



**THIRTEENTH PARLIAMENT**  
**THE SENATE**  
**OFFICIAL REPORT**



**Fifth Session**

**Wednesday, 29<sup>th</sup> April, 2026 at 2.30 p.m.**

# PARLIAMENT OF KENYA

## THE SENATE

### THE HANSARD

Wednesday, 29<sup>th</sup> April, 2026

*The House met at the Senate Chamber,  
Parliament Buildings, at 2.32 p.m.*

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

#### PRAYER

#### DETERMINATION OF QUORUM AT COMMENCEMENT OF SITTING

**The Speaker** (Hon. Kingi): Clerk, do we have quorum?

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

Serjeant-at-Arms, kindly ring the Quorum Bell for 10 minutes.

*(The Quorum Bell was rung)*

We have quorum now, we will start off. Clerk, you may read the first Order.

#### COMMUNICATIONS FROM THE CHAIR

#### OPERATIONALISATION OF TAIDEN MULTIMEDIA CONGRESS SYSTEM

**The Speaker** (Hon. Kingi): I have a Communication to make regarding the operationalisation of the Taiden Multimedia Congress System.

As you may recall, the Taiden Multimedia Congress System was installed during the recess between December, 2025 and February, 2026 to manage the various aspects of the Senate proceedings in plenary. The installation of the new Chamber system was necessitated by persistent system challenges experienced with the former Braehler Congress System, which had become obsolete after its use for over 10 years.

I have issued several communications since the operationalisation of the new system in February 2026, seeking to apprise the House of the status of installation and configuration of the system. You will also recall that, on Tuesday, 10<sup>th</sup> February, 2026,

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the Office of the Clerk organised a briefing session for honourable Senators to familiarise themselves with the operation of the system.

Honourable Senators, as you will further recall, several Senators rose on points of order after I issued a communication in the afternoon sitting on Wednesday, 22<sup>nd</sup> April, 2026, regarding the operationalisation of additional features of the newly installed Chamber system. The Senators raised concerns on, *inter alia*, the accessibility of documents on delegate units, overall use and navigation of the system as well as data protection with respect to collection, use and storage of biometric data.

After listening to the concerns of honourable Senators, I undertook to engage the Office of the Clerk and the service providers on the matter and thereafter, issue further directions.

Honourable Senators, on the issue of collection, use and storage of Senators' biometric data, I would like to draw your attention to a letter reference SEN/DLPS/CORR/2026/(02) and dated 10<sup>th</sup> February, 2026, from the Clerk of the Senate to all Senators. The letter addresses the concerns on data protection and among other things, assures that biometric data will be used for secure authentication and Chamber access, be stored in a secure local server within the Senate's ICT infrastructure and be permanently deleted at the end of a Senator's term.

On the other matters raised by Senators, I wish to reiterate that the installation and configuration process for the system is still ongoing. The service providers are on-site, undertaking necessary systems configurations and installing appropriate software updates to suit the needs of the Senate.

Nevertheless, following consultations with the Office of the Clerk and the service providers, a Kamukunji will be convened next Wednesday, 6th May 2026, at 1.00 p.m., where the Contract Implementation Team responsible for the installation of the Chamber system and the service providers will respond to all issues highlighted by the honourable Senators.

I thank you.

*(Several hon. Senators stood at the Bar)*

Honourable Senators, you may take your seats.

*(Several Senators walked into the Chamber)*

#### LAUNCH OF THE ANNOTATED STANDING ORDERS

**The Speaker** (Hon. Kingi): Honourable Senators, as you will recall, I issued a communication yesterday, Tuesday, 28<sup>th</sup> April, 2026, inviting you to attend the official launch of the first edition of the Annotated Senate Standing Orders and three other publications on the mediation process during the 11<sup>th</sup> and 12<sup>th</sup> Parliaments, the process of allocation of revenue to county governments between the financial years 2013/2014 and 2021/2022 and the impeachment processes in the Senate from 2013 to 2022.

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Following further consultations, I would like to inform you that the launch ceremony will commence at 12.00 noon tomorrow, Thursday, 30th April 2026, at the Parliament Restaurant Garden.

Hon. Senators, this will be a momentous occasion for the Senate because for the first time in the history of the Parliament of Kenya, an annotated version of the Standing Orders will be published.

Collectively, these publications provide a comprehensive reference regarding the role and work of the Senate. They serve as valuable resources for the general public, parliamentary officers, scholars and researchers interested in legislative procedures and practices.

In addition, the publications promote transparency and accountability, serve as authoritative records of Senate procedures, support public participation and informed citizenship, as well as contribute to institutional memory, continuity and further research.

I urge all Senators to come and take pride in the work of the Senate.

Thank you.

Next Order.

*(Sen. M. Kajwang' stood in his place)*

Sen. Kajwang, kindly, take your seat.

*(Sen. M. Kajwang' took his seat)*

## MESSAGES FROM THE NATIONAL ASSEMBLY

### DECISION ON SENATE AMENDMENTS TO THE PUBLIC SERVICE (VALUES AND PRINCIPLES) (AMENDMENT) BILL, (NATIONAL ASSEMBLY BILLS NO.46 OF 2022)

**The Speaker** (Hon. Kingi): Honourable Senators, I wish to report to the Senate that, pursuant to Standing Order No.46 (3) and (4), I have received the following Message from the Speaker of the National Assembly regarding the decision of the National Assembly on the Senate amendments to the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bills No.46 of 2022).

The Message, dated Thursday, 23<sup>rd</sup> April, 2026 was received in the office of the Clerk of the Senate on Friday, 24<sup>th</sup> April, 2026.

Pursuant to Standing Order No.46 (5), I now report the Message –

PURSUANT to the provisions of Standing Order No.41(1) and 148(b) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly -

WHEREAS, on Thursday, 26<sup>th</sup> October 2023, the National Assembly passed the Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No.46 of 2022) with amendments and thereafter referred the Bill to the Senate for consideration in accordance with the provisions of Article 110(4) of the Constitution;

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AND WHEREAS, on Thursday, 21<sup>st</sup> March 2024, the Senate considered and passed the said Bill with amendments and referred it back to the National Assembly for reconsideration in accordance with the provisions of Article 112(1)(a) of the Constitution;

FURTHER WHEREAS, on Wednesday, 19<sup>th</sup> November 2025, the National Assembly considered and rejected the Senate amendments to the said Bill, consequently committing the Bill to a mediation committee pursuant to the provisions of Article 112(2)(b) of the Constitution;

NOW THEREFORE, in accordance with the provisions of Article 112(1)(b) of the Constitution and Standing Order No.149(1)(a) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of five hon. Senators to a mediation committee to consider the Bill in accordance with the provisions of Article 113 of the Constitution.’’

Hon. Senators, consequent to the said decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution:

- (1) Hon. Omboko Milemba, CBS, MP;
- (2) Hon. Rahim Dawood, CBS, MP;
- (3) Hon. Rahab Mukami, MP;
- (4) Hon. Dorice Donya, MP; and
- (5) Hon. Fatuma Jehow, MP.

Honourable Senators, pursuant to the provisions of Standing Order No.166(2) of the Senate and in consultation with the Senate Majority and Minority Leaders, I will, at an appropriate time, appoint Senators to the Mediation Committee.

#### DECISION ON THE FIRE AND RESCUE SERVICES PROFESSIONALS BILL (SENATE BILLS NO.55 OF 2023)

Again, honourable Senators, I wish to report to the Senate that, pursuant to Standing Order No.46(3), I have received a Message from the Speaker of the National Assembly regarding the decision of the National Assembly on the Fire and Rescue Services Professionals Bill (Senate Bills No. 55 of 2023).

The Message dated Thursday, 23<sup>rd</sup> April, 2026, was received in the office of the Clerk of the Senate on Friday, 24<sup>th</sup> April, 2026.

Pursuant to Standing Order No.46 (4), I now report the Message –

“PURSUANT to the provisions of Standing Order No.41(1) and 148(b) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly:

WHEREAS, on Thursday, 5<sup>th</sup> December, 2024, the Senate passed the Fire and Rescue Services Professionals Bill (Senate Bills No. 55 of 2023) with amendments and referred it to the National Assembly for consideration pursuant to the provisions of Article 110(4) of the Constitution;

FURTHER WHEREAS, on Wednesday, 18<sup>th</sup> February, 2026, the National Assembly rejected the Motion for Second Reading of the said Bill, consequently

committing it to a mediation committee pursuant to the provisions of Article 112(2)(b) of the Constitution;

NOW THEREFORE, in accordance with the provisions of Article 112(1)(b) of the Constitution and Standing Order 149(1)(b) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of seven Senators to a mediation committee to consider the Bill in accordance with the provisions of Article 113 of the Constitution.”

Honourable Senators, consequent to the said decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution:-

- (1) Hon. Peter Lochakapong, CBS, MP;
- (2) Hon. Liza Chelule, CBS, MP;
- (3) Hon. Joseph Munyoro, MP;
- (4) Hon. Charo Kazungu, MP;
- (5) Hon. Esther Passaris, OGW, MP;
- (6) Hon. Fatuma Zainabu, CBS, MP; and
- (7) Hon. Jared Okello, MP.

Honourable Senators, pursuant to the provisions of Standing Order No. 166 (2) of the Senate, and in consultation with the Senate Majority Leader and the Senate Minority Leader, I will, at the appropriate time, appoint the Senators to the Mediation Committee.

DECISION OF SENATE AMENDMENTS TO THE COOPERATIVES  
BILL (NATIONAL ASSEMBLY BILLS NO. 7 OF 2024)

Further, Honourable Senators, I wish to report to the Senate that pursuant to Standing Order No. 46 (3), I have received a message from the Speaker of the National Assembly regarding the decision of the National Assembly on the Senate amendments to the Cooperatives Bill (National Assembly Bills No. 7 of 2024). The message dated Thursday 23<sup>rd</sup> April, 2026, was received in the office of the Clerk of the Senate on Friday 24<sup>th</sup> April, 2026. Now, pursuant to Standing Order No. 46 (4), I now report the message.

Pursuant to the provisions of Standing Order No. 41 (1) and 148 (b) of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly:-

WHEREAS, on Tuesday 3<sup>rd</sup> December, 2024, the National Assembly considered and passed the Cooperatives Bill (National Assembly Bill No. 7 of 2024), with amendments, and referred it to the Senate for consideration, pursuant to the provisions of Article 110 (4) of the Constitution.

AND WHEREAS, on Wednesday 12<sup>th</sup> November, 2025, the Senate considered and passed the National Assembly for reconsideration, in accordance with the provisions of Article 112 (1)(b), 1(a) of the Constitution.

FURTHER, WHEREAS on Tuesday 14<sup>th</sup> April, 2026, the National Assembly rejected the Motion for consideration of the Senate amendments to the said Bill,

consequently committing the Bill to a Mediation Committee, pursuant to the provisions of Article 112(2)(B) of the Constitution.

NOW, THEREFORE, in accordance with the provisions of Article 112(1) (b) of the Constitution and Standing Order 149(1)(b) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of nine Senators to a Mediation Committee to consider the Bill, in accordance with the provisions of Article 113 of the Constitution.

Now, Hon. Senators, consequent to the said decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the bill in accordance with Article 113 of the Constitution: -

- (1) Hon. Marianne Kitany,
- (2) Hon. (Dr) Beatrice Adagala,
- (3) Hon. Joshua Mwalyo,
- (4) Hon. Robert Gichimu,
- (5) Hon. John Bwire,
- (6) Hon. Ali Wario,
- (7) Hon. Anthony Oluoch,
- (8) Hon. Joyce Kamene, and;
- (9) Hon. (Dr) Oundo Ojiambo.

Hon. Senators, pursuant to the provisions of Standing Order 166 (2) of the Senate and in consultation with the Senate Majority Leader and the Senate Minority Leader, I will, at the appropriate time, appoint Senators to the Mediation Committee.

SENATE AMENDMENTS TO THE NATIONAL CONSTRUCTION AUTHORITY  
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.59 OF 2022)

Lastly, I wish to report that pursuant to Standing Order 46 (3) and (4), I have received the following message from the Speaker of the National Assembly regarding the decision of the National Assembly on the Senate amendments to the National Construction Authority (Amendment) Bill (National Assembly Bills No. 59 of 2022). The message dated Thursday, 23<sup>rd</sup> April, 2026, was received in the Office of the Clerk of the Senate on Friday, 24<sup>th</sup> April, 2026. Now, pursuant to Standing Order No. 46 (5), I now report the message:-

PURSUANT to the provisions of Standing Order No. 41 (1) and 148 (b) of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly. Whereas on Thursday, 26<sup>th</sup> October, 2023, the National Assembly passed the National Construction Authority (Amendment) Bill (National Assembly Bill No. 59 of 2022) with amendments, and thereafter referred the Bill to the Senate for consideration in accordance with the provisions of Article 110 (4) of the Constitution.

AND WHEREAS on Thursday, 19<sup>th</sup> November, 2024, the Senate considered and passed the said Bill with amendments and referred it back to the National Assembly for reconsideration in accordance with the provisions of Article 112(1)(a) of the Constitution.

FURTHER, WHEREAS on Wednesday, 18<sup>th</sup> June, 2025, the National Assembly considered and rejected the Senate amendment to the said Bill, consequently committing

the Bill to Mediation Committee pursuant to the provisions of Article 112(2)(b) of the Constitution.

NOW, THEREFORE, in accordance with the provisions of Article 112(1)(b) of the Constitution and Standing Order No. 149(1)(a) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate and seek the appointment of seven Hon. Senators to a Mediation Committee to consider the Bill in accordance with the provisions of Article 113 of the Constitution.

Hon. Senators, consequent to this said decision, the Speaker of the National Assembly appointed the following Members of the National Assembly to the Mediation Committee to consider the Bill in accordance with Article 113 of the Constitution-

- (1) Hon. Rindikiri Murwithania,
- (2) Hon. Jane Kagiri,
- (3) Hon. John Wanjiku,
- (4) Hon. Joseph Cherorot,
- (5) Hon. Zamzam Mohamad,
- (6) Hon. Timothy Wanyonyi, and;
- (7) Hon. Irene Mayaka.

Now, Hon. Senators, pursuant to the provisions of Standing Order No.166 (2) of the Senate and in consultation with the Senate Majority Leader and the Senate Minority Leader, I will, at appropriate time, appoint Senators to the Mediation Committee.

I thank you, Hon. Senators. Next order. Yes, Senator for Homa Bay County.

**Sen. M. Kajwang’:** Mr. Speaker, Sir, I appreciate the very detailed communication that you have made that stems from Standing Order No.46. I just wanted to request the Speaker and the secretariat to ensure that those detailed communications from the Chair are also made available to Senators on these devices. This is because your detailed report to this House, coming from the National Assembly, indicates that there will be a time when there will be more Mediation Committees than Standing Committees in this House. From your communication, I think there will be about four or five Mediation Committees just in one day.

So probably this could be made available to us so that we can refer to them. They are a very important basis for bicameral relations. I believe that even though Senators have heard, it would be important for us to have that record for future reference. Thank you.

**The Speaker** (Hon. Kingi): It is a valid concern. It is noted.  
Next Order.

### PAPER LAID

**The Speaker** (Hon. Kingi): Chairperson, Standing Committee on Information, Communication and Technology. Sen. Alan Chesang’, proceed.

REPORT ON THE ELECTRONIC EQUIPMENT DISPOSAL, RECYCLING  
AND REUSABLE BILL (SENATE BILLS NO.5 OF 2025)

**Sen. Chesang:** Mr. Speaker, Sir, I beg to lay the following Paper on the table of the Senate today, Wednesday, 29<sup>th</sup> April, 2026;

Report of the Standing Committee in Information, Communication and Technology on its consideration of the Electronic Equipment Disposal, Recycling and Reusable Bill (Senate Bills No. 5 of 2025).

*(Sen. Chesang laid the document on the Table)*

**The Speaker** (Hon. Kingi): Next Order. The Vice Chairperson, Mediation Committee.

### NOTICE OF MOTION

ADOPTION OF REPORT ON NATIONAL DISASTER RISK MANAGEMENT  
BILL (NATIONAL ASSEMBLY BILLS NO.24 OF 2023)

**Sen. Chute:** Thank you, Honourable Speaker. Allow me to give notice of the following Motion:

THAT, the Senate adopts the report of Mediation Committee on National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023), laid on the table of the Senate on Tuesday, 28<sup>th</sup> April, 2026, and that pursuant to Article 113 (2) of the Constitution and Standing Order No.167 (3) of the Senate approves the mediated version of the Bill.

Thank you, Mr. Speaker, Sir.

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

### QUESTIONS AND STATEMENTS

Now, before I call the honourable Senators to request for statements pursuant to Standing Order No.53(1), allow me to make this Communication.

*(Sen. Betty Montet and Sen. Boy stood up in their places)*

Sen. Montet and Sen. Issa Boy, take your seats please.

*(Sen. Betty Montet and Sen. Boy resumed their seats)*

*(Interruption of Questions and Statements)*

**COMMUNICATION FROM THE CHAIR****VISITING DELEGATION FROM KENYATTA  
UNIVERSITY STUDENTS ASSOCIATION**

Hon. Senators, I would like to acknowledge the presence in the Public Gallery this afternoon, a visiting delegation of the 21<sup>st</sup> congress members of the Kenyatta University Students Association (KUSA). The delegation comprises of 59 students visiting the Senate for an academic exposition. On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

I will call the Senator for Kiambu County to extend a warm welcome in under one minute.

