



The SENATE

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Busia County on cusp of another first

Busia could be the first County in the larger Kavirondo region to host a sitting of the plenary of Parliament since Kenya. Kavirondo region is a swathe of land stretching from Migori County on the Tanzanian North Western border all the way to Trans Nzoia County on Uganda's Eastern border.



Majority Leader Aaron Cheruiyot, the sponsor of the motion..



Entrance to the County Assembly of Busia.

Busia County stands in good position to host the 4th edition of Senate Mashinani, an increasingly popular Parliamentary innovation designed to take the House business closer to the people.

The Senate Business Committee (SBC) has scheduled a motion that, if adopted, will see the frontier county host the event that is planned for between September 23 and 27, 2024.

The motion is among the key business the SBC has lined up once the House returns from a three-week recess on June 25, 2024.

The motion is sponsored by Majority Leader Aaron Cheruiyot.

Conceived in 2018, the Senate Mashinani idea has largely succeeded in bringing the House, and by extension the Parliament of Kenya, closer to the people.

In the motion, Senator Cheruiyot acknowledges the successes made during the sittings of the Senate outside Nairobi.

The sessions were held in Uasin Gishu, Kitui and Turkana Counties in September 2018, 2019 and 2023 respectively.

The objective of Senate Mashinani is to promote the role and work of the chamber of Parliament, enhance public awareness regarding the business of the Senate and Parliament in general.

It highlights the existing and new opportunities for engagement in the legislative processes, develops and strengthens partnerships at the county level of Government.

The forum also provides an opportunity to Members and staff of the county assemblies to learn and share best practices with Senators and parliamentary officers.

"The Senate embraces the fundamental principle that it exists for the people and stands as a beacon of democracy representing their collective will, aspirations and concerns," said Speaker Amason Kingi in his Communication during similar event in Turkana County last year.

The Sitting in Turkana County Assembly, was the first in the 13th Parliament and the third in the series after Uasin Gishu County (2018) and Kitui County (2019).

"Through this initiative, the Senate is making its contribution towards nurturing inclusivity and management of public

affairs in Kenya. In holding a sitting at the Turkana County Assembly, the Senate also affirms that county assemblies have the power to directly identify and address the people's concerns, revitalise hopes and aspirations, deepen democratic, consultative and participatory Government, as well as strengthen institutions of governance in the country," explained the Speaker.

If the House approves the motion, and the Senate Mashinani is finally held in the County, it will cement Busia's entrenched history as the county of many firsts.

Sitting on the shores of Lake Victoria, Busia will be the first ever County in the larger Kavirondo region to host a sitting of the plenary of Parliament since Kenya gained independence in 1963.

Kavirondo region is a swathe of land stretching from Migori County on the Tanzanian North Western border all the way to Trans Nzoia County on Uganda's Eastern border. Other Counties within the Kavirondo belt include Homa Bay, Kisii, Nyamira, Kisumu, Siaya, Vihiga, Kakamega, Bungoma.

Busia is the gateway to Uganda; Kenya's largest trading partner with

two exists in Busia town and Malaba, and boasts two natural ports – Sio Port and Port Victoria – only that they were never developed.

The County gave Kenya the first ever heart transplant surgeon, Professor Hillary Ojiambo. The first Kenyan surgeon to operate a Siamese twin was the late Nelson Awori while Dr Micah Majale was the first orthopedic surgeon in Kenya.

Dr Julia Ojiambo was the first woman Assistant Minister in modern Kenya, while the Kenya African Union (KAU), the precursor of KANU, had its first chairman in Mr W.W.W. Awori.

Mr Macdonald Mariga's exploits in European football is now a familiar story. He is not only the first Kenyan to play a UEFA Champion League final match but also won it when the Italian giants, Inter Milan won the title in 2009.

Generations have changed and memories have faded but the name of the late Robert Nangila will endure forever. His 1988 Olympic Gold medal in boxing will never be forgotten. In fact, it was the first for Kenya and four decades later, it remains the only one for Kenya.

Ms Mary Okello was the first woman bank manager Kenya, the late Hillary Ngweni was the first ever Kenyan to serve as the Editor in chief of a major newspaper, Nation Newspapers.

A common figure in football pitches in Kenya in the 1980s, Dr Joe Masiga remains the first ever medical doctor to have played football, Mr Amos Wako, who served as the Senator for two terms, is the longest serving Attorney General of the Republic, from 1991 to 2011.

Senator Okiya Omtatah has assumed the bragging rights as the longest serving public spirited litigant.

Should the lawmakers approve the motion, it will be a major boost to the image of the County whose sons and daughters have made their own contribution to modernise Kenya. Yet, it will be keeping with the long history that Busia County has established over time.

CPAC plan meet with DPP over corruption in Counties



A watchdog Committee has scheduled a meeting with the Director of Public Prosecutions to be appraised on the status report of prosecution of all the corruption cases in the counties following conclusion of investigations.

The County Public Accounts Committee (CPAC) has referred a total of 145 cases to the Ethics and Anti-Corruption Commission (EACC) in the last five years but there has been little in terms of prosecutions and the Committee is seeking an explanation.

