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THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Wednesday, 9th October 2024

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Hon. Members, there is no quorum. Serjeant-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

(An Hon. Member spoke off record)

I was advised by the Serjeant-at-Arms. Hon. Members, we have quorum to proceed. Clerk-at-the-Table. Hon. Members, I have a short Communication to make.

(Hon. Raphael Wanjala walked into the Chamber while Hon. Speaker was on his feet)

Hon. Wanjala, take the nearest seat.

COMMUNICATION FROM THE CHAIR

CORRECTION OF TALLYING IN DIVISION

Hon. Speaker: Hon. Members, as you are aware, yesterday, Tuesday, 8th October 2024, the House voted by way of roll call Division upon a Question on the Special Motion on the proposed removal from office, by impeachment, of His Excellency Rigathi Gachagua, EGH.

At the end of the voting, I declared the results as follows:

Ayes - 281

Noes - 44

Abstention - 1

Total Votes - 326

However, at the point of conveying the Message to the Senate on the Resolution of the House, it was brought to my attention that an error was identified on the face of the record. In this regard, the tally erroneously indicated that the Member for Ainabkoi Constituency did not vote, despite evidence of the Member having been present in the House and recording his yes vote on the Special Motion. I saw and heard him vote. The Clerk's record of votes and proceedings of the sitting was also accurate, having correctly recorded the yes vote with respect to the Member for Ainabkoi. In this regard and upon verification of the video recording of Members who voted during the Division, I have, indeed, confirmed that the Member was present in the House and participated in the vote by voting 'Yes.'

As you are aware, the provisions of Standing Order 75 provide that if, after a roll call vote has been made, it is discovered that the number has been inaccurately reported or that an error has occurred in the names of the division list, the fact shall be reported to the House and the Speaker shall direct that the necessary corrections be made.

Consequently, pursuant to the provisions of Standing Order 75, I directed the Clerk of the National Assembly to effect the necessary corrections to the record of the tally prior to conveying the Message to the Senate. In this regard, I wish to announce that the correct tally after verification of the vote and as conveyed to the Senate is as follows:

Ayes - 282
Noes - 44
Abstention - 1
Total Votes - 327

(Applause)

The House is thus accordingly informed. Since the trial is going on in the Senate, I direct the Clerk of the National Assembly to furnish the Speaker of the Senate with this Communication for their records.

Thank you.

Hon. Samuel Chepkong'a (Ainabkoi, UDA): On a point of order, Hon. Speaker.

Hon. Speaker: Yes, Hon. Chepkong'a. You caused this problem by shifting from where you normally sit. This is because the Clerks-at-the-Table know where you sit. Go ahead.

(Laughter)

Hon. Samuel Chepkong'a (Ainabkoi, UDA): Thank you very much, Hon. Speaker, for correcting the error that was on the face of the record. I was seated here last evening. As we were walking out, the Deputy Leader of the Majority Party, Hon. Baya, informed me that it had been said that I did not vote. I quickly went to the Clerks-at-the-Table to ask why it was being said that I had not voted. I was told that I was not in the ordinary place where I sit. I am not seated in my ordinary seat even now.

(Laughter)

As you walked in yesterday, I took the nearest seat. But I can confirm that I actually voted. I was the third or fourth Member to vote.

Hon. Speaker: You were the fourth one.

Hon. Samuel Chepkong'a (Ainabkoi, UDA): I was the fourth one to vote 'yes.' I have witnesses here, including *The Star*, which indicate that I voted. I do not know why the others did not hear me. However, I am the most unlikely person not to vote, Hon. Speaker. I am a very conscientious democrat who believes in voting and expressing myself. I thank you very much for according me an opportunity to be included in the tally.

I thank you.

Hon. Speaker: Thank you, Hon. Chepkong'a. I knew that if that was not corrected, it would have serious political ramifications on you.

(Laughter)

Hon. Peter Masara (Suna West, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: Who is that?

Hon. Peter Masara (Suna West, ODM): Hon. Masara.

Hon. Speaker: Yes, Hon. Masara.

Hon. Peter Masara (Suna West, ODM): Thank you, Hon. Speaker, for giving me this opportunity. I rise under Standing Order 127(4), which says:

‘Subject to Standing Order 129 (Second Reading of a Bill to amend the Constitution), the Chairperson of the Departmental Committee to which a Bill is committed or a Member designated for that purpose by the Committee shall present the Committee’s report to the House to inform debate within 30 calendar days of such committal....

I have three Bills. The first one was read the First Time on 5th June 2024.

Hon. Speaker: Which Bill?

Hon. Peter Masara (Suna West, ODM): The National Police Service Commission (Amendment) Bill, (National Assembly Bill No.23 of 2024). The second one is the Social Assistance (Amendment) Bill, (National Assembly Bill No.80 of 2023), which was read the First Time on 11th April 2024. The third one is the Marriage (Amendment) Bill, (National Assembly Bill No.32 of 2023), which was read the First Time on 16th August 2023. The three Bills are very important to the public. Members of the National Assembly are elected to legislate. To pursue a Bill to reach where it is – that is First Reading - is serious business.

I am requesting you to invoke Standing Order 127 so that those Bills can be read the second time. The Amendment Bill involves you. You promised that it should be brought to this House within 30 days. It is now over eight months. I wrote to you sometime back.

Hon. Speaker: Which one?