**Sen. Thang'wa:** Thank you very much, Mr. Speaker, Sir, for giving me this opportunity to welcome students from KUSA to the Senate. This is the House that is tasked to oversee and protect the interest of the counties pursuant to Article 96 of the Constitution. I take this opportunity to welcome you as the Senator for Kiambu County and on behalf of the Senate.

During your time here, you will have the opportunity to learn both from our work in the Chamber and from what happens behind the scenes with our staff. We are not always as quiet as we are today, but the real action is yet to come, so, please, stick around. We have several Motions and Bills on the horizon that are sure to get everyone on their feet. So, do not go very fast. Welcome

*(Resumption of Questions and Statements)*

**STATEMENTS**

**The Speaker** (Hon. Kingi): Statement pursuant to Standing Order No.53 (1). Senator from Busia County, Hon. Okiya Omtatah.

**REGULATION AND COMPLIANCE OF TVET  
INSTITUTIONS IN THE COUNTRY**

**Sen. Okiya Omtatah:** Thank you, Mr. Speaker, Sir. I rise pursuant to Standing Order No.53 (1) to seek a statement from the Standing Committee on Education on a matter of national concern regarding the regulation and compliance of Technical and Vocational Education and Training (TVET) institutions in the country.

Mr. Speaker, Sir, there are growing concerns over the emergence of institutions offering uncredited programmes, misrepresenting certifications and international partnerships and making questionable employment guarantees, thereby exposing students and parents to potential exploitation and undermining the integrity of the TVET subsector. In the statement, the committee should address the following-

(1) The number of institutions registered and accredited by the Technical and Vocational Education Training Authority, including their current accreditation status and approved programmes.

(2) The measures in place to identify, regulate and act against non-compliance institutions, including those operating without accreditation or offering unapproved programmes and data on enforcement actions undertaken in the last three years.

(3) The regulatory framework governing programme accreditation, certification and the conduct of assessments, including safeguards against misrepresentation of qualifications.

(4) The legal and institutional framework governing partnerships with international bodies and employment facilitation by TVET institutions, including licensing requirements and the oversight mechanism.

Thank you.

**The Speaker** (Hon. Kingi): Senator for Taita-Taveta County, Hon. Mwaruma.

EMPLOYMENT PRACTICES OF M/S DEVKI STEEL MILLS  
MANUFACTURING PLANT IN TAITA TAVETA COUNTY

That statement is dropped.

*(Statement dropped)*

Hon. Alan Chesang.

MONETIZATION PRACTISES AND REVENUE  
SHARING MECHANISM ON X

**Sen. Chesang:** Mr. Speaker, Sir, I rise to Standing Order No.53 (1) to seek a statement from the Standing Committee on Information, Communication and Technology on a matter of nation-wide concern regarding the concerns raised by Kenyan content creators on monetization practises and revenue sharing mechanism on X, particularly in relation to fairness, transparency and equitable participation in the digital economy.

The digital economy increasingly drives employment and income, especially among Kenyan youth engaged in content creation across global digital platforms. However, concerns have emerged from Kenyan creators about earnings on X and the transparency and structure of its monetization systems. This issue raises policy and regulatory questions within the Kenyan Information and Communication Act, 1998 and National Digital Economy Strategies. In the statement, the committee should address the following-

(1) The nature, structure and transparency of X monetization and revenue sharing mechanisms covering eligibility criteria, payout models, factors influencing earnings and how revenue is calculated.

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

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Kinyua?

**Sen. Kinyua:** Mr. Speaker, Sir, the Senator for Trans Nzoia County is the Chairman of the Standing Committee on ICT. He does not need to seek a statement. They can do that from their committee *suo moto*. I needed your clarification whether the committee can always get statements here for them to do their work.

**The Speaker** (Hon. Kingi): Sen. Alan Chesang, proceed to conclude, please. Take your seat, Sen. Kinyua.

**Sen. Kinyua:** I just want your guidance, Chair.

**The Speaker** (Hon. Kingi): Take your seat. That is my guidance.

**Sen. Kinyua:** Okay.

*(Laughter)*

**Sen. Chesang:** Thank you, Mr. Speaker, Sir. In the statement, the committee should address the following-

(1) The nature, structure and transparency on X monetization and revenue sharing mechanisms covering eligibility criteria, payout models, factors influencing earnings and how revenue is calculated and distributed to Kenyan creators, alongside any regional or platform-specific variations affecting earnings and comparisons with platforms such as YouTube and Facebook.

(2) The extent of Government engagement with X on monetization practises, including discussions involving the Ministry of Information, Communications and the Digital Economy and the Communication Authority of Kenya (CA), their outcomes, the presence of any local compliance structures and available dispute resolution mechanisms.

(3) Whether the Government has assessed the economic contribution of Kenyan digital content creators across platforms such as X, YouTube and Facebook and the extent to which participation translates into income for users.

(4) The policy, regulatory and collaborative measures under consideration nationally and through regional and international bodies such as the East African Community (EAC) and African Union (AU) to promote fair, transparent and sustainable monetization opportunities for Kenyan digital content creators.

I thank you.

**The Speaker** (Hon. Kingi): Next is the Senator for Kitui County, Hon. Enoch.

#### HUMAN-WILDLIFE CONFLICT IN KITUI COUNTY

**Sen. Wambua:** Mr. Speaker, Sir, I rise pursuant to Standing Order No.53(1), to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of countywide concern regarding human-wildlife conflict in Kitui County.

Elephants have increasingly caused havoc and extensive destruction of crops, property and livelihoods in several areas in Kitui County. The most recent incident occurred on Saturday, 25<sup>th</sup> April, 2026, in Ngali Village in Ngalange Sub Location, Simisi Location, where a lady, Ms. Kaviti Maithya, was attacked by a stray elephant at around 7.00 p.m. at Ngali Shopping Centre where she operated a kiosk. She sustained

multiple fractures and internal injuries and succumbed to the injuries while undergoing treatment at Kitui County Referral Hospital the following morning.

In the statement, the committee should address the following-

(1) Reasons for lack of adequate mechanisms to prevent elephants from encroaching into residential areas and persistently invading homes, thereby posing security threats to residents of Kitui County.

(2) Compensation process for the family of Ms. Kaviti Maithya and a report on all pending human-wildlife conflict compensation claims in Kitui County, reasons for delay in payment and expected timelines for settling outstanding claims.

(3) Strategies currently in place by the Kenya Wildlife Service (KWS) and other relevant agencies to mitigate persistent human-wildlife conflict caused by elephants and an explanation of why adequate action has not been taken to protect both elephants and local communities despite recurring invasions.

Mr. Speaker, Sir, with your permission, I would like to read the second Statement.

#### KILLING OF PEOPLE BY BANDITS IN KITUI COUNTY

Mr. Speaker, Sir, rise pursuant to Standing Order No.53(1) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of countywide concern regarding the horrific killing of seven people in Kwa Kamari, Tseikuru Ward, Kitui County, by bandits on Saturday, 25<sup>th</sup> April, 2026, and the killing of a schoolboy in Ukasi, Nguni Ward, Kitui County, by bandits on Tuesday, 28<sup>th</sup> April, 2026.

Seven people were brutally murdered in Kwa Kamari, Tseikuru Ward, Kitui County, by bandits, on Saturday, 25<sup>th</sup> April, 2026. A couple of weeks earlier, a young man was murdered by bandits masquerading as camel herders in the same ward. Only yesterday, yet another schoolboy, James Mutemi, of Kiiro Village in Ukasi, Mwingi Central Constituency, was slashed into pieces by bandits as he was herding the family livestock.

This latest incident has triggered chaos on the Garissa-Mwingi Road with enraged residents blocking Garissa-Nairobi bound buses demanding justice. A wrong but very dangerous impression is being created that the Kamba and the Somali communities are at war. The ball is in the court of the national security apparatus to nip this perception in the bud before the situation gets out of control.

The people of Kitui County continue to suffer repeated attacks yet responses remain casual and reactionary. Casual statements being made suggesting that people should vacate game reserves in the county or that wild animals will be introduced in the reserves trivialize a very serious security problem.

In the statement, the committee should address the following-

(1) Measures undertaken by the Ministry of Interior and National Administration and the National Police Service (NPS) to apprehend perpetrators of the Tseikuru killings and stop further attacks in Kitui County.

(2) Plans in place to ensure adequate security personnel and resources are deployed to protect residents of Tseikuru, Ngomeni, Endau/Malalani, Mutha and Kanziko wards among other affected border areas in Kitui County.

(3) Immediate and long-term strategies being implemented to curb banditry and cross-border incursions by camel herders, including coordinated regional security operations.

(4) Clarification on the operational jurisdiction of county security officers when criminals flee into neighbouring counties and how inter-county and regional coordination is being strengthened to ensure effective pursuit and apprehension of culprits.

(5) The comprehensive plan for a lasting solution to banditry in Kitui County beyond casual pronouncements, including escalation to regional security bosses to formulate a coordinated action plan to apprehend culprits and dismantle their networks.

(6) Compensation and support mechanisms for the victims' families, including livelihood restoration and psycho-social support for affected communities.

I thank you.

**The Speaker** (Hon. Kingi): Hon. Senators, I will allow comments on the Statement that have been sought for not more than 15 minutes. If you get an opportunity to comment, kindly keep it under three minutes.

The first one is Sen. Tabitha Mutinda.

**Sen. Tabitha Mutinda:** Mr. Speaker, Sir, I rise to make comments on the Statement by Sen. Enock Wambua regarding the massacre happening in my mother's county which is the great County of Kitui. It is sad that as a country, we are on the Floor of this House discussing such matters where our people are being killed. We are all Kenyans.

This is a matter that has been going on for years and the people of Kitui County have spoken. They have said that Ministry of Interior and National Administration should go down and ensure that they address the matters because they are happening and they are in the public domain.

It is so sad that we can have a community killing another community. The Kamba Community is among the humblest most courteous and hardworking communities in this country. It is a community that accommodates all across.

Even from political affiliations, we have cut across the board, both in government, in opposition, and we work very well. It is sad that today, as one of the most trusted communities, our people of Kitui County will be undergoing what they are undergoing. I heard a man ask a question to the Senator of Kitui County. When the Senator asked, "Why are you killing our people?" the gentleman said, "Just two people?". Every life is important and it matters.

As I conclude so that I give my other colleagues to put in a word, we need the Cabinet Secretary for the Ministry of Interior and National Administration, none other than the Hon. Murkomen, to fasten and go down to this region and remove, and the key word is "to remove" what is causing this problem to the people and the great people of Kitui County.

I submit.

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

**Sen. Kavindu Muthama:** Mr. Speaker, Sir, I thank you for this opportunity. I would like to comment on the three Statements, two from Sen. Wambua and the other from Sen. Omtatah.

Mr. Speaker, Sir, this issue of bandits in Kitui County has been on for so long. Since I joined the Senate last term, every other time, Sen. Wambua has a Statement on the issue of bandits, his people being killed or animals being stolen. It is high time for the Cabinet Secretary (CS) for Interior and National Administration and the Government of Kenya, to put a permanent solution to the issues of the bandits in Kitui County and that border. It is doable. We have the security and all what it takes for the people of Kitui County to live in peace. The Government has an obligation to protect every citizen of this country.

So, I would request the Senate Standing Committee on National Security, Defence and Foreign Relations to take action and go to Kitui County and do what is necessary for Kitui people to live in peace. They do not live peacefully because they fear that bandits might come the next minute.

Mr. Speaker, Sir, I would like to comment on the second statement on wildlife and human conflict. Wildlife conflicts and human conflict are too much and the government is taking too long to compensate the people after they have been killed.

Mr. Speaker, Sir, I keep on receiving phone calls from my people from Masinga, Machakos County. People are being terrorised by crocodiles, hippopotamus and other wildlife, with many of them having been killed. From 2014 to date, only 16 people have been compensated. We are talking about people who were killed from 2014, 2015, 2016 and have never been compensated.

So, we are asking for the Ministry concerned and the Kenya Wildlife Service (KWS) to take action, compensate and protect the people. I thank God for the Ministry of Tourism and Wildlife which has also put a fence at Ol Donyo Sabuk Game Reserve in Kilimambogo. However, they are leaving gaps where some animals are still going through to terrorize people.

I would like to ask the Ministry concerned to put that fence completely so that hyenas will not come down from the game reserve to terrorize my people.

Thank you, Mr. Speaker, Sir.

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

**Sen. Methu:** Mr. Speaker, Sir, thank you for giving me an opportunity to comment on the statements that have been sought.

Whatever is happening to our cousins from the lower eastern region in Kitui County is an extremely sad situation. I like what has been put in this statement by the Senator for Kitui County. I sympathise with you, Senator for Kitui County, because the way some people want to trivialize such a serious security situation, is an extremely sad thing.

Of the many things that Sen. Cherarkey has ever said on the Floor of this House, I now finally and formally agree with him when he says that the Cabinet Secretary for Ministry of Interior and National Administration has to be followed and is a testimony that incompetence cannot be substituted. He once said that incompetence was seen when he was in the Ministry of Roads and Transport, incompetency followed him when he was

in the Ministry of Youth Affairs, Creative Economy and Sports, and incompetency has followed him now in the Ministry of Interior and National Administration. Unfortunately, we can understand if our sports sometimes do not work. We can understand if there is a pothole or a problem on the roads. However, what can we say about seven people being killed in one day or night?

*(Technical hitch)*

Perhaps I have said something that people do not like, because certainly, I have not spoken for three minutes. I do not know why the clerk is---

Mr. Speaker, Sir, it cannot be that we have not heard any comment from the Ministry of Interior and National Administration. I want the Senator for Kitui County to challenge me on that. In a democracy that would be working, the Cabinet Secretary should have at least, given the people of Kitui County, the comfort of telling them this is exactly what we are doing.

“Madam Speaker”---I do not know why I keep calling you Madam Speaker. I think it is because most of the time I speak after you have left.

Mr. Speaker, Sir, if you look at what has been given as an answer to the Senator for Kitui County, that people should leave game reserves - this is such a sad answer because these are people who have lived in Tseikuru. I was down that route over the weekend. This is the place that these people have called home all their lives, and they are now being told that you have to vacate, just because some people... and incompetence is being seen.

Mr. Speaker, Sir, this country is descending to something that we cannot stand and into levels that we have never seen. On one side, citizens are crying about this country becoming a good nation. On the other side, even citizens who are peaceful cannot enjoy quality life. As a Member has said, Kambas are very peaceful. “Madam Speaker”-- -They are the most peaceful citizens. I do not know how I will stop calling you “Madam Speaker”.

Seven people were killed in one night. On the 25<sup>th</sup> of April, seven people were killed. Nothing has been said by the Cabinet Secretary and the Principal Secretary (PS) for the Ministry of Interior and National Administration and the National Police Service. However, they are always available to go and throw tear gas in our meetings. Where are these policemen to protect life and property of the people of Kenya? It cannot be that they are always very present when they are being sent to go and deal with political problems, but they cannot protect life and property of the people of Kenya.

I thank you, Mr. Speaker, Sir.

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

**Sen. Ogola:** Mr. Speaker, Sir, I thank you for giving me the opportunity. I feel for the people of Kitui and condole with our brother, Sen. Enock Wambua. We do not need to lose any life. It is unimaginable to say that eight people have been killed by bandits. Who are these bandits?

In this republic, we have an investigative arm that is able to detect issues before they happen. It is pathetic that the people of Kitui are mourning today over some loss.

There must be reasons behind these killings. As we deal with the loss of these noble people of Kitui, what is behind this massive killing must be brought to book.

It is for that reason that I keep on mourning the loss of one Raila Amollo Odinga. One of the last functions that he attended, he made it very clear, that as a nation, we should think as Kenyans. Let us stop this primitive thinking of our communities. I say this because Sen. Wambua said that this killing is done by one community against the other. We are one nation. If you cut yourself, we have the same blood groups. So, we should never lose life for whatever reason. The committee that will be handling this must focus on the causes of these deaths.

I also want to comment on the human-wildlife conflict. As we talk about compensation, it must also be timely. In my constituency along the River Kuja, there is often loss of lives in a village called Bungumanyoro. A number of students, mothers and people have lost their lives. We are calling on the County Government of Homa Bay to provide water to the people of Bungumanyoro so that women do not have to go to the rivers to look for water where there are crocodiles and keep on losing their lives.

I support this statement.

**Sen. Okenyuri:** Thank you, Mr. Speaker, Sir. I want to support the Statement by Sen. Omtatah on Technical and Vocational Education and Training (TVET) Act and regulations. While I support accreditation and all that pertains having institutions which are qualified to conduct whatever training, I feel that there is a problem on the issue of the Kenya Institute of Management (KIM). This is because it has existed for almost 10 years. Where was TVET when the KIM was conducting training and awarding certificates to students? Where does the fate of the many staff members, graduates, learners lie at the moment?

Let the issue of KIM not be the eye-opener. We have so many other issues similar to this. For instance, the TVET authority came up and cancelled accreditation and the matter is lying down like it is a small matter.