“We need a conversation with the DPP over what is happening,” said Senator Otieno Kajwang, the chair of the Committee.

“We know that the DPP doesn’t operate under the direction of any person or entity but as a Committee we need answers on what is happening.”

The Committee made the resolution after meeting stakeholders in the governance and accountability space in Mombasa on Friday, June 21.

The meeting brought together officials from the National Treasury, the Office of the Controller of Budget, EACC, Office of Auditor General, the Institute of Certified Public Accountants of Kenya, and the Institute of Human Resource Management.

The meeting was to strengthen oversight and accountability.

The National Treasury was supposed to speak on its role in designing and prescribing efficient financial management system for county governments to ensure transparent financial management and standard financial reporting as set out in Article 226 of the constitution.

However, Cabinet Njuguna Ndungu sent his apologies as he was out of the country.

However, the retreat acknowledged that not all cases brought before the investigative agencies will result in prosecution or even conviction and discussed alternative ways of addressing the chal-

lenge.

“We must find other ways of addressing the challenge,” said Senator Kajwang. One of the ways the retreat discussed was to compel professional bodies to come in strongly and sanction their members who act contrary to ethical standards set.

“Professional bodies must take proactive actions against their members who do not follow guidelines set in their code of conduct,” he added, citing the cases of ICPAK and IHRM.

“It’s your members who manage resources in counties, prepare financial statements and therefore the bodies must explore the professional and administrative action against their members,” he said.

Dr David Oginde, the EACC chairman, confirmed the Commission had received 145 cases from CPAC since 2019 all which have been interrogated and commenced action in line with its mandate but had faced operational and technical challenges which have hindered investigations.

He revealed that the Commission has observed that areas prone for corruption in counties are mainly in public procurement touching on conflict of interest, false invoices, overpayment, unplanned or duplicated projects.

There are also challenges the Commission has noted in the management of finances in counties. They range from embezzlement of funds through illegal or unremitted allowances, false claims, lack of systems integrity to detect and prevent corruption opportunities.

There is also wastage where projects have stalled, incomplete buildings and roads and other infrastructure.

Dr Oginde said there is need for an interlinkage between the Commission and the Senate which he noted will be geared towards ensuring efficiency and effectiveness in the implementation of the oversight role.

“Some of the allegations raised with

the Commission are general and ambiguous with a wide scope to investigate, especially where complains involve several contracts,” said Dr Oginde.

Auditor General Nancy Gathungu said her office continues to advocate for changes in the Public Finance Management Act to reduce the timelines for submission of financial statements from 3 months after the end of the financial year to one month.

Already there is The Public Finance Management Amendment Bill, 2024 which has been submitted to Parliament and which seeks to harmonise the reporting timelines in the statutes governing public finance management and the Constitutional requirements on audit.

“We are optimistic that a consensus with Parliament and other stakeholders on this issue will be reached as it is beneficial to an effective and efficient Public Finance Management System,” she told the retreat.

She added that some entities such as the Central Bank of Kenya, Ethics and Anti-Corruption Commission, Public Sector Accounting Standards Board, Kirinyaga University have been presenting their financial statements within one month of the end of the financial year.

Controller of Budget Margaret Nya-

kango said legislature and oversight bodies play a crucial role in ensuring the effective implementation of accountability and transparency in public finance management through effective oversight and represent interests of, and to give voice to, citizens.

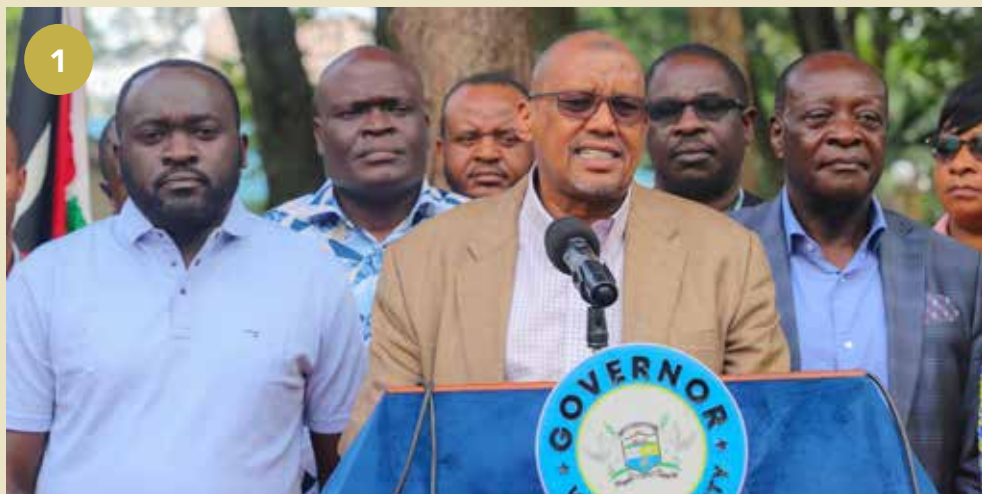
“This provides opportunities for more open and participatory governance and delivery of well-designed government programmes and services to enhance devolution,” she told the retreat.