Hon. Peter Masara (Suna West, ODM): The Marriage (Amendment) Bill. I wrote to you on 22nd August 2023, but I did not get a response. On the same date, I wrote to the Leader of the Majority Party, who had issues with the Bill, but never got a response.

Hon. Speaker: Hon. Masara, you are being economical with the truth. You know very well that on that Bill that you wrote to me, I dutifully invited you to the Speaker's Chamber. I told you that, as the Speaker of the House, I would not allow that Bill to go beyond my desk. I gave you the reasons, and those powers are vested in the Speaker. I do not want to air those reasons here. I told you to address the issues the Speaker was concerned about. I am the custodian of all the Bills that come to this House. I even told you why I disallowed that Bill. The two other Bills are on the Order Paper today. If you have looked at the Order Paper, the Chairperson of the Departmental Committee is tabling reports on those two other Bills. So there is progress. Regrettably, there has been a delay, but there has been some progress. The reports are being tabled now. As for the Marriage Bill, you are aware of the necessary actions and the concerns that were raised by the Speaker regarding the Bill.

Hon. Masara, is that okay? Hon. (Dr) Oundo, let us finish with Hon. Masara first.

Hon. Peter Masara (Suna West, ODM): Hon. Speaker, I stand guided. I appreciate your guidance. However, Parliament is a house of records. On the issue of the amendment Bill, now that it was communicated officially, how I wish I could get a document...

Hon. Speaker: Which one?

Hon. Peter Masara (Suna West, ODM): The Amendment Bill.

Hon. Speaker: Which Amendment Bill? Because they are all amendment Bills?

Hon. Peter Masara (Suna West, ODM): The Marriage (Amendment) Bill of 2023.

Hon. Speaker: I will not write to you. I told you what to do.

Hon. Peter Masara (Suna West, ODM): Thank you.

Hon. Speaker: Yes, Hon. Milemba? Hon. (Dr) Oundo should go first.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I would also like to have your attention. I know you are multi-tasking but, please, give me a few seconds of your time. I want to continue from where my colleague left, but I do not want to lament, so to speak. Is there a way

we can expedite the processing of Members' Bills so that they are processed to the end? I had a Bill that lapsed during the last term. It took your intervention, Hon. Speaker, to even get the report of the Committee in the new term for it to be tabled here.

Hon. Speaker: On which bill?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): The Land Control Bill. It has been pending since the day it was read the First Time in the 12th Parliament around 2021.

Hon. Speaker: So, you resurrected the Bill.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Yes, I revived the Bill, and it was only with your intervention that the Departmental Committee on Lands tabled their Report. I believe they tabled their Report sometime in March or May this year, although I am not certain. Unfortunately, it has never appeared in any of the Order Papers since then.

Hon. Speaker: You should write to the Speaker to take it up from there.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): I will do so, Hon. Speaker. On the issue of the Marriage Bill, I thought everyone here was married. Hon. Masara, what else do you want to do with the Marriage Bill?

(Laughter)

Hon. Speaker: Yes, Hon. Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. Although it has almost been overtaken by events, I would like to clarify that, as a Member of the House Business Committee, you did not do whatever you were communicating to Hon. Masara, on your own. The matter was brought before the House Business Committee, a discussion ensued, and the Committee decided that you talk to Hon. Masara regarding that particular Bill. If he makes the necessary corrections, the debate on the Bill will commence.

Hon. Speaker: Absolutely! Just to be clear, Hon. Masara, the views I shared with you are not my own, although I embrace them fully. They represent the views of the House Business Committee.

Yes, Mama Zamzam. Is it on the same issue?

Hon. Zamzam Mohammed (Mombasa County, ODM): Ahsante Mhe. Spika. Nami pia ningependa kutoa malalamishi yangu kwa sababu *Petitions and Requests for Statements* zangu zingine zimekaa zaidi ya miezi minane. Wengine waliokuja nyuma wamepata majibu lakini bado nangoja. Inaonekana kama Mama Mombasa sifanyi kazi. Jambo hili limenisumbua sana. Sijui kuna shida ipi kule *Table Office*.

Ahsante sana.

Hon. Speaker: Petition yako ilikuwa kuhusu nini?

Hon. Zamzam Mohammed (Mombasa County, ODM): Nilikuwa na *Petition* kuhusu *lands*, nyingine ya mjane Noor Jeysan ambaye alitapeliwa na Diamond Trust Bank, na nyingine inahusu wafanyakazi wa Shirika la Reli ambao hawajalipwa fidia zao mpaka leo. Kuna statement requests nyingine ambazo nilikuwa nataka kufanya.

Hon. Speaker: Orodhesha hiyo ya ardhi na hizo zote zingine na uandikie Bwana Spika. Nitakusaidia Jumanne ijayo.

Hon. Zamzam Mohammed (Mombasa County, ODM): Ahsante sana, Mhe. Spika.

Hon. Speaker: Hon. Caroli Omondi.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Speaker. I hope I am not out of order. I also just want to add my voice to the sentiments that have been expressed by Hon. (Dr) Oundo. I have three Bills which you are aware of. One is an amendment to the Registration of Persons Act so that we can give national identity cards and voters cards to students while they are still in high school. I do not know where it is. I am still following it up. I have another one on actualising Article 10 of the Constitution within our curriculum under

Nationhood Science as a subject. Again, it is over eight months since I made the proposals. The final one, which was even to coincide with the presidential visit to America, is on the right of return for African-Americans. It would spur investments by diaspora Kenyans but, again, it has disappeared.