So, I feel that the committee that is going to look into this matter needs to go down deeper so that we do not lose many students who acquired certificates, paid school fees and now their fate is just out there. So, Sen. Omtatah's Statement is very serious which we need to look at it, especially when we are talking about education matters and acquisition of skills in this country.

**Sen. Osotsi:** Thank you, Mr. Speaker, Sir. I want to comment on the Statement by Sen. Allan Chesang on the monetization of content creators on X. I have read the Statement. I think this is the kind of statement that will just add pain to the content creators who are already paying taxes. We have the digital service tax, which is 1.5 per cent of the money that they get from content creation. There is also the Value Added Tax (VAT) for digital services of 16 per cent. So, the information that the Senator is seeking can easily lead to more taxation to content creators.

These content creators are young people who earn from online media because they cannot get jobs. So, I want to ask Sen. Chesang to be very careful with the kind of information he is asking us to get. This is because it is going to tighten Government control over use of digital media and therefore more pain to the jobless youth. In any case, this information is available. I think you can get it from X, YouTube or all the other

social media platforms. The direction and the tone of this Statement is basically to ignite the interest by the National Treasury to tax content creators even more. I think that direction will not support the youth of this country.

I want to ask the Committee on Information, Communication and Technology, when looking at this statement, to be careful so that they do not create that interest in trying to tighten control over usage of digital space for self-employment by our youth. I know there are a number of initiatives that the Communication Authority of Kenya (CA) has put in place on this matter. Let it rest there. Pushing it harder is not the direction that will support the youth of this country. We want content creators to earn more. The pricing structure is standard globally. It is not specific to any single country.

I just want to discourage the issue of trying to look at the youth who use social media as a source of tax revenue. That is going to demoralise the youth who are not in employment and have gone to social media to try and earn a living.

Mr. Speaker, Sir, I just wanted that to be heard. As an expert in this industry, I do not think this is the direction that we should take as a country. We must, instead, enhance social media creators' economy so that we have so many of our young people making money online and not trying to discourage them through taxation or initiatives that are going to make the Government to have tighter control over social media platform.

That was my comment on that Statement.

**Sen. Kinyua:** Asante, Bw. Spika. Ninataka kuchangia kauli iliyoletwa na Seneta wa Kitui kuhusu uvamizi na kuuawa kwa wananchi wa Kitui.

Wakati tunaunda Serikali yoyote, jukumu lake kubwa ni kulinda mali na maisha ya wananchi. Ni jambo la kuvunja moyo sana kusikia ya kwamba katika sehemu ya Kwa Kamari, watu saba waliuwawa. Kabla yake, wiki kadhaa zilizopita kijana aliyekuwa malishoni aliuwawa. Ni jana tu, kijana anayeitwa Mutemi, alishambuliwa, kukatakatwa na kuuwawa.

Waziri wa Usalama alituambia ya kwamba yeye mwenyewe anajua mahali watu wamelala na vile wanavyoota lakini hawezi kuzuia wananchi hawa wa Kitui kushambuliwa na kuuwawa. Viji sababu ambavyo vinapeanwa ni kuwaambia watu wahame katika mbuga za wanyama.

Bw. Spika, tuna hofu na uchungu ikiwa wale ambao tunawakilisha watashambuliwa na kuuliwa. Hivi, mimi nakisia ya kwamba, huyu Waziri wa Usalama tuliye naye pengine ni kipofu, haoni yanayoendelea katika nchi ya Kenya au, pengine ni bubu, hasikiii yale ambayo yanatendeka katika Jamhuri ya Kenya.

**The Speaker** (Hon. Kingi): Sen. Kinyua, bubu na kusikia zinahusiana vipi?

**Sen. Kinyua:** Bw. Spika, ukiongea na daktari, atakuambia kwamba, wengi wa mabubu vile vile ni viziwi. Kwa hivyo, nasema ni bubu kwa sababu hajaongea jambo lolote kuhusu yale yanayotendeka pale Kitui. Baada ya maafa hayo kutokea Kitui, juzi, nilimwona moja kwa moja pale Ravine kwa harambee akiimba “tutam”. Hilo sio jambo ambalo amechaguliwa kufanya, amechaguliwa kulinda maisha na mali ya wananchi wa Kenya.

Bw. Spika, Sen. Osotsi alichapwa kichapo cha mbwa kuingia msikitini na hakuna hata mmoja wa wale waliompiga ameshikwa.

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

**Sen. M. Kajwang’:** Mr. Speaker, Sir, allow me to comment on the very unfortunate statement by my Deputy Leader of Minority, Sen. Wambua.

Charity must begin at home. Yesterday, our very valiant policemen and women came back from Haiti where they went and contained gang violence. You cannot be fixing Haiti if we are not fixing problems back in Kenya. Seven lives are too many. In fact, there is an emerging theory in this country that if you want action from the national Government, kill a politician, beat up a politician or raid the property of a politician. The loss of seven lives is too much.

Not too far back in Todonyang’ in the county of my friend here, Senator from Turkana, 42 people were killed. Every time they are killed, it is referred to as tribal warfare and cultural practices; this is crime. The right to life that is enshrined in this Constitution must be guaranteed by the State, failure to which, Kenyans shall revert back to the right to self-defense.

Mr. Speaker, Sir, even though arrows are flying and spears are flying and machetes are being used, this country must know that a gun is not rocket science. Today, you can print a gun using a 3D printer, what stops the antagonist or the protagonists from printing or procuring guns? When that happens, we will move into anarchy and this state will fall.

I urge the national Government to take this matter seriously and avoid the knee-jerk reactions that give the impression that the political class is far more important than the people who have put us in these positions.

I send my condolences to the people who have been affected and urge for speedy reconciliations. I also urge the leadership to talk to the affected parties to ensure that we deescalate this conflict. However, the ultimate responsibility lies in the hands of the state.

Allow me to also comment on Sen. Omtatah’s Statement. In 2022, I sponsored the County Vocational Training and Education Bill. That Bill was supposed to do exactly what Sen. Omtatah is asking; provide a legal framework for regulation of technical and vocation training in this country. From 2022, that Bill has not made progress in the National Assembly.

Mr. Speaker, Sir, please, we also need to have some seriousness where we consider the Bill that we have send to the other House and take a position. This Order Paper is full of Bills from the National Assembly. We are doing well but the other House is not considering our Bills. Otherwise, the issues raised by Sen. Omtatah, issues affecting the Kenya Institute of Management (KIM) and various institutions would not arise if that Bill---

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

**Sen. Cherarkey:** Mr. Speaker, Sir, from the onset, I send my deepest condolences to the people of Kitui. They are my in-laws and relatives.

Secondly, Article 26, right to life is very critical. It is very unfortunate that as we speak today---

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Methu?

**Sen. Cherarkey:** Could you freeze my time, I was just taking off.

**Sen. Methu:** Mr. Speaker, Sir, thank you very much. I do not want to disrupt Sen. Cherarkey’s flow of thought, but there is a situation that you need to address

immediately. As it is now, the colleagues who are in the precincts of Parliament cannot go out and those who are out cannot come in. There is a very major situation at the gate that requires your very urgent intervention. One of our colleagues, Sen. Orwoba, is at the gate saying that: “Anatuheshimu lakini hatuogopi”.

*(Laughter)*

There is no way we can go out or come in. I think that is a situation that requires your very urgent intervention.

**The Speaker** (Hon. Kingi): Senator for Nandi County, proceed. We will deal with that administratively, Sen. Methu.

**Sen. Cherarkey:** Thank you, Mr. Speaker, Sir. I hope my time was preserved.

Secondly, Article 26 is very clear on the right to life. I assure Sen. Wambua that our prayers and thoughts are with him. It is very unfortunate that these killings are happening while our police were in Haiti. I am happy today that although I differ with Sen. Methu on many things, finally, I am being vindicated because this boils back to the incompetency, moribundness and ineffectiveness of the Cabinet Secretary for Interior and National Administration.

The more he stays in that Ministry, the more Kenyans will die and never, to be replaced. Over the weekend, I lost a young man called Sammy Kowendi; he was murdered in the Meru killings that were happening. In this town, when you remove your phone, it goes with the hand. We must address that. The buck stops with the Cabinet Secretary for Interior and National Administration. I remember when the Committee for National Security, Defence and Foreign Relations called him to appear before them, he failed to appear because we wanted to ask critical questions.

Finally, I call upon the Directorate of Criminal Investigations (DCI); I saw that they arrested a lady called Bare Sahara Ahmed who was inciting people digitally. Unfortunately, the DCI did not give us the mugshot of that young girl. We do now want to deal with the double standards of the DCI.

I do not know why my teacher, Sen. (Prof.) Ojienda, who is allegedly sponsoring goons in Kisumu is pointing at me.

*(Laughter)*

Mr. Speaker, Sir, the point I am trying to make is that, on the issue of incitement and reconciliation, you must direct the Committee chaired by Sen. Chute to be part of the National Security, Defence and Foreign Relations together with the Committee on National Cohesion, Equal Opportunity and Regional Integration so that we see how to help the people of Kitui. I hope this matter will be put to rest so that the people of Kitui can enjoy their right to freedom.

I appeal to the party leader and other leaders---

**The Speaker** (Hon. Kingi): What is your point of order, Sen. Karungo.

**Sen. Thang’wa:** Mr. Speaker, Sir, I seek your guidance. Is the Senator for Nandi-

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**The Speaker** (Hon. Kingi): What is the Standing Order that you are invoking?

**Sen. Thang'wa:** Standing order No. 101 and 105 on statement of fact. Is the Senator for Nandi County referring to the Senior Counsel, Sen. Ojienda, as a goon? He needs to substantiate because the other day, I remember the same Senator was fighting for the Senate when we were portrayed as such. Is he referring to Sen. Ojienda as a goon general?

**The Speaker** (Hon. Kingi): Sen. Karungo, what I heard from Sen. Cherarkey is that he used the word "allegedly". I do not think we need to---

Proceed and conclude your thoughts.

Sen. Cherarkey, your time is up.

*(Loud consultations)*

Okay, one minute.

**Sen. Cherarkey:** Mr. Speaker, Sir, I saw Sen. Karungo Thang'wa sitting next to somebody who was referred to us goons. So, he should have hit him with a *ngumi* in honour of this House.

*(Laughter)*

Mr. Speaker, Sir, the buck stops with the Cabinet Secretary for Interior and National Administration. I hope the Inspector General (IG) of Police will ensure the people of Kitui are held as--- Sen. (Prof) Tom Ojienda assisted us, but he did it later. I am surprised he is sitting next to Sen. Osotsi. I do not know, but Sen. Osotsi, you need to be careful.

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

*(Laughter)*

**The Speaker** (Hon. Kingi): Now, hon. Senators, we have expended the time allocated to this particular comment session. We will move to the next Order.

Clerk, next Order, please.

## MOTION

### ADOPTION OF REPORT ON PETITION ON DISCRIMINATION, INTERFERENCE AND VIOLATION OF CLINICAL OFFICERS' PRACTICE RIGHTS BY THE MINISTRY OF HEALTH, CoG AND SHA

THAT, the Senate adopts the Report of the Standing Committee on Health on a Petition to the Senate by the Kenya Union of Clinical Officers (KUCO) regarding alleged discrimination, interference and violation of Clinical Officers' practice rights by the Ministry of Health, the Council of Governors and the Social Health Authority, laid on the Table of the Senate on Wednesday, 1<sup>st</sup> April, 2026.

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*(Sen. Mariam Omar on 21.04.2026)*

*(Resumption of debate interrupted on 22.04.2026 – Afternoon Sitting)*

**The Speaker** (Hon. Kingi): The Mover of this Motion, you may now proceed to reply.

**Sen. Mariam Omar:** Thank you, Mr. Speaker, Sir. I rise to reply to the Motion on the Report of the Standing Committee on Health on the petition to the Senate by the Kenya Union of Clinical Officers regarding alleged discrimination, interference and violation of the clinical officers' practice rights by the Ministry of Health, the Council of Governors and the Social Health Authority.

I thank the many Members who have contributed to this Motion. Healthcare is more of Human Resource. We have engaged so many stakeholders on this and we came up with almost four recommendations. I urge that these recommendations be taken seriously, so that at least these human resource issues are implemented.

There are 5,433 clinical officers in the country. If you go to each county, these clinical officers do almost everything doctors do. They are all multitasking in all other activities, but when it comes to human resource, deployment, internship, permanent and pensionable terms, transfers and absorption, they are not anywhere. These 5,433 are outside there; they are done with their education. They are supposed to be doing internships, but they have not been absorbed. On this, the Committee has made four recommendations.

The one which is more important and needs to be implemented effectively and quickly, is the recommendation on the standard human resource for health development, guidelines covering internship, permanent and pensionable, absorption and transfers. These recommendations address the structural gaps in the workforce plan, which should be reduced. If this is implemented, it will reduce the unfair practice across the country and counties.

With those remarks, I beg to reply.

I thank you, Mr. Speaker, Sir.

**The Speaker** (Hon. Kingi): Clerk, do we have the requisite quorum?

Do we?

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

Good.

Now, hon. Senators, I will proceed to put the question.

*(Sen. Kavindu Muthama stood in her place)*

Sen. Kavindu Muthama, kindly take your seat.

*(Sen. Kavindu Muthama resumed her seat)*

*(Question put and agreed to)*

Next Order.

## **BILL**

*Second Reading*

THE DIVISION OF REVENUE BILL (NATIONAL  
ASSEMBLY BILL NO.2 OF 2026)

*(Sen. Cheruiyot on 28.04.2026)*

*(Resumption of debate interrupted on 28.04.2026)*

**The Speaker** (Hon. Kingi): Now, at the rise of the House yesterday, Sen. Methu had the Floor and he had a balance of 10 minutes.

Sen. Methu, you may proceed with your contribution.

**Sen. Methu:** Thank you very much, Mr. Speaker, Sir. I am sure the students who are at the public gallery will be recognised at the appropriate time.

As the House was rising yesterday---

*(Interruption of debate on the Bill)*

**The Speaker** (Hon. Kingi): Hon. Sen. Methu, before you proceed, allow me to make this Communication because the students may want to leave to go back home.

## **COMMUNICATION FROM THE CHAIR**

VISITING DELEGATION FROM ACK ZIWA SENIOR  
SCHOOL IN ELDORET, UASIN GISHU COUNTY

Hon. Senators, I would like to acknowledge the presence in the public gallery this afternoon of a visiting delegation of 10 teachers and 70 students from ACK Ziwa Senior School in Eldoret, Uasin Gishu County.

*(Applause)*

The delegation is visiting the Senate for an academic exposition. Now, on behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

I will ask Senator for Nandi County, in under one minute, to extend a warm welcome to the delegation.

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**Sen. Cherarkey:** Mr. Speaker, Sir, thank you very much. I want to extend a warm welcome to the wonderful students from Ziwa. As the neighbor Senator, because I come from Nandi County, on behalf of Sen. Jackson Mandago, known as Jack Ma, I want to extend a warm welcome to the delegation.

Ziwa is a very good place. That is where we get a lot of maize. It is very critical place for food security. I wish them well as they go back to school. Learn what you can. We are proud of you. We love you and wish you the best. We are praying for you.

Thank you, Mr. Speaker, Sir, because they will be able to follow the proceedings with comments from Sen. Methu. However, do not take his advice not to shave. You should always be well-shaven like our Speaker, so that you can always look the part.

I welcome you and *asanteni sana. Kongoi*, Mr. Speaker, Sir.

*(Laughter)*

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

*(Resumption of debate on the Bill)*

**Sen. Methu:** Mr. Speaker, Sir, I do not know what language Sen. Cherarkey spoke in as he wound up his welcoming, but I think I would be right, Sen. Cherarkey, to say *Kongoi mising*.

Mr. Speaker, Sir, I am also looking forward to a day when students who come from Nyandarua will be welcomed by Sen. Cherarkey as we try to build cohesion because they see Sen. Cherarkey quite often. They have seen his palatial home in Mosoriot. I have visited it. It is not very far from Eldoret.

Mr. Speaker, Sir, yesterday, as the House was rising, I was saying that as a people and as a House, our fingers shall never be pointed at this House as the people who ever made devolution not work. It is our work, regardless of the bad manners of the governors. Governors have tried to provoke us extensively. This baby of devolution shall never die in the hands of the Senate. Our work has been very consistent.

Number one, is trying to push for as much money as possible to go to our counties. We are always in the frontline. Number two, as the governors now try to speak to us very nicely, I saw the Senate Majority Leader saying that the stalemate has been now been resolved. This is because we have said that we are not passing DORB, they now say they will be accountable.

It cannot be, and I have said this countless times on the Floor of this House, that when we are in the forest, or when we are hunting for the money to go to counties, we work very closely with the governors, but once they get the money, they do not want to be accountable. There has to always be responsibility and accountability on the money that they receive.

One cannot be a governor--- We shall not be lectured. In fact, I do not know the members of the Committee on Finance and Budget that are here. The governors who are in the list of 29 should not appear to represent the CoG, when it is speaking about the money they want.