She suggested that the Senate and her office work together to address the failure to adhere to budgetary ceilings in the County Executive and the Assembly in the planning and budgeting process.

To achieve this she further suggested that OCoB should hold regular meetings with relevant Senate Committees to discuss issues arising from the quarterly reports, that the Senate requests the OCoB to investigate and submit reports on matters such as managing the county-established funds and pending bills while she also challenged the House to finalise the legislative framework on public participation (the Public Participation Bill, 2020) to promote meaningful public participation in the budgeting process.

1. CPAC Members led by Chairman Moses Kajwang’, (left), Senator Okiya Omtatah, Senator Mariam Omar and Senator Mohamed Faki during the retreat in Mombasa County. Senator Faki attended the meeting as a friend of the Committee.
2. EACC chairman David Oginde speaks at the retreat. He is flanked by Controller of Budget Margaret Nyakango (second left) and Auditor General Nancy Gathungu and representatives from ICPAK and IHRM.
3. Controller of Budget Margaret Nyakango speaks at the retreat.

Modernise markets for increased revenue, Committee implores Counties



1. Senator Abbas Sheikh, the chairman of the Devolution Committee, during a press briefing in Mbale, Vihiga County, after meeting Governor Wilbur Ottichilo.
2. Members of the Devolution and Intergovernmental Committee address members of the public in Mbale town during their tour of the county.

3. Senator Godfrey Osotsi leads the Committee on tour of the Luanda open air Market.
4. Senator David Wakoli addresses the public during the tour of the Committee in Bungoma.

The Committee on Devolution and Intergovernmental Relations has asked counties to modernise their markets to boost their own source revenue collection.

The Committee made the plea during a visit to Vihiga and Bungoma Counties where it inspected the state of the markets across the two counties.

“We should consider constructing multi-storey buildings with spacious facilities including cold storage, daycare centers, and even libraries for traders and their children,” said Senator Richard Onyonka, a member of the Committee.

The Committee, which is chaired by Senator Abbas Sheikh, started its tour in Vihiga where it challenged the county to construct storey buildings for open air markets and improve on the general infrastructure in the markets as one of the ways to encourage investment and stop capital flight.

The Committee noted that markets in Vihiga County are below the required standard despite the resources received from the National Government to improve them.

“We need to make people benefit from devolution. That is why we are here on a fact-finding mission and we will write a report that will help the county government effect changes,” Senator Abbas said during the tour of Mbale Municipal

Market in the county.

The Committee also made a series of other observations when it toured other markets, among them Serem, Majengo, Esibuye and Luanda.

Members of the Committee addressed traders at various stopovers as they moved to explain the purpose of their visit. Before the market tours, Senators held a meeting with county officials who were led by Governor Wilber Ottichilo.

They used the session to get responses from the county administration on questions that were raised in the House by Senator Godfrey Osotsi touching on the state of own-source revenue from Vihiga’s markets and how the money is ploughed back to help in the improvement of the facilities, the establishment of municipal board and state of the markets.

Senator Osotsi made specific concerns on issues such as water supply, street lighting, infrastructure, waste management and sanitation and urged the Committee to give a comprehensive statement that will be brought before the House for consideration.

The Committee is also making a review of market improvement and expansion projects, some of which are donor funded.

Major challenges the Committee was faced with during the tour included lack

of enough water supply, poor drainage and waste disposal sites, lack of auction facilities as well as poor sanitation.

Traders who presented memoranda to the Committee complained of poor service delivery and mistreatment from county askaris among other stalled projects that were intended to cause improvement of the markets.

In Bungoma, the Committee highlighted that many markets are below standard, resulting in low revenue.

“We need to enhance market infrastructure and redesign our revenue collection methods to increase own-source revenue,” Senator Abass emphasised.

They found that own-source revenue from Bungoma’s markets had declined by Sh10 million over the past five years, dropping from over Sh 40 million to Sh31 million in the current financial year.

This was revealed when the Committee paid a courtesy call to the Bungoma Deputy Governor Ms. Janepher Mbatiany who represented Governor Kenneth Lusaka who was away on official matters.

The visit was prompted by a request from Senator Wakoli Wafwoli to examine key markets in Bungoma County, including Chebkube, Misikhu, Kamukuyua, Matisi, Bukembe, Mateka, Chwele, Kimilili, Cheptais, Sirisia,

Kapkateny, Kapsokwany, Kabula, Kanduyi, Mayanja, and Mateka.

Senator Wakoli specifically asked the Committee to address issues such as water supply, street lighting, infrastructure, waste management, and sanitation in these markets.

Additionally, the Committee was tasked with reviewing all market improvement and expansion projects initiated by the County Government of Bungoma since the 2017/2018 financial year, as well as analyzing the breakdown of Own Source Revenue (OSR) generated from each market from FY 2018/2019 onwards.

During visits to markets like Chepkube, Kamukuywa, and Bukembe, the Committee found common challenges including inadequate water supply, poor drainage, absence of waste disposal sites, lack of auction facilities, and outdated slaughterhouses.