Hon. Speaker, this is a matter of grave concern to us. If we could find a way of expediting Private Members' Bills, it would be of service to all of us, including the people and the country at large.

Thank you, Hon. Speaker.

Hon. Speaker: Members, so that we do not belabour the point, we have many pending Private Members' Bills. The time allocated to Private Members' Bills is only Wednesday morning. I will place your sentiments before the House Business Committee so that, subject to the House agreeing, we can temporarily introduce a Thursday morning sitting to deal with Private Members' Bills so that we can clear the backlog.

(Applause)

We have many such Bills that come before me. I see them in the briefs. I also feel uncomfortable that they have not had sufficient time to be prosecuted. So, if you agree, Hon. Milemba, as a member of the House Business Committee, you can bring it up on Tuesday and we will open it up for the House to have a special private Members' business sitting on Thursday morning.

Yes, Hon. Emmanuel Wangwe. Give Hon. Wangwe the microphone.

Hon. Emmanuel Wangwe Navakholo, ODM): Hon. Speaker, while it is a positive suggestion, it should also come with the condition that Members whose Motions are on the Order Paper must be present on the scheduled day. We should not take action just for the sake of it.

Hon. Speaker: For example, this morning, we had Private Members' Business scheduled, but the Members were not here. We also need to up our game and raise our levels of responsibility to be in the House when we are required.

Hon. Pukose.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Speaker. In the same breath, there are Private Members' Bills that, due to their significance and importance, sometimes become Committee Bills. For instance, my Bill on the Kenya Drugs Authority is one such Bill. We have already done winnowing. This Bill is crucial for local manufacturing of vaccines and drugs, which can be utilized within the region. Many international investors, our bio-firms, and the Kenya Primate Research Institute are eagerly awaiting this Bill. The passage of the National Drug Authority Bill will elevate Kenya to a maturity level three country, according to the WHO classification. It will enable us to manufacture and export our drugs.

Currently, despite completing the winnowing process, the Bill is still pending. Additionally, there is another Bill by Hon. Millie Odhiambo on assisted reproductive health, which the Committee is currently winnowing. Although the winnowing process for the Kenya Drugs Authority Bill is complete, both Bills are awaiting scheduling. Therefore, I urge the House Business Committee to reschedule those important Bills for debate by the House.

Hon. Speaker: I actually flagged out your Bill in the House Business Committee this week. The response I received indicated that the winnowing process is incomplete, which has caused the delay. Once the process is complete, please, follow up with the Clerk's Office, and it will be scheduled for the House Business Committee on Tuesday.

Let us go to the next Order.

PAPERS

Hon. Speaker: Let us have the Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Hon. Speaker, I beg to lay the following Papers on the Table:

1. Response by His Excellency Rigathi Gachagua, EGH, the Deputy President of the Republic of Kenya on the Special Motion on his proposed removal from office by impeachment.
2. Annual national Government budget implementation review reports for the financial year 2023/2024 from the Office of the Controller Budget.
3. The biannual report of the Commission on Administrative Justice for the period July to December 2023.

I thank you, Hon. Speaker.

Hon. Speaker: Next is the Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. I beg to lay the following Paper on the Table:

Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Report of the National Dialogue Committee (NADCO) and the Report of the Multi-Sectoral Working Group (MSWG) on the realisation of the two-thirds gender rule.

Thank you.

Hon. Speaker: Thank you, Hon. Murugara. Next is the Chairperson of the Departmental Committee on Administration and Internal Affairs. Hon. Raso, you are the Vice-Chairperson.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Speaker. I beg to lay the following Paper on the Table:

Reports of the Departmental Committee on Administration and Internal Affairs on its consideration of:

1. The County Governments (Amendment) Bill, (Senate Bill No. 25 of 2023); and,
2. The National Police Service Commission (Amendment) Bill, (National Assembly Bill No. 23 of 2024.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Next Order.

NOTICES OF MOTION

Hon. Speaker: Let us have the Chairperson of the Departmental Committee on Justice and Legal Affairs.

ADOPTION OF REPORTS OF THE NATIONAL DIALOGUE COMMITTEE AND THE MULTI-SECTORAL WORKING GROUP ON TWO-THIRDS GENDER PRINCIPLE

Hon. George Murugara (Tharaka, UDA): Thank you, Hon. Speaker. I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Report of the National Dialogue Committee (NADCO) and the Report of the Multi-Sectoral Working

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Group (MSWG) on the realisation of the two-thirds gender rule, laid on the Table of the House, today Thursday, 9th October 2024.

Hon. Speaker, allow me to comment on this Report. I know that the Members who have seen this Report are concerned about it. This is the consideration by the Departmental Committee on Justice and Legal Affairs on the National Dialogue Committee (NADCO) Report. Attached to this Report is the NADCO Report itself. That is why the Report looks bulky. However, our Report is not as bulky as the document I have laid on the Table. This is the Report that contained the proposed constitutional amendments. As you have heard, we have the two-thirds gender principle that was from the multi-sectoral working group. We also have other constitutional amendment proposals, including entrenching the National Government Constituencies Development Fund (NG-CDF) in the Constitution, creating the Office of the Leader of Opposition, entrenching the Prime Cabinet Secretary in the Constitution, and many other proposals that were brought up during the NADCO discussions.