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I have seen that they had proposed to get Kshs534 billion. To be reasonable, we have proposed for the Senate to push for Kshs454 billion. Those governors that have refused to appear before the Senate County Public Accounts Committee (CPAC) and the County Public Investments Committee (CPIC), shall not be part, and we shall not fight from the same direction.

In terms of permanently absorbing the about 7,000 workers who work under the UHC, I think this is so sad. They were recruited since 2020 when we had the COVID pandemic, to help in the rollout of the UHC. These are nurses, clinical officers, pharmacists and lab technicians. These people who bear the brunt of---

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

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

I know the Senator of Meru wants his arrival to be recognized. We have recognized that you are here. Welcome, Vice Chairman of the Njuri Ncheke from Meru and a very good friend of Murega Baichu.

As their contracts expire in April and September of 2026, we must try and ensure that this agenda of the UHC workers is addressed once and for all. We cannot speak about it every year.

Let me wind up so that I allow Sen. Cherarkey and the other people to speak.

The people of Kenya will make sense of these Bills that we speak about and we keep saying that we want money to be sent to counties, when they can see programmes that they can relate to.

The reading of the Fourth Schedule of the--- I am really being disturbed by Sen. Cherarkey.

**The Deputy Speaker** (Sen. Kathuri): Order, Sen. Cherarkey. How can you be pronouncing point of order to the Speaker who has removed the chair? Why are you disturbing the honourable Chair that you are on a point of order? What is your point of order?

**Sen. Methu:** I hope my time has been frozen. I am sure I have like nine minutes.

**Sen. Cherarkey:** Can you tell Sen. Methu to sit? He is not somewhere in Ol Kalou.

I rise Under Standing Order 105 and 110, Responsibility for Statements. Did you hear the last comment when he was welcoming you warmly, saying you are related to Mr. Baite? It can send a wrong signal because the Baite is a media house and people might misinterpret that. What we speak here has weight with Kenyans. Can he either substantiate or withdraw?

The Baite we know is a television network that has its own director. Linking you might even be detrimental to your future political aspirations.

**The Deputy Speaker** (Sen. Kathuri): Senator for Nyandarua, why are you standing up before he prosecutes his point of order? Just sit down, relax. Now, you can go back to your seat.

**Sen. Methu:** Mr. Deputy Speaker, Sir, you are now exercising, you know--- Well, I comply. I do not even want to waste time responding to what Sen. Cherarkey has said. I always hope that people can follow and listen.

**The Deputy Speaker** (Sen. Kathuri): He has a point of order that you must prosecute.

**Sen. Methu:** I am speaking to it. One cannot speak and listen at the same time. I think he was speaking when I was speaking. I never mentioned Baite. You are my witness that I never mentioned Baite, even if you ask for the HANSARD of this House. I do not know when I will contribute. You are sure that I did not mention Baite?

I do not know where he is getting that from. Maybe there are goons that are in the head of Sen. Cherarkey. Why do you not allow me to contribute?

**The Deputy Speaker** (Sen. Kathuri): Sen. Methu is trying to prosecute your point of order, which I think he does not understand. I heard him when I was coming in. He did not mention Baite, but he mentioned the name of another gentleman.

**Sen. Methu:** At least, you heard that I never mentioned Baite.

**The Deputy Speaker** (Sen. Kathuri): What did you mention?

**Sen. Methu:** I said that the Senator for Meru is my friend, and a friend of Mr. Murega Baichu. Murega Baichu is not Baite.

Mr. Deputy Speaker, Sir, you are Mr. Baichu's representative in this House. There is no way you can deny your people.

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, if you are prosecuting on my behalf, where I come from, old men say that arrows aimed at the legs are less dangerous, but an arrow just shot on your heart is very dangerous and can kill you. We do not attend to arrows directed to a leg because you can still get amputated and live. The arrow by Sen. Methu was directed to the leg and not to the heart.

So, proceed, Sen. Methu.

**Sen. Methu:** Mr. Deputy Speaker, Sir, you exude extreme wisdom. This is not the wisdom that I was seeing in the first year. I think there is something in that white hair that you wear. I think there is even something more inside that *kofia* that you wear. I will use that wisdom in the next meeting when we go out.

Please, allow me to wind up my thoughts on this division of revenue. Even as we speak about the Kshs454 billion that we want to send to counties, one thing that we must also insist is that this money must also be disbursed on time. Sending money is not a privilege that the national Government does to the county governments.

Our governors must also help us. We remember the way we were foaming in the mouth here when we were passing the formula of sharing revenue amongst the counties. We remember the case that we made on the 12 counties that were given the affirmative fund. The Senators were magnanimous enough to listen to us.

I think Sen. Gataya and Sen. Kinyua were among Senators representing the 12 counties that got this affirmative fund. When we sat down with our governors, we had agreed that since this money is affirmative, it must be treated different from how they treat the other equitable resources. Sen. Gataya must be able to trail the Kshs371 million that we sent to the Tharaka Nithi. Which programme did it do? What was it used for?

That conversation was very good when we were passing that formula here, but after we passed that formula, the governors never want to hear us now.

I wonder whether Sen. Gataya and Sen. Kinyua, among the other 12 counties, can show the residents of their counties the projects done by those millions of shillings because that is what we had asked for. Next time, when we come to this Senate to ask, “please give us more,” we will also be able to tell you that we have been able to do this with the affirmative money that you gave us in the last five years.

Allow me to say this as I wind up because my time is far spent. The governors must make it easy for this House to continue negotiating on their behalf. It becomes difficult for us to say that we are sending this money to the governors because people ask us why we are sending money to governors who are just stealing it. They must make it easy for us by providing services to our people.

The Senator for Nandi County, Sen. Cherarkey, talks about money that has been sent to Nandi and you saw the health situation in Nandi County. How will the people of Nandi County relate to that, yet they are not seeing the services? The health situation in Nandi is in its death bed. I think it is on its lowest point since the advent of devolution. How will the Senator of Nandi County continue convincing the people of his county that he has sent more money, yet they are not seeing anything on the ground?

We are now raising the revenue from Kshs415 billion to Kshs454 billion. That is an addition of about Kshs40 billion. What reason will we give our people for sending more money to the counties, yet they are not getting more services? We are only creating village billionaires. People are becoming richer. We have people who had nothing when they were elected and they are now walking with 50 bodyguards.

Some of us want to become governors, like the Senator for Kisumu County, Sen. Tom Ojienda. We cannot glorify and have people become billionaires in the village. As you try to make yourself a billionaire, you must also give services to the people that you--

*(Sen. Cherarkey spoke off record)*

Sen. Tom Ojienda is a billionaire. I think---

**The Deputy Speaker** (Sen. Kathuri): Sen. Cherarkey, kindly allow Sen. Methu to prosecute.

**Sen. Methu:** I do not know why Sen. Cherarkey wants to disrupt me. He is not a billionaire, neither is he anywhere close to being a billionaire.

**Sen. Cherarkey:** Order, Mr. Deputy Speaker, Sir.

**The Deputy Speaker** (Sen. Kathuri): Order, Sen. Cherarkey. No point of order. I am asking you to be on order because you are interrupting the Senator.

**Sen. Methu:** It is a statement of fact that he is not a billionaire.

We do not oversight the money that we take to the governors. However, we plead with them to ensure that the people of Nyandarua County relate and feel that indeed more money has been brought to their county by the Senate of the Republic of Kenya.

I thank you very much, Mr. Deputy Speaker, Sir.

**Sen. Maanzo:** Thank you, Mr. Deputy Speaker, Sir. I rise to contribute on the Division of Revenue Bill.

This Bill is important because it shares the revenue between the national and the county governments. The Senate is here to defend devolution, ensure that devolution stands and that development goes to the grassroots. Before devolution, Kenyans had to beg the president for development but things changed with the new Constitution.

There are issues which have to be considered when one is dealing with the Division of Revenue Bill. One of those things is public debt. Public debt has been rising and it has to be balanced by the National Assembly. Public debt affects what happens in devolution.

There are duties or matters that have to be handled by the devolved governments such as health which is devolved. There has been a lot of push and pull-on matters health such that some health activities, which should be fully devolved, are still being handled by the national Government. A good example are the medical machines in the counties. Those machines serve the people in the counties, but they are managed by the national Government and it is the national Government that services them. When they break down, they never get fixed on time.

We need to have full devolution so that monies are allocated to functions. If it is health function, everything should be fully devolved so as to avoid an argument between the national Government and the county governments. We saw what happened between the Cabinet Secretary, Ministry of Health, Hon. Duale and the Governor of Nyamira County, Hon. Nyaribo. The Governor told him that the equipment that were taken to his county by the national Government were not working.

The debt and charge of those equipment keep going up daily because they are leased. They are like a new car without an engine and such a car will never serve its purposes. We have other devolved functions that are still being run by the national Government, like the Ministry of Agriculture and Livestock Development. We have national Government funded projects happening in the counties. Water sources, construction of dams and agriculture projects are being handled by the national Government. Those functions should be fully devolved to the counties but that is not happening.

The markets are fully under the county governments. County governments even have a County Executive Committee Member heading that aspect, but the national Government has grabbed the opportunity and are constructing markets in counties. They are running them and are demolishing existing markets. The President went and launched a market in Wote, Makueni County, but the construction stopped as soon as he left. Very little is happening in that place yet the traders have already been moved from the site where they were doing business. The construction of the markets should be undertaken by the governors.

We are asking for this money to be increased from Kshs415 billion to Kshs454 billion. The Commission on Revenue Allocation had proposed the money to be increased to Kshs448 billion. If money is to follow the functions, then the counties should have these monies allocated to them. The problem is that the national Government is still holding devolved functions and it has refused to let go of those functions.

We all want the governors to account for these monies. We are aware that there are governors who do not want to account for these monies. We also know that some governors are doing what they were elected by the people very well, but there are those of who have performed dismally and cannot account for most of the monies. Those are the governors who will always want to revolt when a Senate Committee presses for accountability.

The position of the Senate is that there must be full accountability of monies allocated to the national Government and the county governments. If we, the people who were elected, fail to push for accountability, then the people are left to wonder on the use of devolution and county governments. As a Senate, we want to make sure that accountability is effective. We have to ensure that every governor accounts for the money that they receive. They have to appear before the Senate and explain what they have been doing with the public monies.

One of the biggest challenges in the national Government and the county governments is empty promises. We are now looking at the 2026/2027 Financial Year. The truth is that one can only implement what is in the budget. Every single project that is to be done by the Government is budgeted for. Unfortunately, year after year, budgets are presented but the projects do not go on and neither are they accounted for. On the other hand, the public debt keeps on increasing at a very high rate.

This leaves the future of many Kenyans in abeyance. That is why we are saying that the Government should not make empty promises. Those promises should not be roadside declarations. They should not say that they are going to construct a certain road or market just for it not to happen.

When it comes to 2027, voters must bring to account the current government, the national Government and the county governments for the promises they made which were never implemented. At the same time, there must be statements of facts when it comes to disbursement of the funds. A lot of time the national Government or the President has announced that monies have gone to the counties. Two or three months later, that particular money has never gotten to the county and, therefore, because the year goes and there has to be procurement, since there is procurement law, then the next cycle of budget comes and that particular money, with so many other conditions, is withheld at Central Bank and never gets to the grassroots.

The moment the Head of State announces that he has sent monies to the counties and they are going to arrive on time, then they delay, you will then pit the governors against the people. This is because the people will say they believe what the President said and the Governor must be the one who is misleading.

Therefore, to avoid this, there is no need to announce or make empty promises in this regard, so that we do not have a clash between the governors and the people. To conclude, I think it is only fair that, first and foremost, as we debate this Bill, the governors appear before the committees as we had agreed earlier and carry on with accountability at the same time when this Division of Revenue is finally passed. This is because without this, the Governors cannot access any money. Then, we need to see full implementation and that a lot of work done for the people of Kenya because devolution is important.

Up to today, for four years now, many governors have not graded nor murramed their roads. They have not done bridges and agricultural produce is unable to move. These are the reasons we give money for devolution. Still, in many counties, ECDs are not constructed. The young ones should be introduced to education in a very friendly manner, so that they get to like education. This is so that one day they can be like us. However, the moment you have no ECD, you discourage very young children going to school in the village.

The worst of it is the hospitals. As much as we send this money to the counties, we want to see the hospital waste handled in a professional manner because it is part of the cause of health problems when hospitals do not handle the waste properly. So, the necessary equipment should be available in every single hospital, and even locally constructed ones, so that, that particular handling does not bring more infection to the people of Kenya.

Finally, on the workings of SHA, you find a lot of times, even those who have registered for SHA, and the Cabinet Secretary was presented with a case here by the Senator for Machakos County the other day, where Kenyans are fully complied, you go into a hospital, SHA pays very little, you fundraise, you are unable to get your patient out of hospital, which is actually unconstitutional, or a family is kept waiting for months. I have seen this happen in Makueni, and I participated in paying for patients to leave hospital, or for bodies to go for burial, many months after somebody passed away. It creates a lot of apprehension,

When CS Duale was here and was presented with this case, he said that all of us must fundraise. I think the whole idea of insurance is to make sure that you are fully covered for all the activities you have paid for. I personally pay for insurance. I pay a lot of money every month, and it should be useful to the people of Makueni. I should also not go again to my pocket to conduct *harambees* to make sure that people live happily.

There are no drugs. Part of treatment is to be given medication, yet the medical drugs are not available. In many situations, people have to be sent to shops to buy, yet we are allocating monies for these functions which are devolved. Therefore, it is important that this Division of Revenue Bill goes through for this year, so that the counties may function, but at the same time, functions must follow the budget, and vice versa. For whatever it is budgeted, we need to see these projects are completed for the benefits of Kenyans.

I thank you, and I do support.

**The Deputy Speaker** (Sen. Kathuri): Very well. Sen. Abass, you are the next in line.

**Sen. Abass:** Thank you, Hon. Speaker. I join my colleagues to contribute to the Bill. This Bill is not merely an instrument; it is the backbone of devolution, and this will determine whether the counties will work or function effectively or not. As we talk today for the revenue bill of the counties, which is going to be about Kshs450 billion, we still have so many challenges in the counties.

One thing which is important is that this money must reflect the real cost of services delivered. This is because currently what we are seeing in the counties, despite them complaining about little money, of course, the money is not enough, and there is no

day money will be enough, but through the use of money, we will be able to deliver at least a huge amount of services.

One other thing that we overlooked and I do not know how this is taken care of, maybe the Kshs40 billion, which is an addition from the previous one, will be able to take care of unforeseen costs. There are inclusion bills, where every time you have to make a promotion for all the staff, because that is mandatory for all counties. They also have medical cover and pension contribution. Therefore, we expect the bill to increase by the years. I think this budget is not factoring in those incidences of increase of wage bills and promotions in the counties. Therefore, that should be the costs that should be taken care of in the increased amount of money.

As a result of the high inflation rate, what is happening now is that the fuel is increased and everything is going up, and rising operation costs due to inflation and incidents of the fuel and all these things is also expected. I am sure this budget has not also factored in this kind of incidents that are coming up and emergencies.

Also, we have 42 parastatals and regional institutions that are performing the functions of the counties. These 42 institutions have already been considered through the Cabinet memo and Intergovernmental Relations Technical Committee (IGRTC) that these functions must be devolved to the counties, and up to now, no action has been taken.

The National Assembly is actually giving them more funds again; the budget for Financial Year 2025/2026, the same budget is taken to the same institutions. The parastatals are still getting their money, and I do not know who will act on that. That itself is not constitutional, and I think it is high time that this House takes serious action to claim back that money from the various parastatals that have already been recommended, the functions to be taken to the counties.

Therefore, that budget that has been given to these 42 institutions; the parastatals and the regional institutions, should be given back to the counties. One other thing is that the revenue sharing must be also taken into account, the economic disparities, of course, in different counties, like my county now.

In my county, goods such as fuel and construction materials show a significant difference. Goods are transported all the way from Nairobi to Wajir, which is about 700 kilometres. This adds transportation costs and many unforeseen expenses. Therefore, the money allocated to counties should take these costs into consideration.

People often complain that Wajir receives a lot of money, but that is not true. We still need more funds because services are not being delivered. Many people return to Nairobi to access services and goods, including food, which is then transported back to Wajir, Mandera and other areas. This factor has not been properly considered.

Mr. Deputy Speaker, Sir, according to the Public Finance Management Act, 2012, all pending bills must be paid. However, we have huge bills, about Kshs180 billion, almost reaching Kshs200 billion. Many service providers and business partners who committed their money to work with counties are now in poverty since they have not been paid.

It is high time the Senate took action. The Act requires that the first charge must be all pending bills. Otherwise, we will continue breeding poverty in the counties. We

have devolved corruption and now we are devolving poverty, as those providing services are not receiving payment for services rendered. As a result, many people in the counties are becoming poor. They commit their money, provide services and deliver work, yet they are not paid. For the last 15 years, people have been waiting for their money. This House must come up with a modality to save the counties.

There are many challenges. One of them is unforeseen circumstances, especially in the Arid and Semi-Arid Lands (ASAL) areas. Drought has caused many animals to die, food prices to rise and people to lose their livestock. At times, there are floods. Security issues also arise unexpectedly, as seen with our colleague from Kitui County. Conflicts, high inflation and rising costs are widespread. These factors have not been included in any budget. During budget-making, emergencies such as drought, insecurity and other unforeseen incidents must be considered so that funds can be allocated to address them.