Traders also complained of harassment by law enforcement officers allegedly seeking bribes to allow them to operate.

Traders at Kamukuywa market appealed to the Senate for completion of a stalled Sh120 million market project.

Senators Richard Onyonka, Hezena Lemaletian, and Oburu Oginga stressed the necessity of improving markets to attract more traders and increase county revenue.

Justice Committee probes Kwale land resettlement delay



Senator Raphael Chimera speaks to Kwale residents.

The Justice, Legal Affairs and Human Rights Committee made a tour of Kwale County as part of its consideration of the petition filed by Mkupuo Network Awareness.

The petition concerns an unimplemented Environment and Land Court decision, which directed families affected be compensated and resettlement for the affected community.

Senator Chimera expressed concern over the lack of implementation of court orders.

“I assured the affected that in the subsequent days, this committee will be inviting the Ministry of Lands, the At-

torney General, and respondents to help us understand why the court directives have not been honoured over a year since they were issued,” he declared.

Senator Okiya Omtatah added, “It is astonishing that the court ruling has not been effected within the time the court directed, even when the respondent showed no willingness to appeal the ruling.”

The case revolves around a land dispute involving Kwale County residents and Kwale International Sugar Company Ltd. In 2008, the Ministry of Lands registered squatters on the land, issuing allotment letters but did not provide title

certificates. The petitioners allege they faced unlawful entry and property destruction without compensation.

Kwale International Sugar Company Ltd opposed the petition, claiming legitimate ownership based on historical agreements. The Ministry of Lands and other respondents defended their actions, arguing that the creation of a settlement scheme complied with the law.

The court’s ruling addressed issues including property entitlement, potential fraud, and damages suffered by the petitioners. The committee plans to invite all relevant parties for further deliberations

Go for MES, Committee advises Counties



Members of the Health Committee are welcomed at the Kwale Oncology Centre during their tour of health facilities in the Coast region.

The Committee on Health has challenged the County Government of Kwale to explore ways of negotiating its own Managed Equipment Services (MES) to enhance the delivery of services to the residents of the County.

MES project was launched by the National Government in May 2015, for a seven-year lease programme that ended in May 2022.

Under the project, the Ministry of Health entered into a partnership with

five foreign firms to supply and install specialised medical equipment.

During a tour of health facilities in the Coast region, Senator Jackson Mandago said Counties should enter into their own agreements for the procurement of the equipment for the benefit of the people, and devolution.

“To avoid the push and pull on the equipment, the Counties should procure their own equipment through MES arrangement,” said Senator Mandago after

the tour of Msambweni Referral Hospital in Kwale County.

The facility has 102 nurses across all the major departments and the committee admitted that the number is not adequate. It called for the employment of more nurses to fill the huge gaps that have been identified in health facilities in the county.

The Committee also assured the hospital administration that it will ensure that Sh90 million remitted to the outgo-

ing National Insurance Hospital Fund before it is wound up.

The Committee toured Mvindeni Dispensary in Kwale, the Moi Referral Hospital in Taita Taveta, Coast Teaching and Referral Hospital and Utange Dispensary in Mombasa County where it inspected the state of human resource and infrastructure as part of its oversight mandate.

Seneta Ojienda ataka ripoti kuhusu ukarabati wa Bustani ya Jaramogi Oginga Odinga



Seneta Julius Murgor



Seneta Tom Ojienda

Seneta Tom Ojienda amewasilisha ombi akitaka uchunguzi ufanywe na ripoti kuwasilishwa kwenye Seneti kuhusu hali ya Bustani ya Jaramogi Oginga Odinga na ya Victoria katika Kaunti ya Kisumu.

Kwenye ombi hilo, Seneta Ojienda anaitaka Kamati ya Leba na Masuala ya Jamii kuwasilisha ripoti kuhusu hali ya Bustani hizo ambazo anasema zili-fungwa ili kukarabatiwa mnamo mwaka 2020 na kufunguliwa mwaka 2024 kuki-wa na marekebisho machache tu.

Anasema dhamira nambari saba ya Malengo ya Maendeleo ambayo Kaunti

ya Kisumu inayakumbatia inahitaji Kaunti kuhakikisha kuna maeneo salama kwa umma na ambayo wananchi wanaweza kuyafikia bila tatizo kufikia mwaka 2030.

Senator Ojienda anaitaka Kamati hiyo kubaini kiwango cha pesa ambazo zilizolekezwa kwenye ukarabati wa Uwanja wa Jaramogi Oginga Odinga na Bustani ya Victoria katika Kaunti ya Kisumu, orodha ya kampuni zilizopewa kandarasi kufanya kazi hizo ikiweka wazi stakabadhi za ushahidi kuonesha endapo utaratibu unaostahili ulifuatwa kikamilifu.

Kamati hiyo itatakiwa pia kubaini tofauti za kifedha kati ya ramani iliyo-chorwa na miradi iliyokamilika kando na kuweka wazi endapo kuna mipango yoyote ya kuwaruhusu wafanyabiashara kuendesha shughuli za biashara kwenye bustani ikieleza vigezo vitakavyotumika kutoa nafasi kwa wafanyabiashara hao.

