Speaker, Sir, in the President’s Address, nothing much has been said about the foreign policy. I have had opportunity to look at the historical factors in the Kenyan foreign policy documents. We do not have a policy paper which is so clear on how we address some of these issues. This will assist us greatly in addressing the issues of geopolitics.

Mr. Speaker, Sir, the issue of security has been really dealt with by my colleagues. We have a small issue on the Borabu-Sotik border and my friend, the Professor is here. We need the national Government to really assist us arrest this situation of cattle rustling in our region. With very good policies from the national Government and now that we have devolved systems, we will work closely with my colleagues from the other side to address the issue.

Our borders are also very porous. The Government should borrow the example of South Africa, so that we can have perimeter fences all over the country. As I speak now, the Kenya Government does not know how much land we own. This is an issue that I would like the President to address. But as a new President, I do not want to challenge him because this is a new order and he has just come into office. This is also a new political dispensation after 50 years of wasteful politics.

Mr. Speaker, Sir, the issue of devolution was addressed by my colleagues. When you gave us an opportunity to go down to the counties, I was astonished when I went to the Governor's office. The Governor has an office and no national flag and security. When we went to open the Assembly, there was nothing which indicated that we were in that assembly. The Speaker of the Assembly did not even understand very well that as a Senator, I can have an opportunity even to address the assembly. I was not given an opportunity, but I excused them because they do not understand. These are issues that we need to address. The national Government needs to urgently release funds to those counties. The Transition Authority needs to work together with the Governors who have been elected. My Governor, for instance, gave a statement that he was going to work closely with the County Commissioner, when he knows very well that there is a court order regarding the issue of County Commissioners, although there is an Act which really has entrenched them. I thought that he was subservient to the County Commissioner. This is the Upper House which has been mandated by the Constitution of Kenya to defend the counties. We hope that the national Government will co-operate on this issue, so that our Governors do not feel that they are junior officers at the county level.

Mr. Speaker, Sir, last but not least, there is the issue of electricity. The whole of Nyamira receives electricity once a week. The Kenya Power Company (KPC) talks about poles falling and so on. However, when I toured the county, I never saw any poles that had fallen. So, these are issues that we really need the national Government to engage in, so that our businessmen and women can really benefit. The KPC talks about lack of water and when there is too much water, they talk about other issues here and there. The national Government with the relevant Ministries and we, the Upper House, need to come up with mechanisms to address these issues.

Mr. Speaker, Sir, with those few remarks, I beg to support.

**The Senator for Laikipia County** (Sen. G.G. Kariuki): Mr. Speaker, Sir, first, I would like to thank you very much for giving me the opportunity to address this House and make my comments on the President's Address, which I think was very important for this nation. For anyone to doubt what he was saying or whether he will implement it or not, I think we will not be doing service to this nation. This is because the President has said what he had and wanted to do in this country. It is now for the Senators also to say their plan of action. What are we going to do for this nation? We should not just wait to criticize what other people are saying. What the President has clearly said is entirely in his docket and he will do as much as possible to accomplish some of the points that he mentioned here. We also need to understand that he is a new President and has been in office for less than a month. We are in a new kind of system with a new Constitution. We should, therefore, work within that Constitution. Let us forget the past.

Mr. Speaker, Sir, when I was elected Senator, I had an illusion which I am proving right now, that the Senate of this country will start a new kind of political life that Kenyans must admire. This Senate should not appear as if it is a branch of the National Assembly. The Members of the National Assembly are entitled to say all the things that they want to say sometimes without limitations in their language. But here, I think we have to give new direction that will prove to this country that there was need for

the Senate. It is a Senate of people who have the experience and will hide and keep their disappointments like elders in the House.

So, Mr. Speaker, Sir, having said that, I think we must give President Uhuru Kenyatta and the Deputy President, Mr. Ruto, time to see what they will do. This is a Speech that will be repeated annually. Next year, in comparison to this Speech we shall see what has been implemented and what has not been implemented. We will then see what to report to this nation. I can see that we are trying to talk about our roads, water, *et cetera*.

If you look at the Constitution, the section which deals with the functions of the two governments; the national Government and the County Government and also the work of the National Assembly and the Senate, you will notice that there is no need for us sitting here appearing to complain. Instead we should stick to the Constitution and say what we want through it. Here we keep on talking as if we are addressing Governors. This House should not be used as a high table for talking to the Governors. I think we have to develop close relations with the Governors and not just to wait and listen to us defending them. There is no point.