Fiscal discipline is also critical. Yesterday, I heard that the Senate and governors agreed that governors will attend all committee meetings. However, the real issue is corruption in the counties. This should have been the first priority. Attendance is mandatory under the Constitution, but governors must also take responsibility for financial losses. Counties already lack sufficient resources, so prudent use and fiscal discipline are essential to utilise the limited funds effectively.

Finally, there are unnecessary delays in releasing funds to the counties. This situation has also caused counties to incur extra costs, especially when paying salaries. Sometimes they borrow from banks, which then earn interest. This has not been considered in the past. What is needed is for the National Treasury to release funds to counties on time to avoid these unnecessary costs.

There are also cash flow uncertainties. At times, counties are told money will be released, but it may take one or two years before they receive the full amount. I believe the Government is sending plans for functions without proper compensation. Many roadside directives are issued, requiring counties to implement tasks without funding. They end up using their limited resources, as seen now in the Community Healthcare Promoters Health Care (CHPs) and the County Aggregated Industrial Parks (CAIPs). This has created additional costs that counties were not prepared for and they are not reimbursed.

The practice of holding almost 85 per cent of funds in the national Government should be abolished. Counties deserve a fair contribution so they can carry out their work, achieve equitable development and serve the people effectively. The larger population now resides in the counties, while the national Government retains only a small portion of responsibilities. For example, the Ministry of Health allocates less than 15 per cent to counties, and the Ministry of Agriculture and Livestock Development follows the same pattern. Most of what remains at the national level are policy and regulatory matters, while the actual work is done at the county level. Therefore, we need more money in the counties.

Mr. Deputy Speaker, Sir, with those remarks, I support the Bill.

**The Deputy Speaker** (Sen. Kathuri): Very well, Sen. Abass. Sen. Okiya Omtatah.

**Sen. Okiya Omtatah:** Thank you, Mr. Deputy Speaker, Sir, for the opportunity to speak on this important Bill. I stand to give my support and to put my voice behind those calling for higher accountability on the resources allocated to county governments. My submission is that we must distinguish the question of accountability from the question of allocation. Let the allocations due to county governments be made and let them go down, but the accountability for how that money is used must be addressed with the due diligence it deserves.

On that particular question, I have examined the legal framework in this country. We have a body called the Ethics and Anti-Corruption Commission (EACC), which does significant work. Beyond its role in preventing, detecting and punishing corruption, there is one area where I believe it could enhance its preventive effect. That is auditing our budgets to identify corruption before it happens.

There are two aspects; planning and expenditure. There is the revenue side and the expenditure side. The revenue side is where money is planned for. I would like to see our organs such as the Ethics and Anti-Corruption Commission (EACC) - if the EACC is not able, then we go back to the Economic and Commercial Crimes Unit (ECCU) of the Directorate of Criminal Investigations (DCI) - to be looking at the budgets to identify areas of corruption.

Once a budget has been passed after public participation, the first thing you will see in counties and even the national Government is the animal called supplementary budget which is highly abused. They do not supplement for purposes of addressing emergencies or unforeseen circumstances as anticipated under Article 223 of the Constitution. They supplement to move money from development or where it is difficult to where it is easy to steal and hide. I urge the EACC to up its game and go further to audit budgets of county governments and ensure there are justifications for whatever changes they are doing.

The law is very clear that you can only change a budget by not more than 10 per cent. In my county, I have got evidence that the budget was changed by 65 per cent. What was that serving if it was not to destroy the will of the people and perhaps serve interests that are not above board?

My plea is that the EACC should work with the Controller of Budget (CoB). The CoB must be the controller of budget and not an accounting officer who tells us that money has been used for this or that. Let us audit budgets for effectiveness. Let there be a mechanism for auditing budgets to ensure that they are effective so that when they are implemented, the effects are felt.

Sometimes you can have a budget that has totally no effect. Such a budget could be implemented 100 per cent according to the way it is but nothing will be gained. If we reduce the question of auditing budgets to arithmetic, we may miss it. It is my plea that as we pass this important Bill to send money to the counties, this House considers that.

The other aspect is the question of autonomy of our finances. I am happy that Sen. Wambua is here. At one time we had a discussion with Sen. Wambua and he promised me that he was going to bring a Bill to this House for us to expunge the National Treasury from the national Government. I do not know how far my brother has gone with that Bill.

**Sen. Wambua:** Point of information.

**The Deputy Speaker** (Sen. Kathuri): Sen. Omtatah, would you like to be informed by Sen. Wambua?

**Sen. Okiya Omtatah:** Yes, only by Sen. Wambua.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Sen. Wambua.

**Sen. Wambua:** Mr. Deputy Speaker, Sir, what Sen. Omtatah is saying is true. I would like to inform him that the process of drafting that Bill has reached an advanced stage. I think more than ever before, the need to separate the National Treasury from the Ministry of Finance has come and that time is now. That will ensure that sharing of revenue between the two levels of government does not favour one side at the expense of the other.

The drafting is at an advanced stage. I hope that the secretariat is hearing what I am saying. I hope in the next few weeks, we will be able to debate that Bill here.

**The Deputy Speaker** (Sen. Kathuri): Proceed, Sen. Omtatah.

**Sen. Okiya Omtatah:** Thank you my brother, Sen. Wambua, for those encouraging words. I am happy to hear that drafting of that Bill is at an advanced stage. I hope the drafters will take serious cognizance of Sections 11 and 12 of the Public Finance Management (PFM) Act which purports to create the Treasury as a Ministry in the national Government. I hope in that Bill, we shall seek to expunge or revoke those particular sections - that is 11 and 12 of the PFM Act - so that we restore control of public money back to the people of Kenya.

Over and above that, I hope that a mirror image of that particular separation of finances at the national level from the Executive will also take place at the county level, so that in every county government, money is not placed in the hands of the governor. Money should be held by an independent civil servant. For the governor or anybody to access that money, it must be in the budget and the CoB must have approved the expenditure.

Let us take control of our money and let us drain the swamp. I am happy that my brother, Sen. Wambua, has assured us that that work is ongoing. If we do not do that, the money that goes to the ground will be misappropriated because it is handled like money which belongs to an individual who can run around with it.

We have seen the President running around non-stop purporting to do projects. However, if you go and check in the budget, those projects are not there. It rubbishes the constitutional framework within which development in this country is supposed to be done.

You have heard this common phrase that people keep on expressing that we must be in the Government. That is not the design of democracy. The design of democracy is not that everybody should be on the Government's side. Democracy walks on two legs; the Opposition and the Government, or the minority and the majority. We cannot all be on one side. That way, the country cannot stand.

We should distinguish between being in Government and accessing development. There should be no correlation between being in Government and accessing development. That is something we must phase clearly. This narrative that we must be in Government, whereby Government is understood as state capture and therefore we must

be part of people who have captured the state so that we exploit it based on our selfish and narrow interests, must stop. Once we separate the National Treasury from the Ministry of Finance---

By the way, Mr. Deputy Speaker, Sir, if my memory serves me right, Ministries are addressed in Article 152 while the National Treasury is addressed in Article 225 of the Constitution. There is no way framers of the Constitution could have imagined that the National Treasury would be a Ministry in the national Government and place it so far away in Article 225 when they addressed the Cabinet in Article 152 of the Constitution.

The mistake that was made by Parliament in 2012 when they created the National Treasury as a Ministry of the national Government needs to be fixed. Otherwise, we are engaged in a thankless task as Parliament who are overseers at the national and county levels since we do not control money because money is already with the Executive. The Executive and counties have a knife and a cake while county assemblies and Parliament are toothless because the weapon they are supposed to have is in the hands of the Executive.

Let the control of money be done by Parliament. That money should be held by an independent civil servant. That way, we shall be moving forward. Otherwise, we shall be pounding water in a mortar and therefore we are going to get nowhere. We will keep on complaining and agonizing and told we must be in Government because a government is no longer an institution of good; it is an institution of looters who when they get into power have access to money and they loot it and there are no consequences.

Let us take our public money back. Let us set up the office of the national treasurer and appoint somebody with security of tenure. We should put that money there and give them power to control it.

The President should wait for his salary. He should not have access to public money. He should not move around and offer people projects. Projects must come through budgets that Parliament passes and it should be more important in this country to elect a Member of Parliament (MP) than to elect a president or to elect a Member of County Assembly (MCA) than to elect a governor because an MCA or an MP will make decisions on how money is used and budgets are what should guide development.

You do not have to be in Government to access development. All you need is to have an MP who can put your agenda in the national budget and you access development. That will also reduce the clamour for the presidency in this country, where communities think that the president belongs to them and that the presidency is a matter of life and death. It will stop that. It will even help us clean out our electoral system, so that it does not become a weapon for capturing power, but a mechanism for filtering various and competing ideas on how the country should be run forward.

Mr. Deputy Speaker, Sir, now that I have mentioned the Independent Electoral and Boundaries Commission (IEBC), there is a problem in the IEBC Register, which needs to be fixed. We have very many registered voters who do not have proper biometrics, especially their pictures are missing. They do not have pictures. Who are these ghost voters who do not have pictures? So, even as we push for registration of new voters, I want to plead with the IEBC to ensure that every voter has proper identification.

Our Artificial Identification (AI) tools have revealed that we have approximately 7 million voters who do not have pictures in the voters register.

The problem is very bad in some areas, especially the former Central Province or the so-called Mt. Kenya today. We need to have those ghost voters removed, so that we can have a credible voters register where everybody can be identified by even facial features. We know this is so-and-so, this is so-and-so. That is something I really plead that this House does.

One of the mandates of the IEBC is to revise the voters register. The time for revising the voters register is now. Let us revise the voters register. As I have even prayed, that, the Ethics and Corruption Commission goes a step further and interrogates and audits the budgets of our county governments and the budgets of the national government to ferret out corruption, the same should happen with the voters register. The Ethics and Anti-Corruption Commission (EACC) should go into the voters register and ferret out fake voters. It should not be left that the register held by the IEBC will simply be audited by some foreign company, which is selected from here and there. We have an institution of anti-corruption. A fake voter is a corrupt voter. That is an aspect of corruption. So, we would like to see the Ethics and Corruption Commission take up the national voters register and interrogate it, to ferret out corruption.

One of the things I would like the Ethics and Corruption Commission to do is remove all voters who do not have pictures in the voters register. Remove all of them so that the next time we go to vote, we would only have people who are identifiable casting votes. We cannot have six million unknown people in the voters register. It is not acceptable.

So, these issues are intertwined. The question of money and how power is acquired, retained and deployed in this country are interconnected. If we want to drain the swamp in this country, we must go down, lock away the money and clean up the voters register, so that acquiring power will be through the front door and access to development will be assured to every citizen who is a taxpayer irrespective of their political persuasion or worldview. Otherwise, we do not have a country.

Mr. Deputy Speaker, Sir, eternal vigilance is the burden we bear as citizens of this country. I would like to remind ourselves of the words of one of the founding fathers of the United States of America, Benjamin Franklin. It is famously stated that after they had gotten the Constitution, he was asked by somebody to tell them, "What have you given us? Is it a monarchy or is it a republic?" Benjamin Franklin is quoted as having said, "A republic if you can keep it." So, the question is, are we the people of Kenya ready to keep the republic?

We call ourselves the Republic of Kenya. We are not a kiosk or a matatu. We are a republic, not a kingdom or a fiefdom. So, if we are a republic, we are a government of law. Are we being faithful to the law, beginning with the Constitution? What are our laws in this country? There is nothing else greater than the law in this country. There is no greater public interest in this country than the law.

Mr. Deputy Speaker, Sir, the law is so sacrosanct that even if you go to the Bible, after creation, we are told that God told Adam and Eve to be in charge of everything that He had created. However, He never told Adam and Eve to be in charge of themselves. He

subjected them to the rule of law. The day Adam and Eve disobeyed the law, they lost paradise. So, our paradise is founded on and protected by the law and is the law.

So, let us go back and be faithful to our law. Let us clean up. The law requires us to have an independent Treasury, both at the national Government and the county government. Let us have those independent treasuries. The law requires us to have a clean election that is verifiable, simple, accurate, impartial, and is conducted in a neutral manner. Let us have that election done.

Let us pay attention to Chapter 7 on the elections and Chapter 12 on public finance of our Constitution. If we do that, then we shall have gotten the promise of this country, the promise that is so clearly spelt out in our National Anthem. When you look at the National Anthem, you will see the same vision that the founding fathers of the USA had. If you look at the Swahili version of the National Anthem, you will see a country that exists by the people, for the people, and of the people. You do not see a country that we have today of some--- I do not even know what is going on. I lack the words to describe it. When I sing the National Anthem, I do not know the country I am singing the National Anthem to.

So, I really plead with this House and my fellow Senators that we step up to the plate and do these very critical things. We stop complaining and begin organizing. We stop agonizing and begin organizing. That organizing is within our hands.

Let us support the Bill that Sen. Wambua says he is going to bring here, to separate the National Treasury and the Cabinet Secretary for the National Treasury and Economic Planning. This is to restore the National Treasury to parliamentary control through civilian management, so that we can have a National Treasury that is autonomous, that can serve the 47 counties and the one national government equitably; that will ensure, as the law says, on every 15<sup>th</sup> day of the month, county governments will get their money.

Today, that does not happen because the national Government which is controlling and has hijacked the National Treasury ensures it has a full belly before the counties are taken care of. Let us break that jinx. Let us go back to the foundation and do the plumbing. Let us stop trying to mop the floor and clean out all the water we need.

Right now, if you listen to the presidential candidates around and everybody talking in this country, you tend to think that what they are looking for is a super mopper, somebody who can mop all the water that is leaking from the tap. Nobody is talking about fixing the tap or getting a plumber to fix the tap.

Mr. Deputy Speaker, Sir, with those few remarks, I support the Motion and pray that we move forward as a country that has a destination which is clearly---

**The Deputy Speaker** (Sen.Katuri): Sen. Kinyua, please proceed.

**Sen. Kinyua:** Asante Bw. Naibu Spika kwa kunipa fursa hii.

Nasimama kuunga mkono Mswada huu wa ugavi wa hela za mapato katika jamhuri, mwaka wa 2026. Nimeona Sen. Omtatah akisumbuka sana katika Wimbo wa Taifa, kwa hivyo ningetaka kumwambia ya kwamba, yale aliyotaka kusema ni, “Haki iwe ngao na mlinzi”. Haya maneno yanapatikana katika mstari wa tatu, katika ubeti wa kwanza wa wimbo wetu wa Taifa. Nakubaliana na wewe kuwa, haki iwe ngao na mlinzi.

Bw. Spika, nikiwa ninaunga mkono, pesa ambazo zinatengwa kwenda katika gatuji zetu, Shilingi bilioni 420, ni ongezeko tukilinganisha na mwaka uliopita. Shilingi bilioni tano zimeongezeka, lakini, hazitoshi.

Sisi kama Seneti, tulipokuwa katika mjadala huu, tulisema pesa ambazo tulitaka ni Shilingi bilioni 450. Kazi yetu kama Seneti ni kulinda na kutetea gatuji zetu. Tatalinda na kutetea gatuji zetu aje ikiwa jambo la kwanza hatutatea raslimali zilizoko katika kaunti zetu vile vile, pesa ambazo zinaenda katika gatuji zetu?

Kwa hivyo, jambo la kwanza, ningependa kusema ndio, naunga mkono Mswada huu, lakini pesa hizi hazitoshi. Hata kama ninatetea pesa zinazoenda katika gatuji zetu, jambo la kwanza ni wakati unapofanya bajeti, shughulikia madeni. Katika gatuji zetu haswa Laikipia, kuna madeni mengi ambayo yamewafanya wanakandarasi kujiua. Vile vile, wengi wao benki zimenadi mali zao, na ni uchungu.

Tulisema asilimia fulani ya kazi ambazo ziko katika gatuji zetu zipewe vijana na akina mama. Lakini, baada ya sisi kufanya hivyo kisheria, unapata magavana katika gatuji zetu hawalipi wanakandarasi ambao wamefanya kazi. Badala ya kuwasaidia, wanaingizwa katika madeni, ilhali Katiba imesema jambo la kwanza linapaswa kufanywa ni kulipa madeni. Wakati tunapeana ugavi wa pesa katika Seneti, tunapaswa tuone ya kwamba madeni ambayo yako katika gatuji zetu yamelipwa kama jambo la kwanza ambalo linatendeka.

Vile vile, kwa sababu mambo ya hospitali tayari yamepelekwa katika gatuji zetu, ukitembelea zahanati na hospitali, unapata ni safi zaidi kwa sababu hakuna dawa. Wagonjwa wamerundikana katika hospitali. Sio hospitali peke yake. Mtu ambaye yuko hai anapaswa kuangaliwa zaidi.

Ukienda katika makafani yetu, unapata ni uvundo mtupu kwa sababu hakuna mashine za kutumika. Hii ni kwa sababu pesa ambazo tunatoa na kugawa hapa, ni ufisadi mtupu na ubadhirifu katika gatuji. Inakuwa ni kama kwamba tunashukisha ufisadi mashinani. Hawa magavana, badala ya kuwajibika---

Hivi majuzi, Kiongozi wa Walio Wachache na naibu wake wamekuwa na mkutano na magavana. Waliwaambia ya kwamba waje Seneti ili waweze kuwajibika. Ningependa kumwambia Kiongozi wa Walio Wachache ya kwamba msilegeze kamba. Hii ni kwa sababu uwajibikaji unapaswa kufuatiliwa.