Kamati hiyo inayoongozwa na Seneta Julius Murgor imetakiwa vilevile kukariri mipango yoyote ya serikali ya Kaunti kujenga Bustani sawia na hizo na maeneo ya burudani kwenye Kaunti ndogo za Muhoroni, Nyakach, Nyando, Kisumu Mashariki, Kisumu Magharibi na Seme kwenye Kaunti ya Kisumu ikifichua migao ya bajeti na wakati wa kukamilika kwa miradi husika.

Huku hayo yakijiri Seneta Ojienda ameitaka Kamati ya Elimu kuwasilisha ripoti kuhusu hali ya vituo vya Elimu ya Chekechea katika Kaunti ya Kisumu.

Anasema kufungamana na Kifungu nambari 186 cha Katiba ya Kenya ya mwaka 2010, kwa pamoja na sehemu ya 9 ya kipande cha 2 cha Mpangilio wa Nne, Elimu ya Chekechea na huduma za Watoto zimegatuliwa huku sehemu ya 5 ya Sheria ya Serikali za Kaunti ya mwa-

ka 2012 ikiweka majukumu na mamlaka ya serikali za Kaunti yakiwemo kubuni, kuanzisha, kusimamia na kudhibiti vituo vya Elimu ya Chekechea.

Kamati ya Elimu itatakiwa kwenye ripoti yake kuweka wazi hali ya sasa ya vituo vya Elimu ya Chekechea katika Kaunti ya Kisumu ikionesha vigezo vya kuruhusu ujenzi wa vituo vipya badala ya kukamilisha vilivyopo.

Seneta huyo aidha anaitaka Kamati kuweka wazi maelezo ya walimu wote walioajiriwa katika kila kituo cha Elimu ya Chekechea nchini Kenya ikionesha kuhitimu kwao na kanuni yakijumuisha pia malipo yoyote ambayo wamelipwa.

Kamati hiyo inayoongozwa na Seneta Joe Nyutu imetakiwa pia kuorodhesha hatua ambazo zimechukuliwa na serikali ya Kaunti kuboresha elimu katika vituo vya Elimu ya Chekechea kwenye Kaunti ya Kisumu na kadhalika kubaini vigezo vinavyotumika kuamua miradi ya Elimu ya Chekechea ambayo inapewa kipaumbele kukamilishwa.

Kaunti ya Kisumu itatakiwa kuifahamisha Kamati ya Seneta Nyutu mikakati iliyowekwa kushughulikia changamoto zilizopo katika ujenzi wa vituo vya Elimu ya Chekechea.

Seneta Kibwana ashinikiza ripoti kutolewa kuhusu kifo cha mwanafunzi Kaunti ya Baringo



Seneta Hamida Kibwana

Kamati ya Seneti ya Usalama wa Taifa, Ulinzi na Uhusiano wa Kimataifa inatakiwa kutoa taarifa kuhusu kifo cha Stephen Mwangi, mwanafunzi wa kidato cha kwanza wa Shule ya Maji Mazuri, iliyoko Eldama Ravine, Kaunti ya Baringo.

Katika ombi la taarifa lililowasilishwa kwa Kamati hiyo, Seneta Hamida Kibwana anataka kujua matukio yaliyotokea kusababisha kifo cha mwanafunzi huyo baada ya makabiliano kati yake na Maafisa wa Idara ya Misitu, KFS.

Seneta Kibwana anataka Kamati hiyo kueleza kilichojiri kabla, wakati wa na baada ya makabiliano hayo kiasi cha kijana huyo kuuliwa.

Pia Kamati hiyo inayoongozwa na Seneta William Cheptumo inatakiwa kueleza hatua zilizopigwa katika uchunguzi kuhusiana na kifo hicho, ikiwemo kuhusu wahusika na matokeo yoyote ya uchunguzi uliofanywa.

Kamati husika inatakiwa kutoa tathmini ya mwenendo na utaratibu unao-fuatwa na maafisa wa KFS katika kuwajibikia wajibu wao, hasa katika masuala yanayohusu umma na udumishaji usalama katika Misitu nchini Kenya.

Seneta Kibwana pia anataka maelezo kuhusu iwapo zipo sera, mwongozo ama mipango ya utoaji mafunzo kwa maafisa hao kuhusu mtagusano wao na raia na jinsi ya kutatua migogoro.

Kwenye ombi hilo la taarifa lililowasilishwa kwenye Seneti, kamati hiyo inatakiwa kubaini mikakati ambayo inachukuliwa au inapendekezwa na Serikali kuzuia visa kama hivyo siku za usoni.

Kwingineko Seneta Betty Montet amewasilisha ombi la taarifa kuhusu shughuli za Baraza la Kitaifa la Elimu ya Jamii za Kuhamahama, NACONEK.

Katika ombi hilo la taarifa, Seneta Montet anaitaka Kamati ya Elimu ku-

wasilisha ripoti ya shule zote kwa kila Kaunti na miradi mingine inayofadhiliwa na baraza hilo tangu mwaka wa 2015 hadi sasa.