The Constitution is very clear that our job is to protect the interests of the County Governments. We are now giving an impression to our Governors that they have special powers somewhere which we cannot locate in this Constitution. I beg to submit that actually the Governors have no powers. If we want to give them power, it is this House which will provide them with powers because we are here mainly for the County Assemblies and to make sure that devolution is followed to the letter. Therefore, there is no need for us to appear as if there is something missing. It may be missing because we do understand. This Constitution has given all the powers to the Senate and the National Assembly because the whole idea of devolution was not to support a certain centre of power or to allocate powers to new people. The job that we were carrying out during the struggle for the new Constitution was to make sure that powers of the Head of State are devolved and given to other centres. But when you hear someone wondering who has more power between the Senator and the Governor, is that really an issue? We want powers to do what? Is it power to detain or sack anybody? What kind of power do we want? I think the power that is required to be given to the Governors and the Senators is the power to develop this country. We should give our people service. Any person who can afford to give Kenyans services should be honoured as a person with power. But when we pretend that we are having more powers than any other person, I think that was not the intention. The intention of devolution of power was to make sure that autocracy was forgotten in this country. We cannot shift power from one person from Nairobi to another person in Murang'a. That a person can deal with you in any way as and when he wants. We want freedom and security for all Kenyans. Here in this House, I think we need to concentrate our wisdom in trying to give this country security. I do not understand this language of marginalization. It has been prostituted so much, that any person applies the word "marginalization". Who is this architect who marginalized others? We are talking about it without naming the architect of marginalization, so that we can ask him to devolve the power that he has so that other people can also enjoy.

Mr. Speaker, Sir, I do not want to talk about marginalization; but the insecurity that this country is having is so bad that you wonder whether we have a Government. The Kenya Defense Forces went to Somalia and did a commendable job although if I was asked, I would have my own views as a person who understands international relations. I would have been very careful to take this kind of decision. Since it was taken and they have done a good job, I cannot pretend to be wiser than those who decided to do what they did. But I have my own reservations. We should ask ourselves why our security is so bad that nobody is happy with the security agencies of this country.

Just a few days ago, I had to go to Laikipia in a hurry because two school going children were killed for nothing by the so called cattle rustlers. If the so called cattle rustlers are becoming stronger than the Government, I think we need to be told where else are going to turn to. In my own thinking and experience as a person who was at one time the Minister in charge of Security in this country, that we are losing a lot. There is no way you can have a fellow with an unlicensed gun facing a police officer and fighting with him and the Government just ignores that issue and it dies off. My training is that if you carry a gun against police officers, then you are fighting with the State. The State must take action that you will live to regret because---

**The Senate Minority Leader** (Sen. Wetangula): On a point of information, Mr. Speaker, Sir.

**The Senator for Laikipia County** (Sen. G.G. Kariuki): I think I have been here longer than you and so you should wait for me to finish, then something else will happen. But you are a great man. Can you proceed!

**The Senate Minority Leader** (Sen. Wetangula): Mr. Speaker, Sir, I want to inform my very good friend Sen. G.G. Kariuki that, in fact, in the United States (US) the kind of people he is describing, the State takes them as enemy combatants and deals with them as such. I also want to confirm to the House that he was, indeed, a very powerful Internal Security Minister. He made Sen. Orenge flee to Tanzania.

*(Laughter)*

**The Senator for Laikipia County** (Sen. G.G. Kariuki): Mr. Speaker, Sir, it is not only Sen. Orenge who had to flee---

*(Laughter)*

It is not only Sen. Orenge who had to flee to Tanzania, but many others because they interfered with the established Government. The established Government is always there for the people and is made by the people. Therefore, we are here to protect the people of this country.

Mr. Speaker, Sir, like the people who committed crime in Baragoi, I think they needed to be followed up to where they live. If they went to their homes, they ought to have been followed, whether they were either Turkana or Pokot. In this country it seems like we want to have our own cake and eat it. We want to be elected by the people of this

country and yet we do not want to discipline those who do not respect the rule of law. I think it is time we became clear in our own minds.