Hon. Members, please; get copies of this Report. In as much as the NADCO made it clear that we should not alter even a comma, we have adhered to that proposition. However, as Members of the Committee and the law-making House in the country, we have made our comments and proposals. The proposals are what we will discuss when the matter comes up for debate. Please, get yourself copies of the Report so that we can have a robust debate when the time comes.

Thank you very much, Hon. Speaker

Hon. Speaker: Thank you, Hon. Murugara. Next Order! Member of Shinyalu.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENTS

STATE OF DISREPAIR OF KAKAMEGA AIRSTRIP

Hon. Fred Ikana (Shinyalu, ANC): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the suspension of flights between Nairobi and Kakamega by Skyward Express.

The Kakamega airstrip has been a vital air travel link between Nairobi and western Kenya for many years. The airstrip serves as a crucial transport infrastructure thus enhancing regional connectivity and promoting economic development. Many residents rely on the airstrip for efficient travel, medical emergencies, and to facilitate business operations. Sadly, reports indicate that key operators on that route, including Skyward Express, have suspended operations due to safety concerns arising from the poor condition of the facility. The suspension of flights has caused significant disruption to the livelihoods of many people, thus cutting off an essential service that connects them to other parts of the country.

The poor state of Kakamega Airstrip, particularly the presence of potholes on the runway, raises serious safety concerns for air operators and the general public. These issues have been long-standing and have now reached a critical point, leading to the suspension and halting of flight operations. Therefore, it is imperative that the Government acts swiftly to resolve this matter, restore safe flight operations, and prevent further disruptions.

It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure to apprise the House on the following:

1. A status report on the state of disrepair of the Kakamega Airstrip, given the safety risks that are posed to the users.

2. Immediate actions being taken to repair the airstrip to meet acceptable aviation standards.
3. A comprehensive plan of the maintenance and expansion of the Kakamega Airstrip, as well as other regional airstrips, to prevent similar safety concerns from occurring and guarantee long-term operational reliability.

I thank you, Hon. Speaker.

Hon. Speaker: That is your docket, Hon. GK. What has happened to the airstrip?

Hon. George Kariuki (Ndia, UDA): Hon. Speaker, we will look into the matter and report back to the House. I request for two weeks to come here with a comprehensive response.

Hon. Speaker: Two weeks?

Hon. George Kariuki (Ndia, UDA): Yes, two weeks.

Hon. Speaker: Two weeks is too long on this matter. Can you bring a preliminary statement on Thursday next week?

Hon. George Kariuki (Ndia, UDA): Hon. Speaker, I will do so. Thank you.

Hon. Speaker: That airstrip is new. You should enquire why it has potholes on the runway. Let us have Hon. Olouch, Member for Mathare. Hon. Anthony, hold on before you take the Floor.

Hon. Members, I wish to recognise and welcome five members of staff from the Parliamentary Training Institute of the Parliament of Ghana. They are in the Speaker's Gallery and are welcome to observe the proceedings of the House. You are most welcome. *Akwaaba*.

(Applause)

Next is Hon. Anthony.

REVISED KERRA CEILINGS FOR 2024/2025 FINANCIAL YEAR

Hon. Anthony Oluoch (Mathare, ODM): Thank you, Hon. Speaker.

I rise pursuant to the provisions of Standing Order 44(2)(c). I request for a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure regarding the revised ceilings for the 2024/2025 Financial Year work plans that have been issued by the Kenya Rural Roads Authority (KeRRA). The revised work plans are contained in a circular dated 8th October 2024. It came to our attention today.

In the recent past, there has been a systematic reduction of allocation of funds allocated in the 22 per cent ceiling and the 10 per cent ceiling that has been issued by the Kenya Roads Board. Additionally, the High Court in Nairobi issued an interim conservatory order on 19th August 2024 directing the Kenya Roads Board to freeze and withhold funds collected in the 2024/2025 Financial Year to the extent of Ksh10,522,211,858 to be allocated to county governments. In view of this, KeRRA has revised the 22 per cent and 10 per cent constituency ceiling allocation for the 2024/2025 Financial Year.

It is against this background that I request for a statement from the Chairperson of the Departmental Committee on Transport and Infrastructure on the following:

1. Report on the reasons for the systemic reduction of allocations of 22 per cent and 10 per cent funding to KeRRA for road construction and maintenance, and measures in place to avert such reductions in future.
2. Immediate revocation of the circular on reduction and return of status quo on the ceilings for the 2024/2025 Financial Year.
3. Measures that have been put in place to secure the funds, including holding the collected funds in a suspense account pending the conclusion of the court case.

4. Comprehensive report on the usage of the Ksh7 fuel levy that has been allocated in the Supplementary Budget of the 2024/2025 Financial Year.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. KJ

Hon. John Kiarie (Dagoretti South, UDA): Hon. Speaker, I must thank *wakili* Oluoch for bringing this matter to the attention of the House. It is a charge we are putting on the Chairperson of the Departmental Committee on Transport and Infrastructure to follow through and bring a good response. What is at risk here is the benefits that have been accruing from that decentralised Fund. It is clear to the minds of Members that there is a hand that is behind those court cases that keep coming up and that are aimed at stifling that important Fund.