Anataka pia kamati hiyo inayoongozwa na Seneta Joe Nyutu kutoa maelezo ya mgao wa kibajeti kwa baraza hilo kwa miaka mitano iliyopita, ukiwemo ufadhili wa washikadau na washirika wengine.

Aidha kamati hiyo inatakiwa kutoa maelezo kuhusu utaratibu wa kufuatwa katika kuziteua taasisi za elimu chini ya baraza hilo na mchakato wa utekelezaji wa mipango yake na ikiwa kuna mipango yoyote ya kupanua shughuli zake kujumuisha wanafunzi katika maeneo yaliyoathiriwa na mafuriko maajuzi.

Kadhalika, Kamati hiyo inawajibishwa kueleza ikiwa baraza la NACONEK hutoa zabuni kwa kampuni kufanya miradi yake, kutoa orodha ya kampuni hizo na maelezo kamili kuhusu kampuni hizo.

CPAC directs Governor Nassir to focus on pending bills, reprimands Governor Godhana



1. Governor Abdulswamad Nassir with members of his Executive Committee when they appeared before CPAC sitting in Mombasa County.
2. Senator Richard Onyonkah takes on Governor Nassir flanked by Senator Fatuma Dullo.

3. Senator Moses Kajwang, Senator Mohamed Faki and Senator Mwenda Gataya Mofire during the meeting with Mombasa County Executive.
4. Governor Dhado Godana when he appeared before CPAC for interrogation on audit queries.

The County Public Accounts Committee (CPAC) has urged the Mombasa County Executive to focus on settling the pending bills that stand at over Sh4 billion and complete the construction of Municipal stadium whose works have stalled despite having consumed in excess of Sh255 million.

The Committee directed Governor Abdulswamad Shariff Nassir to ensure that a verification committee is put in place to determine the true value of the bills he inherited when he assumed office in 2022.

The Committee gave the directive after the Governor revealed that he had formed a task force to verify the bills based on the guidelines agreed upon during the meeting between the 47 Governors and the President.

“I have submitted the names of the members of the task force for gazette-ment,” he said, adding that it will take up to a maximum of 12 months for the task force to complete its work.

The Committee was in Mombasa County where it interrogated the finan-

cial accounts of both Mombasa County Executive and the Tana River County Executive.

Governor Nassir inherited pending bills amounting to Sh5.6 billion and has paid up to Sh1.352 billion. He said the balance will wait the verification.

Senator Mohamed Faki claimed that the Governor has only paid those bills that he has incurred while ignoring those incurred by the administration of Hassan Joho, his predecessor.

“There are complains that he has only paid the current pending bills,” said Senator Faki, adding that the old ones have never been paid since Governor Nassir assumed power.

“We need to do much more as a committee to ensure that the bills are paid,” he added.

Governor Nassir also blamed the national government of undermining his administration plans to construct a modern stadium in Mombasa for the 2027 African Cup of Nations which Kenya will co-host with Uganda, and Tanzania.

On the Stadium, the Governor said he

was waiting for support from the national government which has promised to complete the pending works.

The Committee suspended the consideration of the Auditor General’s reports for Mombasa County Executive for 2021/22 financial year arguing that they were not prepared in line minimum standards developed by the Public Sector Accounting Standards Board.

The Committee, which is chaired by Senator Otieno Kajwang, the consideration of the County’s Executive for the 2021/22 fell short of the Standards and opted to stand them down until crucial issues were resolved between the Office of the Auditor General, the County and the Committee.

“The Auditor General did not comply with the law when she undertook the task,” ruled Senator Kajwang when the County Executive appeared before the Committee to respond to audit queries at an event held at Mombasa County Assembly on Wednesday.

In the case of Tana River County, the committee reprimanded Governor Dhad-

ho Godhana accusing him of running his administration in a carefree attitude and threatened to push for its dissolution.

The committee assailed the Governor for late submission of responses to the queries raised by the Auditor General in the financial reports for the county for the 2020/21 and 2021/22 financial years.

It also took a dim view of the content of the responses which it argued did not address the issues flagged out by the Auditor General Nancy Gathungu in the reports substantively.

This the committee said constitute material breach of the Public Finance Management Act.

“All issues flagged out by the Auditor General, some going back to the 2020/21 financial year have not been resolved,” observed Senator Moses Kajwang, the chair, when the Governor appeared before the Committee to respond to audit queries for the county executive for the two financial years.

CPIISFC wants audit on Isiolo special funds



Governor Abdi Guyo of Isiolo County is sworn in before responding to audit queries on the special funds in the county.

The County Public Investments and Special Funds Committee has directed the Auditor General to conduct a special audit into the management of special funds in Isiolo County.

The decision follows a meeting with Governor Abdi Guyo last week.

The Committee had issued summons against Governor Guyo after he previously ignored invitation to appear.

Senators expressed dissatisfaction with Governor Guyo's responses regarding the Bursary Fund, Emergency Fund, and the Youth, Women, and People with Disabilities Fund.