Before I finish, I want to ask my colleague Senators a very simple question: What kind of leadership are we prepared to give to this nation? Are we going to start the quarrels that were started in 1963? It is like we are in the first House where we used to talk all these things we are talking now about. But now the country is of age and we must appear to be talking like the House of elders, full of wisdom which cannot be swayed by good speeches, but by serious actions. Speeches which are philosophical, but have no meaning in our lives; is that what we want to do? But if we start to complain about our roads and everything else, this has been said and is still being said by the County Assembly Members. They are the ones who are supposed to develop those areas. What we need to do is to ask for the money to get to them in order to start working. We should support them to do what they are supposed to do, but not to start crying as if we are a County Assembly Member or a Member of the National Assembly. We are here to give leadership. If you see my friend Sen. Orengo who I respect a lot, comfortable and quiet, you must know that you are in a new House of elders. This is because he has been a problem in the other Houses and I have watched him very closely.

*(Laughter)*

I think we shall get somewhere because my colleague Sen. Orengo is quiet and appears responsible and orderly. I think we are getting somewhere.

Mr. Speaker, Sir, I beg to submit that we shall do what we can in this Senate to give the leadership that is required in this country. Let us lead by example. You cannot be a leader unless you decide to sacrifice. The Senate should not cry when the National Assembly Members and the County Assembly Members are crying. We should be their fathers. That is why we are in this House to stabilize this nation at any time. You heard when the President was talking to us, it was clear in his mind that he respects this House and he expects to work with this House more than any other institution in this country.

I thank you very much for giving me the opportunity to contribute to this debate and thank hon. Senators for listening to me. I am most grateful. Thank you.

**The Nominated Senator** (Sen. Kanainza): I thank you Mr. Speaker, Sir, for having caught your eye after a very long time. I will start by congratulating those who played a role in drafting the Kenyan Constitution and to all Kenyans who said “yes” in 2010. It has given me a chance to represent the youth in the Senate.

Mr. Speaker, Sir, I will start by commenting on the issue of youth unemployment which is at 70 per cent. I recommend that the President should come out with a systematic framework that will be used to curb this issue rather than just saying that we should join hands to ensure that the youth do not engage in drug abuse.

An outlined framework should also be put in place. I am concerned about the Youth Enterprise Fund (YEF) that has been merged with the Women Enterprise Fund (WEF). I would suggest that the YEF should be independent to enable economic growth. We know the youth have come up with different youth groups. They need these grants to enable them grow economically, so that we can avoid idleness and that leads to the youth

engaging in drugs. As a commitment to the Central Government and the President of this Republic, this money should be channeled to the county level in the devolved government. What caught the eyes of many of us and the public was the issue of laptops being given to class one pupils. I am living in the digital age. I can bear witness that for us to achieve this, there should be a better way of doing it. For me, I take this to be a “white elephant”; just like the Biometric Voter Registration (BVR) kits that were meant to hoodwink the public, but at the end of it all, did not work well for the Kenyan society. I know that we were registered as voters using the BVR kits, but we did not use them to vote. When we went to vote on 4<sup>th</sup> March, they all collapsed. This was siphoning of funds.

The situation in our primary schools is that children attend classes under trees. This is witnessed in the area that I come from. Today, there was a report that some two children died out of eating maize which was meant to be used as seed for planting. I feel that these children have no proper access to education. Another issue is that the teacher-student ratio in Kenya is three times what is expected at the international level and twice what is expected in Africa.

In Kenya, we do not have enough teachers for the students we have. Therefore, I recommend that the Jubilee Government starts with employing teachers. When you look at 40 per cent of the Kenyan children who are between the ages of five and seven years; who are supposed to be accessing education, you will find that they do not attend any schools. Therefore, a mechanism should be put in place to curb this. With this kind of scenario, Kenyan children do not require laptops, but rather basic minimum facilities. To start with, we should provide them room to access basic education for those who cannot.

Another thing is about availability of classrooms. The funds that have been allocated to cater for the laptops project are over Kshs100 billion per year. These funds, if you calculate properly, can be used to build more than 400,000 classrooms which is a better way to accommodate habitable classrooms for our pupils.

Another thing that can be provided rather than laptops is basic materials. We need exercise books for these children. We need pens, pencils and text books and even provision of chalk. You will find that a teacher goes to class without pieces of chalk. How do you expect this teacher to teach Mathematics? I think this has been taken into account. As someone said, in a tailored programme a simple laptop will cost Kshs10,000. I know that children from rural areas will not afford to pay the Kshs8,000 that is supposed to cater for their access to education. It is my request that this Government should relook into this matter and provide the basic facilities to our students.