I am not embarrassed to say that we see the hand of governors in this issue. This House does a lot of work by coming up with the Division of Revenue Bill that gives monies that are sufficient to run those counties. When you get to the ground, it is obvious that decentralised monies, including the NG-CDF, have an effect on the ground. That 22 per cent is also decentralised money, from the centre and equally distributed to constituencies. Governors are very keen to put their hand into those coffers.

As this Committee is interrogating this issue, they need to find a way of making sure that those governors understand what this House is saying. We have given them the responsibility of controlling devolved monies. However, we do not see any impact of the devolved money in our constituencies. The 22 per cent and 10 per cent that is decentralised is what is building the road networks in the counties, including access roads in our constituencies. While all the other Members enjoy being from different regions - Western, Coast and North-Eastern Regions - Nairobi is never considered as a region when it comes to the distribution of resources. Out of the national Budget, the decentralised funds are the only benefits that accrues for Members of Parliament and their constituents. That is why *wakili* Oluoch is keen to know what is happening to all those important funds that help him put up access roads and other roads that are required in Mathare Constituency. That is what we also need in Dagoretti and other constituencies in Nairobi.

Kindly, direct that this practice is brought to a halt. It is only the Departmental Committee on Transport and Infrastructure that is able to do so. It should communicate to the governors exactly what this House is saying so that we do not have a repeat of the court cases that are sponsored by people who do not mean well for decentralisation.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Atandi.

Hon. Samuel Atandi (Alego Usonga, ODM): Thank you, Hon. Speaker. I also commend Hon. Oluoch for the statement that he has sought from the Chairperson of the Departmental Committee on Transport and Infrastructure. It is true that there has been a reduction in resources that are going to KeRRA to build roads in villages. The governors who went to court to take a slice of those resources occasioned that reduction. This country has very inept governors. I have been to countries like Ghana and Nigeria, where devolution is practised. In our country, we have lazy governors who just travel across the world and do nothing with the resources that this House gives them. They do not use them properly. They have now resorted to attacking MPs, who are successfully using resources to build roads that can be seen in the constituencies.

This House must condemn the governors for going to court to take away KeRRA resources. The resources have been used fairly. You can see the roads that have been constructed by KeRRA if you go to the villages. You will never see any roads that have been constructed by the governors. I ask you not to allow this House to be undermined by the county governors. As the Speaker of this House, ensure that we protect the resources that help Kenyans. I know governors are listening. I urge them to work with the money that they have

been given by this House. Do not look for other resources from us. Otherwise, we need to start calling the governors to appear before this House to explain how they use the money that we give them. There is nothing that stops us from summoning governors. I have seen senators summoning cabinet secretaries on things that are not even within their scope. Going forward, we need to begin summoning governors to appear before us. We must protect this country from lazy governors.

Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Nabii.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Speaker. I commend Hon. Oluoch for requesting for the statement.

There is a very good reason why roads are rated differently. We have roads which are rated for county governments and we have roads for national Government. The reason why that was done was after realisation that the first county governments were unable to do all the roads. After they were unable, there was an agreement between the national Government and county governments that there must be roads to be done by the national Government and roads to be done by the county governments. One wonders why they were unable to do those roads, gave them back to the national Government and they are now raiding the same amount of money that is supposed to do the roads. Governors must be reminded that this House is the one that allocates the money. If one raids the hand that feeds you, that hand can deny you the food that it gives every other day. I call upon this House to be vigilant about county governments. I also ask our brothers in the Senate to supervise those people because they do not use the money they get to do the roads in the counties. If you come to my constituency, you will hardly see a road that has been done by the County Government of Kakamega, but you will see the roads that have been done by the Kenya Rural Roads Authority (KeRRA). So, Hon. Speaker, like my brother, Hon. Atandi, I request that you protect what belongs to the national Government.

Hon. Speaker: Hon. Rindikiri

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Speaker. It has become fashionable that in every financial year, a new circular is issued from the Kenya Roads Board. I wonder why the Kenya Roads Board does this when there is a system that is already agreed upon. This matter came to this House in the last financial year. This trend is being perpetuated slowly. We do not know why the Kenya Roads Board does not consult Members of Parliament through the chairpersons of the relevant committees or through the Ministry of Roads, Transport and Public Works. I find it very ironical when the Kenya Roads Board consults the Council of Governors and they agree and do a circular. That is not in order. I join Hon. Oluoch in saying that this trend must come to an end. It should be known that governors exert power when they meet somewhere with the Executive and they agree to try to push for the money that does the credible job in the constituencies.

Hon. Speaker, roads under KeRRA join two constituencies. There is a very clear demarcation. Those are roads that are done comfortably trans-constituencies. Governors have failed to do simple roads, connecting the villages. If they cannot manage the many billions of shillings they have and they are finding it easier to manage the Ksh20 million, let them give us Ksh15 billion so that we can manage it for them. This habit must be called out. I ask my very good friend, the Chairperson of the Committee, that it is his responsibility because he is the bridge between us, the Ministry and the Kenya Roads Board. If this money goes, Hon. Chairperson, we will discuss you as part of this problem. Thank you.

Hon. Speaker: Do you want to escalate this beyond this?

Hon. Members: Yes.

Hon. Speaker: Let me give a chance to the gentleman next to Hon. Muragara. Hon. Member for Keiyo South.