They deemed the responses inadequate and warned of serious consequences, including the potential suspension of Isiolo County funds, should accountability issues remain unaddressed.

The Committee that is chaired by Senator Godfrey Osotsi directed the Office

of the Auditor General (OAG) to investigate Isiolo County's financial management and report back to the committee within 3 months.

"Given these findings," Senator Osotsi remarked, "We direct a special audit of the funds to be carried out in Isiolo County."

However, Governor Guyo was granted 14 days to prepare and submit more comprehensive responses to the committee.

In a separate session, the Committee instructed Governor Wilberforce Ottichilo to provide a list of all Vihiga County Scholarship beneficiaries, including awarded amounts and justifications. Governor Ottichilo and his team appeared before the committee to address concerns regarding the county's Education and Sports Funds.

Committees want CoB to present pending bills of legal fees in counties

The Committees on Devolution and Intergovernmental Relations and the Committee on Justice, Legal Affairs, and Human Rights have resolved to invite stakeholders to submit their views on the petition seeking to bar counties from procuring the services of external law firms.

The Committees also want the Controller of Budget to provide exact figures of pending bills related to legal fees.

The committees made the ruling after meeting Mr Laban Omusundi, who is the petitioner.

The Petitioner, who is also the Executive Director of the Grassroot Civilian Oversight Initiative, wants the Senate to restrain county governments from engaging private law firms saying this has occasioned excessive expenditure on law firms.

"Billions of taxpayers' funds are spent on law firms despite the existence of County Government Attorneys who are paid to perform the role," said Mr Omusundi.

Mr Omusundi argues that misuse of public funds undermines the objectives of devolution, particularly affecting the healthcare sector. He wants the Senate

to establish a legal framework to ensure counties use their attorneys and to implement measures holding individuals accountable for administrative decisions leading to court cases.

Senator Richard Onyonka supported the petition arguing that engaging private law firms cause financial strain through huge legal fees.

"I am fortunate to sit in CPAC, and indeed counties have pending bills on legal fees amounting to over 56 billion," explained Senator Onyonka.

Senator Okoiti Omtatah provided a contrasting perspective, warning of the implications of such restrictions.

"The constitution is structured in a liberal way," said the Senator, questioning what would happen to other professions such as engineers, architects and insurers. "Why would the government hire consultant engineers when we have government engineers?" he challenged Omusundi.

Senator Mohammed Chute proposed research be carried out to understand each county's debt to external legal services.

"There is a need to look into ways of managing counties to ensure they do not

use millions of shillings to pay for legal services yet they could use the county government hired lawyers to offer similar services. This is in most cases a scheme to steal county funds," said Senator Chute.

Senator Oburu Oginga labelled the practice of hiring external lawyers as an avenue for pilfering public funds. He called for measures to protect counties from losing billions.

Senator Catherine Mumma advocated for an evaluation of whether counties were getting value for engaging external advocates, suggesting the Controller of Budget provide a breakdown of expenditures for each county.

Senator Raphael Chimera pointed out that county officials often attach inflated figures to legal services to receive kickbacks, leading to a significant loss of public funds. "Most of the cases do not deserve huge payments," he asserted.

Mr Omusundi's petition was motivated by the Controller of Budget reports, which revealed billions of shillings spent on external legal services.

The petition aims to deter deliberate erroneous administrative decisions, ensuring personal accountability for decisions leading to court cases.



Senator Wakili Hillary Sigei, Chair of the Justice Committee.

Senators resume for business after break



Water Cabinet Secretary Zachariah Njeru speaks in the House when he appeared to respond to questions raised by members.

The House returns for normal sittings this week after a month-long recess.

The lawmakers took a break on Thursday, May 30 and will return for House business on June 25, 2024 for Part Three of the Third Session of the 13th Parliament.

As they return, a heavy legislative agenda awaits. A total of 44 Bills are pending conclusion in the House, of which 36 are at the Second Reading Stage while eight are at the Committee of the Whole stage, while 17 Motions are pending conclusion.

A total of 17 Petitions are due for reporting by the respective Standing Committees while 368 Statements are pending before the respective Standing Committees.

In Part two of the Third Session, the House considered and passed 6 Bills and referred to the National Assembly.

Eight Motions were adopted while 5 Petition reports were tabled by the Standing Committees on Energy, Health

and National Security, Defence and Foreign Relations.

In his statement to the House just before the adjournment, Leader of Majority Aaron Cheruiyot reminded the lawmakers that the business before the Senate is still substantial.

"I would like to particularly single out Standing Committees and implore upon them to capitalise on the upcoming recess to conclude the business pending before them and to table reports thereon as required by the Standing Orders," he pleaded before the House adjourned.

The Senate Business Committee is expected to meet on Tuesday, June 25, 2024 to consider the business for the week.

The tentative business for Tuesday published on the Order paper includes continuation of debate on the Houses of Parliament (Bicameral Relations) Bill, 2024 which originated from the National Assembly. The Bill is on the second reading stage.