Thank you.

**The Senator for Uasin Gishu County** (Sen. Melly): Thank you Mr. Speaker, Sir for giving me this opportunity. I also want to thank the people of Uasin Gishu County for giving me this chance to represent them at the Senate.

As I stand to support this Motion, one thing that I must say that the President addressed was that of agriculture. We all understand that agriculture forms the backbone of Kenya’s economy. I come from Uasin Gishu County, a place where we do intensive agriculture in terms of maize and wheat production. One thing that I liked in the message by the President is about subsidising farm inputs. These are issues regarding fertilizers

and seeds. The President promised to modernise agriculture through improved financing and irrigation research development. This will eventually stop the issue regarding food insecurity in this country.

I come from a city of champions, Uasin Gishu County. Up to today, we do not have even one stadium after producing wonderful champions, both in Kenya and outside Kenya. In his Address, the President talked about having five big stadia in Kenya. I know that we will be privileged to have one in Eldoret. This will ensure that we tap the talents of our athletes.

The next issue is about education. There has been a habit by Government Education Officers to transform middle level colleges and polytechnics into universities without considering those who are already taking their courses. These are basically people who are undergoing their diploma and certificate courses. At the end of the day, all the systems are transformed and the students are called upon to start degree programmes. Those students who have been undertaking their diploma and certificate courses are left out. In his Address, the President said that he would stop this and ensure that middle level colleges and polytechnics are left to operate on their own to equip young people with the relevant technical skills and help them to play their part in developing their counties.

The other issue is about unemployment. For a long time, youth unemployment has contributed to increased crime and drug abuse among other evils. The President, in his Address, promised to avail funds to young people. These are the funds that will be devolved to the counties and the loans that will be given to them. Among them is the Kshs6 billion which was meant for the Presidential run-off election which should be devolved to the counties and given to the youth as grants.

A number of good issues were addressed in the President's Speech. I want to inform hon. Senators of this House that the President may not have captured everything that we may have wanted. However, with the few things that are in the Speech, I would like to ask hon. Senators that we walk together in supporting these wonderful ideas of transforming Kenya. He commented and said, in his Speech, that the issue of devolution is in his heart and that he was willing and ready to work with this House to ensure that this is successful, so that we achieve all the issues of development in this country.

With those few remarks, I beg to support the Motion.

**The Nominated Senator** (Sen. Chelule): Mr. Speaker, Sir, I am Liza Chelule, Nominated Senator from Nakuru County. I stand to support the President's Speech. Before I do so, I want to thank my party for nominating me to this House. I want also to thank the people of Nakuru County for their prayers.

I want to take this particular minute to support the Speech by the President simply because he talked about two main issues touching on women. This is about abolishing fees in dispensaries and maternity. I am saying this because many women have been suffering and others detained in hospitals because they have not been able to clear their bills. This has discouraged other women from going to the hospitals which leads to loss of babies at birth. The mothers fear going to the hospital because they do not have enough money to clear their hospital bills. So, I am supporting the Speech because of this issue.

The other issue is about agriculture. He said that he is going to introduce and encourage irrigation. I know that this method will increase food production in our country. He also mentioned something about evictees and Internally Displaced Persons (IDPs). He mentioned about solving their problems. As I am talking today, I come from an area where many people were evicted from forests and elsewhere and I do not know why they were evicted. They have suffered a lot. As I am talking now, there are children who have not gone to school for almost five years now. I am happy that in the President's Speech, he said that he will address those problems.

I am so happy about our President and the Deputy President when they talk about promoting cohesion. We carried out our elections in peace because they were the first ones to promote it.

As we are sitting in this House, we are happy that the elections were peaceful. There are so many things that he mentioned in his speech. As much as we would like to criticize them because of the laptops, it is a good idea. As Senators, we need to support them and give them time.

Our main role as Senators is to protect and represent the counties. I am happy that he said he is going to support devolution. Before I sit I want to request my fellow Senators that we need to support them, give them time and advice.

With those few remarks, I beg to support the Motion.