Hon. Gideon Kimaiyo (Keiyo South, UDA): Thank you, Hon. Speaker. This is a very important matter and I join my colleagues to discuss it. If you go to constituencies and compare what KeRRA does with what the counties do, it is obvious. There is nothing on-going that has been done by the governors. They now want to take the little that we do in the constituencies through KeRRA, to add to what they usually do - which is non-existent. We shall oppose this. I join my colleagues in telling the Chairperson of the Departmental Committee on Transport and Infrastructure to be vigilant so that we can safeguard the little that *wananchi* see.

Let me go to a specific example in my constituency, Keiyo South. In Keiyo South, I have six wards. None of the county roads is on-going, but there is something that is being done in the constituency by KeRRA. There is something that was done last year; there is something on-going, and one can see something which was done two years ago. As counties do those roads, they do shoddy work. As the National Assembly, we should speak in one voice that let this money be left with KeRRA because the *mwananchi* has seen the benefit of what KeRRA does. Ridiculously, if you come to my constituency, some officials from the county tell people not to do a certain road because they have already given it to KeRRA, but they do nothing. Once a road is done using KeRRA money, they erect a sign post that indicates that it is the county which has done the road. We shall stop this and we shall not allow this to take place as the National Assembly.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Gisairo. Hon. Members, take two minutes each.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon. Speaker. I would like to thank Hon. Oluoch for raising this matter and also would like to categorically state that the Council of Governors is becoming an embarrassment to this country because the work they are supposed to do in the fields of health, they are doing nothing. They are unable to maintain the footpaths we have allowed them to. They always come for what is meant for the Members of Parliament. Were it not for the Members of Parliament, some counties would be inaccessible, including mine. We will not just sit here and allow those bunch of idlers to be frustrating us every now and then.

(Laughter)

(Applause)

Enough is enough and we have to tell them. It is not that we want their seats but, if we want them, we will take them. They are not worth being called excellences. The governors should start focusing on their jobs. We have never ever gone for their work or gone for their resources. We appropriate enough funds for them to run their counties which they are not doing. But they are always coming for the little that we have. Not only are they funding the cases on the National Government, Constituencies Development Fund (NG-CDF) in courts, they have gone to KeRRA.

Hon. Speaker, with your leadership, we will stand up and defend constituencies and what is meant for them. We are not worried about governors. We can take care of them individually.

Hon. Speaker: I hope not physically.

(Laughter)

Hon. Zamzam.

Hon. Zamzam Mohamed (Mombasa County): Mhe. Spika, ni aibu sana kuona Mbunge wa kike kama mimi nikililia barabara ya kaunti. Nimepewa pesa ya National

Government Affirmative Action Fund (NGAAF) ya kujenga sehemu ambayo ni Gender Based Violence Centre. Sasa yaelekea mwaka wa tatu kutoka *approval* ya ile *project*. Shida ni kuwa barabara ambayo inahusu *county government* haijajengwa. Mpaka juzi, nimemuomba Mbunge wa Kisauni, Mhe. Rashid Bedzimba, na nataka nimpongeze hapa, kwa sababu yeye ndiye alinichimbia barabara.

Afadhali hizi pesa za KeRRA zipatiwe Wabunge. Gavana huwa hawatumii peza zao kutengeneza barabara. Tunaweza kuwashika mkono hawa Wabunge, angalau watujengee barabara. Ni aibu sana kuona Mbunge akiomba na kuandika mabarua hadi anachoka. Mheshimiwa anafanya *public participation* lakini hana pesa za kujenga barabara mpaka sehemu ambayo akina mama waliodhulumiwa, wanaweza kupata usaidizi. Imekuwa ngumu mpaka Bedzimba akaomba *tractor* ili anipitishie kando kidogo ndio nipate mahali pa kujenga.

Nataka kuwapongeza Wabunge wa Mombasa. Ukienda kwa ndugu yangu Bady, kuna barabara safi na nzuri sana. Lakini ukiangalia za kaunti, ni kama blanketi zimetoka hapa hadi pale; yani ziko mita 100. Hatuelewi hizi pesa zinafanya nini. Zipatiwe hawa Wabunge. Najua wengine wetu tunatamani kuwa magavana lakini hizo pesa ziingie kwa mikono ya Wabunge.

Ahsante sana, Mhe. Spika.

Hon. Speaker: Hon. George Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Speaker. We are quite sad and I want to thank Hon. Anthony Oluoch for bringing this to our attention. We are reeling because of some judgment that was dictated by the Council of Governors (CoG) on NG-CDF. We have not forgotten. That is why we are saying that we need to amend the Constitution, so that can shield ourselves from some governors who believe that we should not have money for development.

As all Hon. Members have said, when you visit the constituencies, what is done by the NG-CDF or KeRRA is visible. Ask the governors what they do with all those billions. A majority of them will say that they spend 60 per cent on recurrent expenses and only 30 per cent is left for development. That is nowhere close to the NG-CDF which is so little and does a lot. Time has come for us to look at the Kenya Roads Act, 2012. If we wish to amend it, we can take all the money from there. The distribution should be after KeNHA and KeRRA, and then the NG-CDF, so that the money for roads is not given to the governors. Let us make all the roads in the constituencies, whether they are classified as county or national Government roads. This is very important and we should start to make the amendments to this law.