Gatuji ndogo za Tharaka Nithi, na ninamwona Sen. Mo'Fire na Seneta wa Kitui-- - Tulifuatilia mpaka pesa zinazoenda huko zikaongezwa. Lakini, baada yetu kuongeza pesa, hakuna jambo lolote linaloonekana. Mambo ya maji, hospitali na shule za chekechea hazishughulikiwi. Kila kitu kiko katika hali mbaya. Mambo yote yanaenda segemnege, ilhali sisi hapa, tunajishughulisha kila uchao kuongelea pesa ambazo zinaenda katika gatuji zetu.

Tulikuwa na Seneta wa Kitui na Kilifi muhula uliopita hapa Seneti. Tulikuwa na vikao zaidi ya 10 na hatukuweza kukubaliana na Serikali Kuu kwa zile pesa ambazo walikuwa wanataka ziende katika gatuji zetu. Lakini, baada yetu kukubaliana na pesa kuongezeka, ilikuwa ni aibu kwa sababu shule zetu za chekechea hakuna madarasa. Kikatiba, wanafunzi wa shule za chekechea wanapaswa kupewa chakula. Tumekuwa tukiita magavana katika Kamati yetu ya Elimu na ukiwauliza maswali, hawajibu.

Wanakuambia wanapanga, wametenga, wamefikiria kufanya lakini hakuna jambo lolote linalofanywa wakati huu.

Ukienda Laikipia wanafunzi wa shule za chekechea hawana chakula na madarasa katika sehemu ya Doldol, Segera, Nyahururu, Matanya, Olmoran, ilhali hapa natokwa na mate na kububujikwa na jasho tukiongea na hawa Maseneta ili pesa ziongezwe.

Lakini unampa mtu pesa ambazo hana mpango wa kusaidia. Na akiulizwa maswali na Kamati ambayo inaongozwa na Sen. Kajwang', na pia Sen. Wambua yuko katika Kamati hii, wanaanza kusema fulani aondolewe katika Kamati hii, kama vile Sen. Cherarkey na Sen. Sifuna, kisa na maana, wanawauliza maswali ambayo hawataki kujibu.

Kwa mfano, wanasema ya kwamba wamewapatia watu maji Laikipia lakini ukienda Nyahururu, maji yamekuwa ghali zaidi kushinda hata maziwa. Inakuwa ni rahisi kwa mwananchi wa Laikipia kuoga na maziwa, kuliko kuoga na maji. Hii ni kwa sababu kodi inayotozwa maji iko juu zaidi. Ukimwuliza gavana anaanza kukupatia vijisababu.

Serikali kuu inapaswa kuwajibika. Kuna ukosefu wa dawa katika, hospitali zetu. SHA inachangia lakini hailipi madeni yake katika hospitali zetu.

Nilimsikiza gavana wa Murang'a, Gavana Kang'ata, akielezea kwa uwazi shida ambazo anakumbana nazo. Hii ni kwa sababu SHA iko na madeni mengi ambayo haijalipa katika gatuji. Na sio hospitali za gatuji zetu pekee. Katika hospitali ya kanisa katoliki ya St. Benedict pale Nyahururu, Serikali Kuu iko na deni kubwa sana na bado inaendelea kuwambia waendelea kupokea wagonjwa na kuwatibu, ilhali SHA hailipi madeni ambayo inapaswa kuwa ikilipa.

Mambo ya hospitali, unapata tuna madaktari wa nyanjani. Vile Vile, kuna wauguzi ambao wanafanya kazi kubwa zaidi. Madaktari walio katika hospitali hawawezi kutekeleza kazi zao bila wauguzi. Ni majuzi tu wauguzi wa Laikipia wamekuwa na mgomo, kisa na maana, hawajalipwa marupurupu yao. Kulikuwa na nyongeza ambayo walikubaliana na Gatuji la Laikipia kuwa wataongezwa kwa hela zao. Miezi saba imepita na hawajaongezwa hela zao. Kwa hivyo, ni vizuri hizi hela zinapofika katika gatuji zetu, zitumike kwa njia inayofaa. Isiwe ni sisi hapa kulivalia hili njuga jambo la kuongeza hela, tunaongea hapa, tunakubaliana lakini baada ya hapo, hizi hela zikifika mashinani, zinatajirisha magavana na marafiki zao ilihali wananchi ambao walitaka huduma hawaipati. Wanabaki kuishi maisha ya uchochole; maisha ya shida tupu.

Naunga mkono nikizingatia ya kwamba Maseneta wenzangu wanataka kuchangia hili jambo. Wananiangalia wakiniambia nifupishe ili nao pia waweze kuchangia. Nakubaliana nao na kusema asante kwa kunipa fursa hii.

Naunga mkono.

**The Deputy Speaker** (Sen. Kathuri): Tuendelee na Sen. Karungo wa Thangw'a.

**Sen. Thang'wa:** Thank you very much, Mr. Deputy Speaker, Sir. Allow me to also weigh in on the debate of the Division of Revenue Bill.

For the benefit of our children who probably are watching us today as we debate this important Bill, it is good to explain why we are here today. The Division of Revenue Bill is a law that explains how the country shares its revenue or how the country shares its money between the national Government and the county governments. We do this every year.

Last year, we allocated counties about Kshs415 billion, but the next financial year, which is 2026/2027, the law is proposing that we allocate counties Kshs420 billion. This is one of the most important laws that we have in the Senate. Without this law, there is no devolution. This law is the lifeline of devolution. Our role as a Senate is not just to represent in theory, it is also to represent in resources by prescribing how much goes to the counties, so that now, counties can deliver services.

Mr. Deputy Speaker, Sir, when we do the disbursement, every county will get a certain share, depending on the population, poverty index and their geographical area. So, these monies will go to serve the people. We need more allocation to the counties. Why? As I said, of course, there is inflation. It cannot be that every year, we are sending almost the same amount of money or adding a little bit like we have just added now. I think counties need more money than this.

Some counties, especially Kiambu County, which we refer to as the bedroom of the capital city of our country, has so many people nowadays. The population growth has really gone high. When the population is higher, we need more services; we need to take care of the sewerage, water, education and everything that pertains to giving people a nice life in our county.

Devolution is not a favour. We have now seen that the national Government is encroaching into county functions. Instead of giving counties monies so that they can manage their own affairs, which is one of the objects of devolution, we are now seeing the President or the Executive encroaching on county functions. Example number one is what we are witnessing in Nairobi City County, where the national Government, through the back door, is trying to take the functions of Nairobi City County through what they are calling a corporation. Yes, a corporation is granted by the Constitution, but so is the takeover of functions.

If the national Government wants to take over the functions of a county, they must do so through the right laws, not through the corporation or the takeover in the name of corporation. We have also seen the national Government taking over functions of markets. You have seen Members of Parliament (MPs) now building markets. Instead of this money being taken to county governments, so that the county, as per the need and priority, puts this money to where they think the market is important, we are seeing Hon. MPs now being given that opportunity to build markets. Sometimes they are building markets even where they are not required because they have not done feasibility studies. After building that market, they hand it over to the county.

Mr. Deputy Speaker, Sir, do they go in tandem with the Counties Integrated Development Plans (CIDPs) when they are building these markets? Housing is a function of county governments, but what are we witnessing? Every time, the Executive, led by the President, is launching affordable housing. These monies should go to the counties, so that the counties can use it as per their priority. For some counties, their main problem may be is not houses. As others say, *kila mtu ako na kwao*, but maybe, they do not have water or health facilities.

We push these projects to the throats of our people in the name of bringing development and yet, there is no public participation. The people have not requested for the same. As we allocate this money to the counties, we should tell the national

Government not to encroach on county functions, not to take the county functions because we talked about devolution, which is decentralisation, yet what is happening now is re-centralisation.

As we give this money to the counties, we must also push for accountability. Yes, we push for more resources, but we need to demand accountability from the Government. When somebody asks me what the role of the Senate is, I always give this analogy for anybody to understand the role of the Senate or the role of a Senator. The Senator is a watchman. If you figure out how a homestead is, there is always a watchman by the gate to see what goes in and what comes out. The watchman is the watchdog or the person who is supposed to guard the people's resources. That is a Senator and that is why, we ask these questions to the people.

For the role of a governor, I always say that the governor is more of a housekeeper or a housegirl, if you can say that. You are the one who is taking these resources, as being given by your bosses, to divide it among the children, the house and for washing, for example. However, it is the work of this watchman to check whether whatever has been bought is used properly.

I think this is something that we need to do as a House; governors should be required to give the reports of what they do to the Senators, not only to the Controller of Budget (CoB) and the Auditor General, but also to the office of the Senator. If I want to know what the Governor of Kiambu has done today, he should give me that information immediately, blow by blow, minute by minute because, I am the watchman, the person who checks on what the country government does.

Mr. Deputy Speaker, Sir, as we pass this Bill, we need to understand that it is not just how much we allocate, but when we release it. I know it is the work of the National Treasury to release or disburse this money to the counties after we have passed this law. I know that the County of Kiambu is supposed to receive Kshs1 billion every 15<sup>th</sup> of the month. The question is, does the national Government release this money on time? Sometimes they wait for months before they release this money to counties. When you delay this disbursement, you are not just delaying monies; you are delaying health facilities, healthcare, salaries and development. When the national Government delays disbursing these monies even for a single day, our citizens in the counties will be the most affected.

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

*[The Temporary Speaker (Sen. Veronica Maina) in the Chair]*

I can see that we now have Madam Temporary Speaker.

So, Madam Temporary Speaker, what I want to say is that whenever the national Government delays disbursing these amounts, they delay services to the people.

Today, we were discussing the issue of banditry that is happening in Kitui County and other parts of the country. We need to ask ourselves why some of these things are happening or what is leading to this. Remember, every county is given money to take care of the needs of her people. So, the governors of those people who are encroaching on

other counties, because probably they do not have food or pasture for their animals, should be put to task. When we allocate money to governors and people do not have pasture for their livestock, what will the governors say they have done with that money?

We need to ask ourselves questions about this issue of banditry. I think we are giving this act a very romantic name, banditry. This is robbery with violence, this is thievery, this is killing and if the national Government cannot stop thievery--- I hear sometimes some people in the national Government saying the opposition is not giving us an agenda.

When you hear the national Government cannot end thievery, they cannot end robbery with violence and they are saying they are in power, I mean, what else can you do for the people? Thievery does not require research. This is the stealing of livestock from one side to another. It does not require scientific research. If you cannot stop thievery, then you do not have the moral authority even to question anyone.

As I conclude, it is good for us to understand that when we give these monies to the counties, we also need to question not only the county executive. I do not know how we can do it, either through liaison or through sensitisation, even to the county assemblies. County assemblies are now the bodies that are going to take these monies, and then they do the budget per county.

*[The Temporary Speaker (Sen. Veronica Maina) left the Chair]*

*[The Deputy Speaker (Sen. Kathuri) resumed Chair]*

Mr. Deputy Speaker, Sir, if I can give you a very good example in Kiambu County, in the previous years, or in the previous financial year, or the current financial year, we allocated the County of Kiambu about Kshs13 billion to Kshs14 billion, but when you look at the budget that has been passed by Kiambu County, they pass a budget of double the amount. That is about Kshs30 billion.

When you ask them, where are you going to get this money from? They say they will get from their own source revenue. When you look at their own source revenue today, as we speak, we are halfway through the financial year, they have only collected about Kshs2 billion. So, there is a deficit of Kshs8 billion. So, what does that mean? They will over-budget, they will over-promise, they will over-project and they will over-give these contracts. That is why we will always have pending bills.

People do not understand when we talk about billions, because they do not even have a shilling. Sometimes, when you say billions are stolen, they have no idea how much has been stolen. I want you to do the math for you to understand how much money is Kshs1 billion. If I was to give you Kshs1 billion today - I wish I could - and tell you to use Kshs10,000 per day without repetition, it will take you 274 years before you finish a Kshs1 billion. That is how much money we are sending to Kiambu County every month. So, when we ask questions about how this money has been used in Kiambu County, it is because we understand how much money we have sent to the counties.

If we give Kshs12 billion or Kshs13 billion per year, then you multiply 274 years by Kshs12 billion. That is about 2,000 years. So, the money that we give to the counties

is so huge. If it is well used, if there is good, prudent use of resources, these counties will always put the needs of the people first. All our people will have a better life if this money is used well.

I always say, the moment the people of Kenya will realise a good governor is better than a President--- Even before you think of a President, think of a governor because that is the person who is on the ground, who has been mandated to take care of your health. I do not even know why we assigned governors the health sector. We trusted them with our health and we never trusted them with our education. That is a question that we need to ask ourselves. What I am trying to say is that before you even think of the President, think of the governor.

When you talk about health, it is a governor. When you talk about Early Childhood Development and Education (ECDE), it is a governor; when you talk about the roads that you use every day, it is a governor. When you talk about agriculture, the reason people are fighting is because of food for their livestock; it is the governor. The governors in their areas have probably not prioritised the issue of livestock feed.

So, as I support this Bill, I request this House, the next thing that we should have is to make sure that we put the governors to task.

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

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

We have a change of the Chair again.

Madam Temporary Speaker, what we need to do today is to task the governors to showcase what they have done with their monies. We need the Senators to be facilitated to do this audit because yes, we do have CPAC and we do have CPI&SFC, but they are the morticians. They check the audit report that has already been checked by somebody else. If the governor can talk to the auditor, well, we will never have any questions to ask.

Sometimes it takes a year to ask the governor a question because you are waiting for the audit report, yet there are some questions that we can ask in time, minute by minute. If the Senate is facilitated properly, because I have 60 wards, and for me to walk every ward with my team, if I give one ward one day, those are 60 days and I am supposed to be here almost every Monday, Tuesday, Wednesday, all the way to Friday.

So, we need to enhance our teams, so that as we are defending our people on the Floor, we have a proper team that is also working and checking whether whatever the governor is promising is what is on the ground because we have heard of what we are checking. The Governor of Kiambu has been on record saying that he has built 527 ECDE centres. If you are to divide that by the number of wards, that is about 10 ECDEs per ward. It is the work of the Senate to walk around and find out whether it is true, what the governor is saying, and what is on the ground, in the budget, and in the County Integrated Development Plan (CIDP). With all that, we will be able to give the people a report, and give the governor a scorecard of what he has been doing.

Thank you, Madam Temporary Speaker, I have had the honor of addressing the House in the presence of three Speakers.

**Sen. Veronica Maina:** Thank you, Madam Temporary Speaker, my colleague on the Speaker's Chair, for the opportunity to speak on this very important Bill. The Division of Revenue Bill, 2026 is a very critical legislation, without which it would be impossible for the revenue to be shared between the county governments and the national Government.

The object and the purpose of this legislation is very clear. The purpose is to provide for the equitable sharing of revenue raised by the national Government among the national and county levels of government in the Financial Year 2026/2027, and to be done in accordance with Articles 202(1) and 203(2) of the Constitution of Kenya, 2010.

It is important to note that the revenue that will be allocated to county governments under this Bill is Kshs438,293,000. That is a marginal increase of 1.2 percent from the Financial Year 2025/2026, which had county governments allocated Kshs427,894,000.

I fully agree with the Committee that has worked on this Bill and collected the views of different stakeholders, that the marginal increase of 1.2 percent is definitely not sufficient enough to address the growing expenditure that is at the county level. I want to cite an instance which happened yesterday in Murang'a County, where the Early Childhood Development Education (ECDE) teachers were having a demonstration against the county Government and against the Governor of Murang'a County. These demonstrations have happened on different occasions because the ECDE teachers have not been given the terms that they were supposed to be given as a workforce that is taking care of a very critical component of basic education for our children at that level. That is the very basic, the very young children whom they are entrusted with, almost like parents, to take care of and ensure that they have a foundation for good education. It is unfortunate that my county has not been able to adequately take care of such a critical workforce within the county.

When I look at this marginal increase to Kshs438 billion, as opposed to Kshs415 billion, which was initially given, I see troubled times even ahead. Unless the counties are very efficient in the management of the resources that are placed in their hands, these issues will continue to trouble these counties. We will have doctors continuing to riot or medical staff being very dissatisfied with the terms that they are being given.

In actual fact, the functions that have been assigned to county governments, the human resource required to carry out this function should be taken care of adequately within the resource allocation, so that we have efficient delivery of service at the county level.

I urge the county governments in an efficient rationalisation of how they do their budgets, they must take very good care of the staff who are supposed to give service delivery at county level. This is because the service at the county will be as good as the workforce and the human resource that is entrusted with carrying out those functions.

It is unfortunate that many Kenyans view devolution not so much as devolution of resources, but as something that has devolved corruption, bad practices and inefficient service delivery. I hope the CoG can for once, do a strategic planning and see how they bell the cat. Perception must change around devolution and the efficiency of our counties using the resources that are available.

We now have a constraint of resources. I do not think this is the first country or the first time that governments have worked with constrained resources. Within the resources that are devolved to the counties, we now must demand from county governments that we see efficiency in certain fronts and there should be no excuse of having bad service, especially when it is critical to the human rights of the people, to issues such as health and education.