**The Senator for Homa Bay County** (Sen. Kajwang): Mr. Speaker, Sir, first of all, I would like to congratulate you for being elected to this august House. We have been in the House for quite some time and you were our speaker for a long time before you were formerly elected. I have confidence that you will discharge the duties of the Speaker for the best interest of this House and the people of Kenya. I also want to thank my fellow Senators for having fought hard to be elected by their counties to this House. I am thankful to the people of Homa Bay for having found it fit to give this responsibility of discharging the duties of the office of the Senator as prescribed in the Constitution for the benefit of Kenyans.

Mr. Speaker, Sir, I cannot start without speaking about the Constitution because it is the new Constitution that created this Senate. It has brought various interests and age groups into this august House to deal with two things that the Constitution sought to address; equity and justice. This is written in almost every article of our Constitution. In fact, when Sen. G.G. Kariuki speaks of us complaining, it is not complaining when we speak of equity or justice. It is reaffirming the spirit of the new Constitution. It is our role to reaffirm that we wrote the new Constitution because there were problems in this country. We wrote it because we wanted to address the issues of equity and justice. So, when we talk about equity in education, equity in road coverage, equity in water, equity in education and all those things, we are talking about the new road map of this written in the Constitution. Devolution is the centre piece or the heart of our Constitution. So, we will be defending it as by law granted and we will defend it and facilitate it. So, if there is anybody somewhere, whether in high or low office who thinks that he or she may undermine devolution, we need to warn them that this House's primary responsibility is to protect devolution. This is for good reasons. We already know the reasons why we did it. I sometimes listen to public officers talking about devolution or county governments as

units, these are not units, they are governments. Kenya is divided into two governments, the national Government and the County Governments. Each one of them has distinct roles in this country. So, each one must work harmoniously with each other and one must not undermine the other. We will make sure that this is achieved for the betterment of this country. This House is the guarantor of the Constitution and devolution. If we do not do that, then we do not know our jobs. I am not one of those people who do not know their job. I worked very hard for devolution in Bomas and in Parliament because of the many problems that we had due to centralization of power and resources. If you are not careful, we were almost there because Kenya was going to say that if people entrusted with power can centralize it and marginalize others--- Marginalization is not a word created by us, but by the Constitution because it was a problem for this country. We were going to go to war. This Constitution is a new roadmap that is building a new foundation for this country. We would rather respect it, defend it and effect it.

Mr. Speaker, Sir, let me just talk about one or two things before my time elapses. I want to talk about the wage bill. I heard the President say that the wage bill is unsustainable. Of course, at the level of our taxes, it is unsustainable. But if you talk about unsustainability of the wage bill, you are not getting the problem. You are going to employ new teachers and that will add to that wage bill which is unsustainable. You will just have to employ new teachers because we do not have them.

Mr. Speaker, Sir, the Senator from – his name is so difficult to pronounce – Sen. Lonyanga---I do not seem to get his name right. But he is my friend. He talked of teachers and he had facts---

**The Speaker** (Hon. Ethuro): Order, Sen. Kajwang! Are you referring to Sen. (Prof.) Lonyangapou?

**The Senator for Homa Bay County** (Sen. Kajwang): Yes, Mr. Speaker, Sir.

**The Speaker** (Hon. Ethuro): He is my neighbour that is why I know him.

**The Senator for Homa Bay County** (Sen. Kajwang): Mr. Speaker, Sir, when I went to see him in his office in Moi University I could not read his name from the door because it was very complicated for me, coming from the lake. But we will have to employ more policemen in this country. There are no two ways to it. If we do not employ more policemen, there will be insecurity and no investment, and people will just run away. Nairobi is very insecure. I thank the Senator who said that it is more insecure than the port capital of Somalia, which we just secured the other day from those young men called *Al Shabaab*. In fact, let me just remind hon. G.G Kariuki that I was one of the people who made the decision that we go into Somalia. We achieved great things. In fact, that is the biggest achievement for the Kenya Army since it was established in 1963. Why is this so? It is because you cannot sustain a reckless and dangerous warlike neighbour who attacks you at will, your tourists and ships and destroys your economy; and you say that because of international relations and good neighbourliness, you will not go into that country and deal with the problem. I think the former President made the correct decision. We now have a neighbour whom we can talk to sooner or later. In fact, I am glad that their President came to visit us when we were swearing in our new President.