Hon. Speaker: Hon. Members, before I give the next Member, allow me to acknowledge Clinton Mackenzie Kilome Secondary School from Mbooni Constituency, Makueni County and Kahawa Garrison Secondary School from Kasarani Constituency, Nairobi County. On my own behalf and on behalf of the whole House, we welcome these students and their teachers to the House of Parliament.

(Applause)

Next is Mama Donya.

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Speaker, for giving me this opportunity. As mama county for Kisii, patients call me asking for wheelchairs to use in hospitals. That work should be done by the governors. I am worried they will not manage the roads. If you see roads that have been done by the Members of Parliament and those that have been done by the governors, they are like day and night. I do not approve of this. We cannot support it because they do not do anything perfectly, from health to providing our mothers with water. Kisii County receives a lot of rainfall but, at the end of the day, women still flock to the springs to collect water. If they are unable to manage the water and health sectors, they should

not interfere with the roads sector. Let them handle the health and water issues, but not the roads. I cannot give them a vote because they do not deserve it.

Hon. Speaker: Hon. Ochanda, Member for Bondo.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Speaker. For the first time, this House has been very magnanimous. In fact, apart from the Division of Revenue Bill, we gave counties more money through a different legislation. We added them money and there was no provocation. Nobody had asked for it - not even the CoG - but we chose to give counties more money. Once we did that, they went ahead to look for different ways of adding themselves more money, particularly in the roads sector.

Hon. Speaker, roads are classified and they attract resources or funding based on their classification. So, if you reduce money for a clear classified road, it means it will not be done. There are classified roads for KeRRA, KeNHA, counties and the Kenya Wildlife Service (KWS) in the Act. So, if you reduce the funds for KeRRA, it means that those roads will not be done. So, this must be made very clear to the CoG.

There are many other ways through which CoG can raise money. In fact, if they were wise, they can get money from different sectors in this country. You wonder why Nairobi County should be given money for bee keeping and yet, there is an authority which deals with bee keeping. We have very many parallel agencies that are doing the same things in the counties. Why does the CoG not look for other ways of making money instead of going for the money that is set aside for the work that is meant to benefit the communities?

Hon. Speaker: Chairperson of the Departmental Committee on Transport and Infrastructure, Hon. GK, you have heard those animated sentiments on the roads issue. I want to assure the House that I will support the Members of Parliament on this issue. Bring a preliminary response to this request for statement on Wednesday afternoon, next week. It is urgent and you must work around the clock to bring it. If it is unsatisfactory, I will summon the Cabinet Secretary to come here. Yes, Hon. GK.

(Applause)

Hon. George Kariuki (Ndia, UDA): Thank you, Hon. Speaker. It is true that a circular was sent yesterday by KeRRA to regional engineers indicating that the Road Maintenance Levy Fund (RMLF) allocation for constituencies has been reduced from Ksh61 million to Ksh34 million. When I saw that circular, I immediately engaged the Ministry of Roads and Transport. I wanted to know why they never engaged my Committee considering we are key stakeholders in every decision that they make. That circular has since been withdrawn, pending further consultations.

(Applause)

Hon. Speaker, I want to assure the Members that the Departmental Committee on Transport and Infrastructure will not stand by and watch governors encroach on that very critical fund. It does the projects that you see in our constituencies when you travel upcountry. I am serving my second term or seventh year as the Member for Ndia Constituency, and I cannot show you a single road, in my constituency, that has been implemented by other authorities using the billions of funds that we allocate them. We will guard that Fund and do our best to ensure that nobody will encroach on it. Sadly, our friends are fond of going to court to interfere with the work of Members of Parliament. We always do our best during the budget-making process to avail resources to the governors to do the work they are supposed to do to better the lives of Kenyans, roads and schools, especially our kindergartens.

Hon. Speaker, if you ask the Members of Parliament here, they will tell you that on top of renovating and making better the primary and secondary schools' infrastructure, they stretch over to help the governors renovate the kindergartens, which is not our responsibility. I want to again assure the House that we will do our best to support and safeguard that Fund.

Hon. Speaker: They have withdrawn the circular. You will tell us why they issued it in the first place.

Hon. George Kariuki (Ndia, UDA): Yes, it has been withdrawn. Allow me, Hon. Speaker, to donate one minute to my colleague here.

Hon. Speaker: You have no time to donate. This is not debate time. Yes, Hon. Alice, what is it?

Hon. Alice Ng'ang'a (Thika Town, UDA): Hon. Speaker, this matter is very important. I want to tell the Chairperson, Committee on Transport and Infrastructure that, if he does not give you a satisfactory answer by the time he comes back to this House, when the Cabinet Secretary is invited here, he and the Cabinet Secretary will sit there as the Members of this National Assembly execute this matter to the letter. He needs to know that this matter is very important to us and that we are not taking shortcuts when we are dealing with it.

Hon. Speaker: Yes, Hon. Oluoch.

Hon. Anthony Oluoch (Mathare, ODM): Hon. Speaker, thank you very much for the directions you have given. I would like to agree with you that despite the withdrawal, a statement needs to be filed before this House. The reason that I think it is still important is because that letter he is referring to needs to be part of the record of this House.

The second reason is that the House will recall that during the Supplementary Budget, we added Ksh7 to the Road Levy Maintenance Fund (RLMF). Those shillings should not be going down. They should be going up. We are collecting close to about Ksh4.8 billion. We must have a written assurance. Why are the reductions even being contemplated? Those must form part of this record.