Before I complain loudly about the marginal increase of 1.2 percent of the baseline of what has been assigned to or allocated to county governments, I must say efficient use of whatever resources the county gets, be it Kshs1billion or more; if you are inefficient with Kshs1billion as a county, you will be inefficient with Kshs30 billion. There is no way you are going to convince us that if you are added a bigger chunk of this national cake, you are going to be more efficient because you have more money which you are swimming in. That will not work.

They must come up with a strategy of curbing wastage, cutting down on corruption and getting efficiency in place. As we come to argue the case for better increase of the percentage of resources allocated to the counties, we will at least be able to justify and say we have seen very efficient allocation or utilization of the resources.

On own source revenue, some counties even have national parks within their jurisdiction. We need to see the much that a county is able to raise. I will never forget one of the counties I visited in California, the Dade County. That government has much more money than they would ever need. The budget is not their issue. They look at where they can expend their excess revenue. We want to see counties within the Republic of Kenya that are well endowed, setting an example of what other counties should do with own source revenue, accountability in collection, expenditure of that revenue and efficient use.

In the health sector right now, certain levels of hospitals have been given an opportunity to utilise the resources that are being collected from those health centres. If right now you call for audits and accounts of how that own source revenue where the county government has been given the latitude to collect and expend, you will be shocked that maybe 80 or 70 percent of that revenue has been wasted at county level with expenditures that are not explainable.

It should be a very big shame for any county to come back like one of the counties - and the Senator is right here - which once reported that they purchased fingerlings, put them in the river and they could not account for the number of fingerlings they had bought under the project they were having. It must have been an attempt at fish farming within the Mount Kenya region. Hon. Mwenda Gataya could give us the whole story about how those fingerlings went about and how the river swept them away.

County governments must initiate projects that they can later be proud to account of to the public on how resources have been spent. The counties must do better and meet the needs of the people, even as we look at how we can empower them, look at what is being allocated to them and push for devolving of all the functions listed in Schedule Four of the Constitution.

Some counties like Turkana are disadvantaged and as a result have been allocated more resources. The other day, we had the Senate Mashinani in Turkana County. When one gets to that county, they cannot fail to wonder and worry of where resources assigned

to that county go to because the roads in that county were constructed by the World Bank. When one asks to see what the county government has done, they get to realise that they cannot see any tangible project done by the county government. This is happening yet many governors are crying for more resources.

A few days ago, the governors declined to come and account for the resources given to their counties. There was such a showdown between the Senate and the Council of Governors (CoG) as they tussled and looked for ways of avoiding a constitutional obligation of coming to answer queries that are raised by the Auditor-General. Those questions are not raised by anybody but the Auditor General, yet a governor is called to the Senate and he has the temerity to say that some Senators are not acting up to the standard expected of the Constitution, so they will not meet their constitutional obligations.

That did not look good at all. Indeed, what came out is that if they could not explain it, then it means that they are most likely guilty of something hence the reason they are afraid to face questions or to answer any queries on the audit accounts. An explanation was given, but I am not satisfied with up to date.

If a governor feels they have been extorted, the question is, did they pay? If they did, where did they find that money? If they paid Senator A or Senator B, what stops them from presenting that evidence to the Ethics and Anti-Corruption Commission (EACC) for the issue to be resolved once and for all? What stops a governor from raising a complaint with the Senate if he or she feels that somebody or a Senator is extorting him? All they need to do is to say that so and so has demanded that I present Kshs5 million or Kshs2 million. If they do so, the issue will be canvassed and resolved. Avoiding their constitutional obligations, as a governor, to account for how they have expended resources will not help.

Madam Temporary Speaker, I support this Bill, but I also want to ask the counties to perform better so as to justify the bigger budgets. They need to account for their own source revenue and must change their mindset. Why would a county that is endowed with natural resources not have innovative ways of raising income? I have visited different countries and I remember visiting one where the gospel hymn, *Just As I Am*, was written. They had a shop selling paraphernalia on that one song. Out of it, they collected a lot of revenue.

I have always asked if we do by any chance value our historical sites. Why can we not have a whole range of things around Fort Jesus? Fort Jesus, by itself, can be a source of revenue for Mombasa County. Do we have people or managers at the counties who are so fixated on utilising money allocated through the Division of Revenue Bill? Do they just wait to receive money from the national kitty and fail to utilise the resources within their own counties?

I believe we need to do more at the county level. They need to be more innovative and should use professionals and technical people who will give them ideas on how counties can raise the revenue. If we do that, the hue and cry of the national cake not being enough can be supplemented by people who think through the resources available in their counties before they look at what the national kitty has. Those people will work on how to improve their own source revenue.

Some counties have very lazy managers. They do not want to think through and they do not come up with strategies that can help them generate income, which they can even use to lend the national Government. The older people told me that in 1978, the current Murang'a County, which was then a municipal council, lent the national Government money. Can you imagine that? At that time, it was also known as Murang'a District.

Do counties know that some of them are so well-resourced? A County like Narok should utilise Masai Mara to the extent that they can actually lend another county resources. Busia County is a food basket for this nation and generates a lot of maize. I stand to be corrected on that.

Madam Temporary Speaker, I say this because the last time I checked with you, you were a farmer. I hope you are not a telephone farmer, but a real farmer. You can confirm what I have just said to this nation.

**The Temporary Speaker** (Sen. Mumma): Order, Sen. Veronica Maina. I am a real farmer.

**Sen. Veronica Maina:** You can confirm to this nation that Busia County is a food basket in this country. Kirinyaga County is well endowed and resourced. It has some of the best coffee. I thought that Murang'a County had the best coffee, but I found the coffee being grown on the rocks of Nandi County competing it. Sen. Cherarkey is not here, but I am sure he is watching these proceedings.

Counties must wake up now. If they do so, we might proudly mention counties that do not require any resource allocation from the national Government the next time we will be debating the Division of Revenue Bill. Those counties might do so well to a point where they request the national Government to help counties that need help. That can only happen if those counties are well endowed.

I have visited many countries which have a beachfront and nothing beats the scenic beauty of Lamu County. This nation is endowed. What we need are managers who are like the Josephs of the Bible, who can pick up a season that has plenty of resource, put the resource together and package it in such a way that it can be utilised within that county during the time of scarcity.

Lamu and Mombasa counties have scenic beauties and should not be in need of anything. The problem is that they have not put their act together. For now, counties should utilise what has been devolved to them in a better fashion. If we take advantage of tourism and manage the insecurity in Lamu County, no young person in that county will go without an occupation or a job. The same applies to Mombasa County. Many of those young people will be employed within the tourism sector.

You will forgive me for using this as an example. I still do not understand how Kenya has been overtaken by our neighboring countries in the tourism sector. Kenya has always been high flying on matters tourism attraction and hospitality. Kenyans are the ones who run the hospitality industry in the countries around. This is good for integration of the region. I am calling upon the counties to manage their resources in a better way. They should utilise their God-given resources and even commercialise them. This is because we have the resources, it is just that we do not know how to use them. Blue economy countries like Norway have a sovereign reserve, which is in excess of any

money they will need for many years. We have the ocean here at the coast; we are a coastal state. How are we utilising the resources within the blue economy sector?

Madam Temporary Speaker, with those many remarks, I---

**The Temporary Speaker** (Sen. Veronica Maina): Sen. Madzayo, please proceed.

**The Senate Minority Leader** (Sen. Madzayo): Asante sana Bi. Spika wa Muda. Pia, nataka kujiunga na Maseneta wenzangu, ndugu zangu wote ambao wametoa maoni yao katika huu mjadala wa ugavi wa pesa zinazokwenda katika serikali zetu za mashinani.

Tunaweza kuona kwamba katika sheria zote ambazo zinaonyesha kazi ya Seneta ni nini, kazi ya Seneta ambayo ni muhimu imekadiriwa ndani ya Katiba ya Kenya na ni kipengele cha 96 katika sheria ya kwanza mpaka ya mwisho ambayo ni ya nne.

Katika sheria hizo, cha muhimu zaidi ambacho tunaweza kufananisha ni kwamba unaweza kuvaa koti, tai na shati vizuri na ukavaa soksi na viatu vizuri sana na ukakosa kuvaa suruali na ndani hukuvaa kitu, utakuwa unatembea tupu. Hiyo ndiyo kazi ambayo Maseneta wanafanya hapa ndani.

Hayo yote ni kwa sababu ya umuhimu wa hili Bunge la Seneti ambao ni kupigania kuona ya kwamba pesa zinapatikana kutoka Serikali kuu zikiletwa hapa ndani. Hapa ndani ndipo ugavi wa pesa zinazokwenda katika serikali zetu za mashinani, zote 47 katika Kenya. Ni ukweli kabisa ya kwamba kaunti zote 47 zinapata mgao wake kutoka hapa. Hakuna kaunti hata moja inayosema haipati pesa kutoka Bunge la Seneti.

Si uongo tukisema kwamba pesa zinatumiwa vibaya katika serikali zetu za ugatuzi. Jambo la kusikitisha ni kwamba Seneta anapotamka hivyo anaonekana anapinga ama hatetei gatuzi lake. Lakini hiyo sio sababu. Mimi nataka kusisitiza ya kwamba---

*(Sen. Gataya Mo Fire spoke off record)*

**The Temporary Speaker** (Sen. Mumma): Order, Sen. Gataya. Please, you are getting out of order. Please do not speak loudly in the House while a Member is contributing.

**The Senate Minority Leader** (Sen. Madzayo): Nataka kukubaliana ya kwamba katika muhula wetu wa 12, tuliweza kugoma kwa sababu kulikuwa na pesa kidogo sana. Hapa tuliweza kuvaa matai, kuweka vitambara vyeupe na kufanya fujo sana na ndio tukapitisha vile tulipitisha kwa sababu walikubaliana. Tuko na haki ya kusema pesa hizo za ugatuzi ni lazima zifike katika Serikali zetu ili zilete maendeleo.

Bi Spika wa Muda, Serikali zetu za ugatuzi ziongezwe pesa wakati huu ifikie Shilingi bilioni 454. Bunge la Kitaifa halielewi shida zinazokabili serikali za ugatuzi. Wao hawahusiki kabisa na mambo ya serikali za ugatuzi. Ukichunguza utagundua kuwa wabunge wana bidii na pesa ya National Government Constituencies Development Fund (NG-CDF) ili wajenge mashule na vitu watakavyotumia kujitambulisha. Lakini sisi hapa tuna hamu ya kuona serikali za ugatuzi zimefaidika. Ndio sababu tukapendekeza Shilingi bilioni 454 zipelekwe katika serikali za ugatuzi kule mashinani. Kwa hivyo, tunawaarifu ndugu zetu kwamba hesabu walivyotufanyia ya kugawia kaunti Shilingi bilioni 424 hatuitaki. Sisi tunataka Shilingi bilioni 454. Hizo pesa walizopendekeza ni kidogo na tumezikataa.

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Bi. Spika wa Muda, madaktari wengi waliopo nyanjani hawajalipwa pesa zao. Hospitali nyingi hazina dawa na mambo mengi yanaendelea ambayo sio sawa. Tunataka kuangazia zaidi hali hii.

Wakati kuna fujo, serikali zetu za ugatuzi zinapata taabu kwa maafa yanayotokea. Kwa mfano, saa hii tunaona vile watu wanakufa kwa Kaunti ya Kitui. Hata tunavyoongea, kuna ripoti tumepokea kwa rununu zetu kuhusu vita vinavyoendelea. Damu ya Wakenya inamwagika. Watu wengine walileta ngamia na ng'ombe zao kulisha mahindi ya wakulima wenye bidii. Unakuta ekari takribani 50 za mimmea zinalishwa ngamia. Hii inasabaisha hasira na kuelekea watu kupigana. Ni kwa nini kitendo kama hiki kinatendeka? Wale waliokuja kuingia katika maeneo yale si wakaazi wa Kaunti ya Kitui. Ni watu kutoka sehemu nyingine.

**Sen. Wambua:** On a point of information, Madam Temporary Speaker.

**The Temporary Speaker** (Sen. Mumma): Sen. Madzayo, would you like to be informed by Sen. Wambua?

**The Senate Minority Leader** (Sen. Madzayo): Yes, he is at liberty to inform me. He is my Deputy, so he can inform me.

**The Temporary Speaker** (Sen. Mumma): Sen. Wambua, you may inform Sen. Madzayo.

**Sen. Wambua:** Madam Temporary Speaker, I thank my leader for allowing me to inform him.

I wish to inform the Senator for Kilifi County and the House that the situation being described is not occurring in the entire Kitui County. It is happening in Mwingi Town.

You may recall that I had earlier raised a statement in this House regarding the conflict in that county. People have blocked the Mwingi-Garissa Road in Mwingi Town. I have received information that some shops belonging to Kenyans of Somali origin have been vandalised.

This information is so important to the Senator for Kilifi County, the House and to Kenyans at large. If you remember very well, in that statement, I highlighted the wrong impression being created that the Kamba and Somali communities are at war.

Madam Temporary Speaker, nothing could be further from the truth. The bitterness that the people of Kitui have is a legitimate one against camel herders and people who masquerade as livestock farmers keeping camels on their land by force and unleashing those animals on their crops, but when they, owners of the livestock or people herding those animals, turn violent and kill our people, that is where the bitterness is.

Madam Temporary Speaker, as I conclude, this may sound like a small issue now, but I say this as a Senator and a leader in this country, if the police do not handle this matter with the seriousness it deserves today, it may become too difficult for anyone to deal with it. All I am calling for is for restraint on the part of our people, but for action on the part of the police who know what they need to do; drive those camels and camel herders out of our land. We have no problem with the business people in Mwingi, Kitui or anywhere---

**The Temporary Speaker** (Sen. Mumma): Hon. Senator, you rose on a point of information and we have got it.

**Sen. Wambua:** Madam Temporary Speaker, it is only that that information is really heavy.

I thank you.

**The Temporary Speaker** (Sen. Mumma): Proceed, Senator.

**The Senate Minority Leader** (Sen. Madzayo): Asante, Bi. Spika wa Muda, kwa kunipa nafasi hii tena. Vile vile ningependa kumshukuru Sen. Kii kwa kunijulisha.

Sasa hivi damu inamwagika. Ikiwa damu inamwagika, tuna imani kwamba Serikali imepeleka msaada wa kutosha wa dawa katika hospitali na ulinzi katika maeneo ambayo watu wanapigana. Hayo yote yanaletwa kwa sababu ya baa la njaa. Ikiwa kuna njaa ilhali una mifugo, ni lazima uende kwa mwenzako ambaye ana mahindi ili mifugo yako isife lakini yeye akipata hasara, mtajua jinsi mtakavyoongea baadaye. Wengine hawawezi kukubali hivyo na ndio sababu kitendo hicho kinatendeka.

Hicho si kitendo kizuri. Kwa hivyo, Serikali lazima ichukue hatua ya kuona kwamba watu hawafi. Pia kunafaa kuwe na ulinzi wa kutosha. Hata hivyo, Kaunti ya Kitui inafaa kuhusika katika kutafuta amani. Ni jukumu la Serikali kuona kwamba wananchi hawapotezi maisha yao.

Bi. Spika wa Muda, nikiachana na hayo, yote tisa, la kumi ni kuhusu utumizi wa pesa zinazokwenda katika serikali zetu za ugatuzi. Pesa hizo zinafaa kutumiwa vizuri bila wizi. Sijui kama Kaiseru iko katika eneo hilo maanake kuna mkubwa anayeketi kule. Lazima Serikali ifike huko ili kuona kwamba maisha yake, nyumba na vitu anavyomiliki viko sawa.

Nikiangalia upande mwingine, ningependa kusema kuwa ugatuzi sio mahaba kwa sababu uko katika sheria hivi sasa. Tulipopitisha Katiba yetu mwaka 2010, tulisema kwamba kutakuwa na ugatuzi. Katika ugatuzi, maisha ya wananchi popote walipo na pesa zao lazima zilindwe. Hiyo ina maana kwamba hatupeleki pesa katika serikali zetu za ugatuzi ili zichukuliwe na watu na kuwekwa katika mifuko yao. Pesa hizo zikienda kule zinafaa kufanyia wananchi kazi.

Jambo lingine ni kuwa polisi wetu wanaokaa katika serikali zetu za ugatuzi, wapewe maisha ya kufaa. Utapata hali ya polisi ni ya kusikitisha. Hii ndiyo sababu leo kukiwa na fujo na unaona wanasiasa wako pale, unapiga mwanasiasa kwa hali mbaya sana. Unampiga kama umeona adui ambaye hakubeba silaha au chochote. Hii shida yote inaletwa na njaa.

Bi. Spika wa Muda, ya mwisho ambayo nataka kuongea ni kwamba serikali hizi zetu zinapoenda katika ugatuzi, ni lazima pesa hizi zijulikane wazi kwamba kazi ya Seneta ni kuleta pesa nyumbani. Kuona ya kwamba serikali yake ya ugatuzi imefaulu kutenda maendeleo kulingana na zile pesa anazopeleka nyumbani. Jambo la kusikitisha ni kwamba ukifika huko watu wengi watakuuliza mradi wa Seneta ni upi? Seneta amefanya nini katika maeneo haya anayowakilisha huko ndani ya Bunge la Seneti?