Mr. Speaker, Sir, we will need to employ extension officers in veterinary services and crop husbandry who disappeared. There are no two ways about it. If you want to deal

with agriculture and modernize it, you just have to invest in these young people who will drive our veterinary services and crop husbandry.

Mr. Speaker, Sir, free maternity is not anything new. In fact, when I was in secondary school in 1970s, there was free health service in this country. The problem with us is that we centralized everything. The health centres and dispensaries used to be run by the counties those days. They provided public health and all the things that we are talking about as if they are new. The only problem is that we killed the county governments. We then called them the county authorities. We removed all the taxes from them and left them with market dues to run the government. It is good that we have now devised ways of providing revenue to them, so that they can run again. I hope that they will be more imaginative on how they can raise even more revenue to deal with the jobs that they have been given.

Mr. Speaker, Sir, county governments cannot build roads. Anybody who talked of roads for county governments is dreaming. The roads that we are talking about are the feeder roads to reach the farms and water sources. A road is such an expensive thing that it cannot be done with Kshs5 billion. In fact, we are doing a road in my constituency of 43 kilometres and it will cost over Kshs5 billion. So, how do you expect a county to do a road? The road from Kitale to the border of Southern Sudan is not a road anymore. It is a cattle track and yet, it is the trade road that will take and bring goods from that side. Let me tell you something about roads. You cannot even build it with the 30 per cent that remains after we have paid teachers and policemen. Roads in India are now all privatized. They have said, for example, that the road from Mombasa-Kisumu-Malaba should be given to a businessman. That businessman maintains it and collects toll. That toll will maintain the road and we have the services. If you want to build a railway line, you cannot do so with the money that we collect here of Kshs800 billion. Give a railway line to another businessman. They are many businessmen who can build a railway line from Lamu to Southern Sudan or Mombasa to Uganda and Congo. But do not give it to a businessman like the one we gave the Kenya Railways; who does not even have money or technical capacity to run a railway line. Since they were given that railway line, they have done more poorly than the original Kenya Railways.

Mr. Speaker, Sir, free maternity and any health problems, including problems that affect old people, are even more expensive, but can be done through a national social insurance. You will remember that we passed a Bill on national social insurance and took it to the President who refused to sign it into law. It was brought back to us with a memorandum that we make the National Hospital Insurance Fund (NHIF) an optional insurance fund. We refused that option and took it back to the President and it died somewhere. Kenya will not be saved without a national social insurance. Kenyans cannot survive with the kind of health problems and the cost of health in this country, especially if you have a problem with your heart, liver, kidney and other internal organs. You cannot afford it. It impoverishes very good Kenyans, but it can be sorted out because people will be pulling their resources together. But Nairobi Hospital, Aga Khan Hospital and other private health providers will not let you do that, because a national social insurance will bring the national hospital to their level and they will lose business. Kenya is being run by a cartel of business people who want us to die. We cannot just have the

courage to do something about it. We are not complaining. We know where we want to take this country, but we cannot do it when you leave the health sector to individuals. My own father would have died a long time ago if I was not a Member of Parliament. He has a problem with his heart, diabetes, high blood pressure and cancer. He is still alive 25 years after retiring from the national Government. He has an NHIF card that cannot help him. How many people are lucky to have sons who are Members of Parliament or Senators? We must think of this country as one.

Mr. Speaker, Sir, this issue of information technology for Standard One pupils is a big joke; I am sorry to say so. First of all, in my Mbita Constituency, I have been using over Kshs90 million from the Constituencies Development Fund (CDF) every year to build classrooms, but I still have a shortage of thousands of classrooms. Even when you go to those classrooms which we have tried to improve, they are still very dusty. There are no desks and there is no food. I understand that you will be giving them milk. I hope that, that is not also another business venture. Let us talk of first things first. It is not computers. I have a phone here which has functions which I do not even use, because I am illiterate about most of these things. Yes, I am a graduate, Senator and Member of Parliament of long standing. You want to joke around with young people who will not even know whether to place the laptops because they do not have desks. There are teachers who do not even know what a mouse is. Where will you keep them? Even keeping books is a problem because we do not have stores in our primary schools. Why do we not even start with Form One or university students who call me everyday saying: "Please, I am doing research. Give me, at least, Kshs30,000, so that I can buy a laptop." I have bought two already and will not buy anymore. Why do you not give them to university students because they need them badly for research? Is somebody doing some business in this country with them? One million pupils in Standard One, at Kshs10,000 comes to Kshs10 billion. If you give us that money to do classrooms, we will be very happy in five years. Why are we excited about sexy things which mean nothing?