Other Bills that are tentatively set for

Tuesday are the Public Finance Management Bill, 2023, which is sponsored by Senator Hamida Kibwana, the Constitution of Kenya (Amendment) Bill, 2023 and the Heritage and Museums Bill, 2023.

All the Bills are in second reading.

Other business planned for the week include; The Wildlife Conservation and Management (Amendment) Bill, 2023, The Wildlife Conservation and Management (Amendment) Bill, 2023, The Local Content Bill, 2023, The Co-Operative Societies (Amendment) Bill, 2023, The Early Childhood Education (Amendment) Bill, 2023, The County Oversight and Accountability Bill, 2024, The County Civic Education Bill, 2024, The County Statistics Bill, 2024, The Intergovernmental Relations (Amendment) Bill, 2024, The County Assemblies Pensions Scheme Bill, 2024.

The tentative business for Wednesday, June 26, 2024 morning Sitting, will include the Schedule of Questions as approved by the SBC as well as Motions.

This Week in History



"If we look at the history of the Nandis and the Luos, they have lived together peacefully for many years, co-existing, although they do different cultural practices. I do not see why we should be having the two communities fighting in this age. I am reading a script and I hope that these ethnic conflicts are not arising because of the general elections that are coming next year. If this is so, I also condemn in equal measure the security apparatus of this country for not rising up and ending these conflicts. I know it is possible. We saw in other places where helicopters flew. We saw in Lamu and Garissa that the security apparatus rushed there, but I have not seen the same happening at the Kisumu-Nandi border with equal measure." – Sen. Ong

Senator Janet Ongera contributing to debate on the motion on ethnic clashes along the Kisumu-Nandi border on June 28, 2016.



"The Government needs to invest in intelligence gathering. We need to be told why these clashes erupt mostly when the elections are around the corner. We need to be told if there are third parties or leaders – political or otherwise – who fund these clashes. If such people exist, they need to be dealt with. I met Hon. Kaparo after he had paid a visit to the troubled area. He said that he had tried to calm things. His Commission should give us their strategic plan so that we know what activities they have been undertaking and where they intend to go. They should involve all stakeholders."

Senator Judith Sijeny contributing to debate on the motion on ethnic clashes along the Kisumu-Nandi border on June 28, 2016.



"I look at it as a case where maybe, as leaders, we have not helped these people in the right way that we should. This is because sometimes when these issues occur and we go to see them, what do we tell them? Do we encourage them to go on or sit down and solve the issues? Apart from having peace committees as a must factor, leaders from these two counties should also be in the peace committees. As leaders, we should also make it a tendency to keep on talking to these people to find better measures of resolving their issues and living together. That way, we will avoid clashes where people lose their lives and property."

Senator Joy Gwendu contributing to debate on the motion on ethnic clashes along the Kisumu-Nandi border on June 28, 2016.



"I appeal to the Government to ensure that they send security reinforcement to that area and more importantly, the home guards. One time I remember we suggested that these home guards be paid, so that we are able to get information before cattle rustling takes place and people get hurt in areas like what happened in Turkana, Pokot and many other areas. This is because cattle rustling is not new. It is one of the major conflicts affecting our people in this country."

Senator Catherine Nabwala contributing to debate on the motion on ethnic clashes along the Kisumu-Nandi border on June 28, 2016



1. The Committee on Devolution led by chairman Abbas Sheikh (seated third left) in a group photo with members of the Vihiga County Executive led by Governor Wilbur Ottichilo (seated third right) during the Committee's tour of both Vihiga and Bungoma to inspect the state of markets.
2. Senator Richard Onyonkah, Senator Hezena Lemaletian and Senator David Wakoli during the Devolution Committee tour of Vihiga
3. Senator Abbas Sheikh, the chair of Devolution Committee, and Senator Oburu Oginga during a meet the tour in Mbale town, Vihiga County.
4. Senator Abbas Sheikh inspects development projects in Wajir County. He also addressed the County Assembly.
5. Senator Moses Kajwang, Chairman CPAC, with Members of the Tana River County Executive led by Governor Dhadho Godana when the team appeared before the Committee to respond to audit queries.
6. Senator Okiya Omtatah and Senator Mariam Omar follow proceedings during a retreat between CPAC and governance and accountability space.
7. Senator Godfrey Osotsi and Members of the Devolution Committee address members of Public in Luanda Market, Vihiga County.

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8. Senator Dan Maanzo presides over the Committee on Delegated Legislation meeting with the officials from the Council of Governors (CoG) on the Fisheries Management and development Regulations.
9. Senator Agnes Muthama (left) and Senator Betty Montett follow proceedings during the meeting with CoG on Fisheries Regulations.
10. Governor Issa Timamy who represented CoG during the meeting.
11. Senator Jackson Mandago inspects the Pharmacy at Moi County and Referral Hospital.
12. Senator Johnes Mwaruma (left) and Senator Joe Nyuttu at Moi Referral Hospital in Voi
13. Committee on Health also paid a courtesy call on Governor Abdulsamad Nassir before the tour at the Coast Teaching and Referral Hospital.
14. Senator Mandago inspects medical equipment at Msambweni Referral Hospital.



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