Baba akileta unga au nyama kwa nyumba, ni jukumu la bibi kupika chakula na kukitoa kikiwa sawa sawa, apatie watoto na baba, wale walale, halafu watengenze watoto wengine, ikiwa itawazekana. Walakini, ikiwa umepatia bibi chakula, nyama, maji na kila kitu na anatoa chakula ambacho hakiwezi kulika, sima mbichi, utalaumu baba na alileta? Eh? Utalaumu? Hauwezi kumlaumu. Kwa hivyo, sisi, saa zingine unapata kule unaambiwa mradi wa kugawanya dawa ama kama hospitali zetu hazina madawa,

unaulizwa, “Seneta alipeleka dawa hospitali?” Kupeleka dawa hospitali ni kazi ya Seneta? Unasikia, Seneta alitengeneza barabara gani?” Kazi ya kutengeneza barabara ni kazi ya Seneta? Unaambiwa utengeneze choo katika shule, baraza au mahali popote. Hiyo kazi ya kutengeneza choo ni kazi ya Seneta? Watu wanaongea maneno mengi na nawaambia kama hujui sheria nyamaza au uulize uambiwe kazi ya Seneta ni nini.

Utalaumu lakini kama mpishi hapiki vizuri, chakula hakitoki vizuri. Hata ukiwa na hoteli na uko na *waiter* mzuri sana lakini mpishi wako katika hiyo hoteli hapiki chakula kizuri, hautapata wateja kwa sababu wakija chakula ni kibaya. Unahitaji uwe na mpishi mzuri. Ndio maana tunasema ya kwamba ukiwa na Seneta mzuri atakuwa anafanya bidii anakuletea pesa nyumbani. Hio ndiyo sababu tuko hapa kupigania serikali zetu za ugatuzi. Ikiwa sisi tunachomeka sana katika ile jiko kupika, tunapeana--- Mwananchi anapeana *change* anasema *keep change* kwa sababu umenipatia chai na mandazi mzuri sana. Unasahau imepikwa na nani. Nani amechomeka na moto huko ndani? Kwa hivyo, tunasema tuko hapa kama mkono wa kulia wa serikali zetu za ugatuzi, kuona ya kwamba pesa zetu tunazopeleka zimefanya kazi.

Nataka kuhimiza Kenya nzima - katika serikali 47 za ugatuzi, magavana watumie hizo pesa sawasawa. Waone ya kwamba zimeleta maendeleo katika maeneo wanayokaa, na wakubaliane kwamba ili kuendeleza hizo kaunti, wanahitaji kuwa na maseneta washupavu, kama ninyi mlioketi hapa leo, kuona ya kwamba serikali za ugatuzi zimefaulu.

Bi. Spika wa Muda, nataka kutoa mfano kutoka huko nyumbani. Kule nyumbani wazee hukaa wakinywa mnazi. Walakini, kuna yule aliyepanda mnazi. Sijui kama Sen. Chimera anaweza kuniambia, yule anayepanda mnazi ni mgema. Naona Deputy anasema nimuulize yeye.

Mgema akifika juu ya mnazi, kama Kitui kuna mnazi, anapanda juu na kufanya bidii kuleta pombe chini halafu kunakuwa na wachuuzi wanaochukua pombe wanaenda maskani wanakaa jioni ikifika, wanakuwa na wateja, wanauza ile pombe na kupata pesa. Wao ndio wanajulikana zaidi ya mgema. Kwa hivyo, sisi tukishaleta pombe hapa chini, haituhusu. Sasa ni kazi ya mchuuzi kugawanya aone ya kwamba kila mtu katika ile eneo, la ile starehe na bustani yake, amefaidika.

Ndio tunasema magavana wana maeneo yao, *sub-counties*, ambazo ni *constituencies* katika maeneo yao. Wanatakikana wajue vile watafanya katika *sub-counties* kuleta maendeleo kwa sababu wako nyumbani na wanajulikana zaidi kuliko Maseneta. Hiyo tumekubaliana. Gavana anagovern kaunti nzima. Lakini pesa lazima zitumiwe kwa hali ya kisawasawa, zifanye maendeleo ili kila mtu katika kaunti afaidike na ile pesa ambazo Seneta analeta.

Katika Mswada ulioko hapa, mbele ya kupeleka pesa katika serikali zetu za ugatuzi, tumedai na kukita pesa hizi ziongezwe. Hatutaki Shilingi bilioni 420. Hiyo tumekataa. Tumesema ya kwamba Shilingi bilioni 454 ni pesa ya kutosha kugawanywa kwa kaunti 47. Kila mtu atatosheka na kila kaunti itapata pesa. Hakuna kaunti hata moja itapoteza.

Asante Bi. Spika wa Muda kwa kunipa nafasi hii.

**Sen. Gataya Mo Fire:** Thank you very much, Madam Temporary Speaker. I want to join my colleagues in contributing to this very important Bill.

The Division of Revenue Bill defines what it takes to be a Senator. I want to agree with quite a number of other colleagues who have just canvassed this Bill. If you go around this country, very few people want to know exactly what a Senator does. I have captured very many instances where somebody would just come and challenge what it is that Senators have done for the last five years they have been in the Senate.

I want these people to reason carefully. I think from yesterday, our core business was to make sure that we devolve money to our relevant counties. That defines exactly what a Senator is supposed to do. It is always very important when we converge here and agree, as Senators, that we need to allocate that much money to our counties. It defines our responsibility. It is also very important to know that devolution is not a one-man show. It is a constitutional obligation.

Kenya sat down, through a very rigorous process and created a Constitution which brought on board devolution. We created entities called counties, which are headed by CEOs called governors. Then, we created an entity called the Senate, which is supposed to oversee those entities called counties.

I want to go straight to support the Mediation Committee which is trying to push for Kshs458 billion to go to our counties. We have seen quite a number of challenges in our counties where we have huge pending bills, very dilapidated health and Early Childhood Development Education (ECDE) facilities. We have not seen much in counties in terms of devolved functions such as agriculture. I am happy that as a Senate, we have all come up with a very strong resolve to devolve enough monies to counties.

Madam Temporary Speaker, with these challenges, we have no option. The only way we can strengthen devolution is to make sure that we equip our counties with the necessary allocation. I remember that about six months ago, we seriously lobbied for affirmative actions funds for counties that are marginalised. I thank my neighbor and uncle, Sen. Enock Wambua and other Senators who supported the 11 counties.

Tharaka-Nithi County where I come from, benefited with Kshs400 million. I can confirm that in the last few months, I have seen some projects such as bridges coming up out of the Kshs400 million. That is something very positive because were it not for that money, maybe some of those projects would not have been realised.

Going by this kind of arrangement where we all have a resolve to make sure that counties get enough, it is now my plea that we be very tough on oversight. I echo the sentiments of Sen. Madzayo that we are the people who are funding these counties. All the projects that people see on the ground originate from this House. It is very unfortunate when we devolve money to counties, we get resistance from the people who receive these monies when we go to do oversight. It is very unconstitutional.

I am happy that the stalemate that was existing between the Senate and the Council of Governors (CoG) has been resolved. We now expect all the county Chief Executive Officers (CEOs) to appear before the relevant committees to answer questions on expenditure. I have been to very many counties in this country and have seen very many stalled projects. It is high time we make sure that the Kshs458 billion that is supposed to go to counties is devolved immediately.

Madam Temporary Speaker, passing these resolutions here is not even enough. We have seen challenges where the national Government would delay disbursement of

these monies for very many months. Governors are then forced to borrow overdrafts from banks to pay salaries and service other bills here and there. I urge the national Government to ensure that money is devolved on time, so that we do not have a situation where a contractor or supplier who has undertaken duties is not paid on time. I support this Division of Revenue Bill. It is important that once we get these monies down to our counties, we have governors making prudent use of these monies.

I seriously express disappointment with what is happening in Kitui County. For the last 60 years, we have suffered the same fate of banditry because Kitui and Tharaka-Nithi counties are neighbors. We have lost so many lives and livestock and this matter must be addressed conclusively. I do not think we are getting these threats from a neighboring country. These are neighbors who are killing each other under the watch of some very powerful individuals within the system.

So, Madam Temporary Speaker, I beg to support this Division of Revenue Bill, which will ensure that counties get enough money, so that they can render the necessary services in our respective counties.

I support.

**The Temporary Speaker** (Sen. Mumma): Sen. Chimera, you have the Floor.

**Sen. Chimera:** Asante sana, Bi. Spika wa Muda. Nilikuwa ninafikiria kuwa nitapata nafasi hii niweze kuzungumza na Kiongozi wa Walio Wachache, Mheshimiwa Sen. Madzayo kwa sababu, Waswahili husema “Unakumbuka mkeka wakati kumekucha.” Yale mambo ambayo yamezungumzwa na Kiongozi wetu kwa Bunge hili ni ishara tu ya kwamba joto la siasa limeanza kutokota katika eneo la pwani na zile kaunti zetu. Kwa mara ya kwanza, Maseneta wanawakumbusha wale ambao waliwatuma hapa Seneti kazi yao muhimu ni gani.

Ninakubaliana na Maseneta ambao wamezungumza kuhusu Mswada huu ya kwamba jukumu muhimu zaidi la Seneta yeyote ndani ya Seneti ni kuhakikisha ya kwamba kwanza, ameisoma sheria hii ya Ugavi wa Fedha ambayo inakwenda kwa serikali zetu za kaunti; pili, amefahamu sheria ile na tatu, amechangia katika mazungumzo ama changizo za kuifanya sheria ile iwe bora zaidi ndiposa kaunti zetu zipate nyongeza ya mgao wa fedha na vile vile fedha zifike kwa kaunti zetu kwa haraka iwezekananavyo.

Bi, Spika wa Muda, mimi nimeteuliwa tu kama wewe na chama tawala cha Kitaifa cha United Democratic Alliance (UDA) ili niwakilishe vijana nchi nzima lakini hususan, pia ninawakilisha watu wa Kwale ndani ya Seneti. Nikitembetembea kule nyanjani Kwale ambapo nilikuwa ninataka nipate nafasi nizungumze na Sen. Madzayo nimwambie kuwa kando na jukumu hili la Kipengele cha 96(3) katika Katiba yetu ya Kenya, 2010, vile vile kiongozi yeyote awe ni Seneta, Mbunge au Mjumbe wa Kaunti (MCA), au awe ni kiongozi wa nyumba kumi, yeye pia ana jukumu la kutangamana na wananchi wake kule nyanjani kuenda kusikiliza hoja zao na kuzileta hapa Bungeni.

Vile vile, kiongozi yule pia ana nafasi hata kama hana mfuko kuchangia katika maendeleo ya kijamii. Kwa hivyo, sio sawa kusema kwamba wewe kazi yako muhimu tu ni kupeleka fedha nyanjani. Lakini ninaelewa kwa sababu ndio Katiba na ninaweza kumruhusu kiongozi wangu aseme vile.

Wakati ninapozunguka katika kaunti yangu ya Kwale kutathmini shughuli za maendeleo, na kukaa karibu na wananchi wangu, huwa ninawakumbusha watu wa Kwale kwamba wakati wanafanya maamuzi na ninajua watapata nafasi hiyo mwaka ujao, kumtuma yule ambaye atakuja hapa Seneti. Atakayetumwa awe mtu ambaye anafahamu jukumu kuu zaidi la kuwa Seneta ni nini. Sheria hii ambayo tunaizungumzia leo, ndiyo kigezo muhimu cha ambaye ataitwa Seneta katika nchi hii.

Kiti cha Useneta ndani ya nchi hii ni kiti muhimu sana. Nimeangalia Mswada huu ambao umepitishwa na Bunge letu la Kitaifa na nikaona ni vyema zaidi, lazima niweke sauti yangu kwa Mswada huu ambao unazungumzia Ugavi wa Fedha na ule mfumo wa ugavi ambao unakwenda katika kaunti zetu.

Bi Spika wa Muda, najua tumepangia kuongeza mgao huu kufikia Shilingi bilioni 454 lakini hatukufanikiwa. Tusife moyo, nina imani, bado nafasi ipo ya kuzungumzia na kuhakikisha ya kwamba Serikali imeweza kuongeza mgao huu.

Vile vile, nimeona katika takrimu za Mswada huu, ya kwamba tumepata Shilingi bilioni 420 kuenda kwa kaunti zetu kule nyanjani kuhakikisha kwamba miradi inafanyika. Nina imani kwamba nyogeza ile ya Shilingi bilioni tano katika Kaunti yangu ya Kwale itapata nyongeza. Angalau gavana wangu atapata fursa ya kusukuma “Elimu ni Sasa” pale Kwale, aweze kuongeza mgao wa ile fedha ambayo inakwenda kufanya kazi ya Afya; aweze kupata fursa ya kuongeza mgao wa fedha ambao unakwenda kuhakikisha kwamba kilimo ndani ya Kaunti ya Kwale kimeboreshwa; aweze kuongeza mgao wa fedha ambao unakwenda katika kuhakikisha wale wananchi wetu wa Kwale na wafanya biashara wadogo wadogo wamenufaika na maendeleo ya mgao huu na wanapata afueni katika shughuli za kila siku za ufanya biashara.

Vile vile niwaeleze magavana kwamba ni kinaya kusukuma Seneti iongeze mgao wa fedha lakini mkisha upata, wewe kama gavana unatumia fedha zile, mwisho wa siku unakataa kuleta hesabu yako katika Seneti ili ifanyiwe uangalizi. Magavana wengi wamesusia vikao vile kwa sababu zao ambazo siwezi kuzisema. Sio sawa kwamba wewe unalilia Seneti ikupe fedha, lakini ukishapata hutaki kuja kujieleza ulivyo zitumia kuboresha maisha ya watu wako.

Mwishowe wakifanya mhula wao, utapata magavana wengi wakiwania kuja hapa kama Maseneta. Ninampongeza mwenzangu, Sen. Murango, kutoka kaunti ya Kirinyaga kwa sababu mwaka jana nilijaribu kusukuma sheria hapa kwamba ikiwa umekuwa gavana na kufanya mihula yako miwili ya kikatiba, basi iwe sheria usiruhusiwe kugombania kiti cha useneta mpaka miaka mitano ile ya kwanza iishe, sisi Maseneta tukague vitabu vyako, tukiridhika basi sheria ikuruhusu baadaye kuwania kiti kile. Kwa sababu ya hitilafu za kisheria, hatukupata idadi mwafaka ya Maseneta kuzungumzia sheria ile. Nimshukuru Sen. Murango na kumpongeza kwa bidii yake ameregesha Mswada ule katika Seneti hii. Nina imani siku zijazo huko mbeleni, tutazungumzia Mswada ule.

Ninawaomba Maseneta wenzangu kwamba naona kwa sasa tumetengeneza political goodwill kwamba tunapania na tumeamua kwa kauli moja kwamba, tuko tayari kuhakikisha hawa magavana wamepigwa msasa vilivyo ili wakija kukaa hapa, kama Maseneta kazi yao izungumze kwa niaba yao. Hii ni nafasi muhimu sana kwa kaunti zetu kuonyesha wamefanya nini na fedha hiyo.

Ninawapongeza sana wenzangu ambao wamezungumza mbele yangu na kuunga mkono Mswada huu. Vile vile wale magavana wawe tayari kupigwa msasa baada ya kupata pesa ile.

Mimi ni mwanakamati wa Kamati ya kufanya uangalizi wa fedha maalum katika Kaunti au County Public investments and Special Funds Committee. Nitajifunga kibwebwe kwa sababu tumetafuta fedha hii kwa udi na uvumba, tuulize maswali ambayo yanayostahili kuona kwamba fedha hii imemfaidi mwananchi wa Kenya, mwananchi mtukufu wa Kwale na maendeleo na miradi imepatikana kwa mujibu wa sheria na mipango iliyoko ili magavana waache kutumia fedha vibaya.

Nimemsikia Sen. Methu nikiwa barabarani kuja Bungeni. Amesema kwamba pesa tunazopitisha hapa mwisho wa siku inakuwa mbinu ya kufanya magavana wetu kuwa mabilionea kule nyanjani, na si sawa. Uongozi si kujilimbikizia mali, bali ni nafasi murwa ya kutumikia wananchi wetu wafaidike na uongozi wetu.

Sheria hii ya Division of Revenue ndiyo ya muhimu zaidi katika Seneti. Haitakuwa sawa kama mtu anajiita Seneta na hata hawezi kuchangia, kuisoma sheria na kuifahamu. Itakuwa mtu huyo hana nafasi ya kuwa Seneta na hafai kuwa katika Bunge hili.

Asante Bi. Spika wa Muda kwa nafasi hii. Mwenyezi Mungu akubariki.

**The Temporary Speaker** (Sen. Mumma): Sen. Chimera I do not know whether you finalised. You still have 10 minutes.

**Sen. Chimera:** Madam Temporary Speaker, I have finalised.

#### ADJOURNMENT

**The Temporary Speaker** (Sen. Mumma): Hon. Senators, it is now 6.30 p.m., time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Thursday, 30<sup>th</sup> April, 2026 at 2.30 p.m.

The Senate rose at 6.30 p.m.