Thank you, Mr. Speaker, Sir.

**The Nominated Senator** (Sen. Mohamud): Thank you, Mr. Speaker, Sir. Let me take this opportunity to thank the people of Kenya for voting "yes" to the new Constitution which has enabled almost 20 of us to sit in the Senate and participate in this political arena. Let me also applaud the President for his support for devolution, improvement of the tourism sector, empowering the youth and women, improvement in the health sector, provision of water, electricity and the rest. It is my hope that the country will achieve that.

My concern is when he says that he will provide laptops to Class One pupils. In my opinion, that is too ambitious because where I come from in North Eastern Province, access to education is a problem. You will see a school going age children looking after animals because their parents cannot afford to take them to primary schools. The environment is also not conducive for learning. For example, before the campaigns, I visited a school by the name Hudhile Primary School in Wajir. What I saw there was very pathetic. That school goes up to Class Six and it only has one classroom. That classroom is divided into five portions; one portion is reserved for Class Six students, the

other portion for Class Five and Four, one part is used as a staffroom and the other portion is used as a store where the maize and beans are kept.

**Sen. Wetangula:** In one classroom!

**The Nominated Senator** (Sen. Mohamud): Yes, in one classroom!

**Sen. (Dr.) Khalwale:** Aiyaah Yaah!

**The Nominated Senator** (Sen. Mohamud): Mr. Speaker, Sir, I thought the provision of basic requirements for education should have been the first priority instead of going to the secondary needs. In Wajir where I come from, learning materials like books, desks and chalks are not available and the basic infrastructure is zero. For example, the first time I saw a tarmac road is when I was travelling from my home to join university in Nairobi in 2007. When the lecturer talked about zebra crossing I thought that along the highways there were zebras. I did not understand what the lecturer meant.

*(Laughter)*

When the lecturer talked of traffic lights, we could not conjure what he was talking about. So, I think the basic needs should be addressed before the secondary needs are addressed.

**The Nominated Senator** (Sen. Kipchumba): Thank you, Mr. Speaker, Sir. I want to thank you for giving me the opportunity to contribute to the Presidential Address. First of all, I want to appreciate the party that is sensitive; that does not thrive on tribe and a coalition that believes in belonging; that you do not have to be part of numbers, so that you become part of it. I would like to thank the ODM party for having recognized the potential in some of us and giving us the opportunity to be part of the nation building actors and, especially at this time of the new dispensation in our country.

I also want to thank, not only the CORD Coalition, but the people of Kenya who in 2010 decided to vote for the new Constitution. This Constitution has given us a place and space not only as a minority or marginalized group of persons, but the special interest groups to be here. I represent persons with disabilities.

Mr. Speaker, Sir, 50 years after Independence, we have been able to realize that there is a section of people that might not have the numbers as our friends somewhere would believe, to threaten people with the tyranny of numbers. But after 50 years, we can belong even if you are one. That is the opportunity I want to take and appreciate.

As a Senator, I would like to remind my fellow colleagues that this is the House that will change this country. This is the place where the wisdom of this nation lies. This is the equilibrium of the land. This is where jokers do not dare. The Senate is the place that holds the heartbeat of this nation. I would wish to appeal that we take ourselves seriously because there are many people; mothers, fathers, daughters and sons who unfortunately have been disadvantaged by the issues of inequality in this land that will look upon us as their hope. This is the place where hope shall come to the land.

Mr. Speaker, Sir, looking at the President's Address, especially the last part, I just pray that they believe and mean what they said. I quote:-

“May you be instruments to bring peace where there has been strife, security where there has been fear, unity where there has been division and prosperity where they lack.”

He mentioned of strife, conflict and insecurity. We are praying that we become those instruments, but we must have the will. We must live it. It is about what we value. It is about what our spirit believes in, because I believe security is within the people.

### ADJOURNMENT

**The Speaker** (Hon. Ethuro): Order! Sen. Kipchumba, you have ten minutes to proceed when we next resume. Hon. Senators, it is time for the interruption of business. The House, therefore, stands adjourned until tomorrow morning at 9.00 a.m.

The Senate rose at 6.30 p.m.