Hon. Speaker: We must move to the next request for statement. Hon. Owen Baya, I can see your leader is here now and so you will wait.

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

Hon. Speaker: Hon. Mohammed Adow. Yes, Hon. Junet. Are you the one?

Hon. Junet Mohamed (Suna East, ODM): Hon. Speaker, I want to add one thing to the debate on roads.

The problem and the people who are fighting Members of Parliament on this issue of roads are not even governors. It is the Kenya Roads Board (KRB) and the Kenya Rural Roads Authority (KeRRA). That is our problem as a House. This is not the first time they have done a circular which they have withdrawn. There was an earlier one - and I hope the Chairman remembers - where they were also reducing the amount and the House raised the matter and they withdrew it. It is the same thing they are doing.

Why is KeRRA and the Kenya Roads Board not consulting Parliament before they take such drastic action? Hon. Speaker, it is high time the Departmental Committee on Transport and Infrastructure, through their Chairman, reminds KeRRA and KRB who their bosses are in Kenya here, and who is overseeing their operations. Instead of dealing with the Council of Governors and such kind of people, when they want their budget even processed, they go through the Departmental Committee on Transport and Infrastructure in this House. It is the same group that is fighting the Members of Parliament.

Hon. Speaker, we also need to deal with KeRRA and KRB once and for all.

Hon. Speaker: Next Order.

STATUS OF STRATEGIC PROMOTION AND DEVELOPMENT OF
DRY LAND AGRICULTURE IN KENYA

Hon. Speaker: Hon. Adow. Now that matter has gone past. We have spent more than 40 minutes on one request for statement. I disallow. Hon. Adow.

Hon. Mohammed Adow (Wajir South, ODM): Thank you very much, Hon. Speaker. Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(C), I rise to request for a statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the status of strategic promotion and full-scale development of dry land agriculture in Kenya.

Hon. Speaker, approximately 75 per cent of our country's landmass consists of arid and semi-arid lands, and are often referred to as ASAL regions. Despite this, there has been a significant and disproportionate focus on agricultural investment in the wetlands, while the immense potential of dry lands remains under-utilised. As the effects of climate change continue to worsen, resulting in unpredictable rainfall patterns and extended droughts and dry spells, it is increasingly clear that Kenya cannot rely solely on rain-fed agriculture. This raises the critical question as to why there is no focus on more resources, expertise and policy attention to harnessing the potential of our dry lands through modern agricultural practises such as large-scale irrigation, the development of drought-resistant crops and innovative water harvesting techniques to achieve food security. I believe the answer to Kenya's quest for food security today lies in its arid lands.

Hon. Speaker, it is against this background that I rise to request for a statement from the Chairperson of the Departmental Committee on Agriculture and Livestock on the following:

1. The policies and strategic plans that are aimed at promoting dry land agriculture in arid and semi-arid lands and clear frameworks, if any, that are in place to guide investment and interventions, including the development of water infrastructure for irrigation practices;
2. Initiatives that the Government has put in place to support farmers in ASAL regions, including provision of knowledge and tools that are needed to engage in sustainable and productive agricultural activities;
3. Specific steps that are being taken to address the challenges of water scarcity, poor infrastructure and the high cost of accessing inputs in dry areas, particularly roads and water supply infrastructure; and,
4. Lastly, the provision of a report on the current agricultural policies that align with the National Development Agenda, particularly the Vision 2030 and the Big Four Agenda with respect to food security and how the Government intends to balance investment between wetland areas and dry land regions to ensure equitable and sustainable agricultural growth across the country.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you. Is Hon. (Dr) Mutunga here? Any Member from the Departmental Committee on Agriculture and Livestock? King Ferdinand?

Hon. Ferdinand Wanyonyi (Kwanza, Ford-K): Yes, Hon. Speaker, I think...

Hon. Speaker: Two weeks.

Hon. Ferdinand Wanyonyi (Kwanza, Ford-K): The Chairman is not here, but I want to confirm that we can give the reply after two weeks.

Hon. Speaker: Very good.

Hon. Ferdinand Wanyonyi (Kwanza, Ford-K): The Chairman is not here and the Member has raised a very important point. We will look at it and issue the statement after two weeks.

Hon. Speaker: Not after two weeks! In two weeks.

Hon. Ferdinand Wanyonyi (Kwanza, Ford-K): In two weeks' time.

PROVISION OF TEXTBOOKS IN SCHOOLS

Hon. Speaker: Yes. Hon. Donya?

Hon. Dorice Donya (Kisii County, ODM): Thank you, Hon. Speaker. I rise to request for a statement regarding the provision of textbooks in schools.

Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(C), I rise to request for a statement from the Chairperson of the Departmental Committee on Education regarding the provision of textbooks in schools.

It is in every parent's noble responsibility to ensure that their children get quality education. There have been claims that the Ministry requires students to purchase up to four textbooks per subject, thus making it financially challenging for parents to purchase all the required text books to supplement their childrens' learning. The cost of education is already high for most parents and, hence, it is crucial that the Government comes out and clearly stipulates the issue of textbooks provision. Schools require parents to purchase a set of textbooks. As such, most parents are in a dilemma on the number of textbooks they should purchase as they take part in investing in their childrens' education.

While we appreciate that some topics or subjects may require additional textbooks to supplement learning, it is important to emphasise that parents should never feel obligated to purchase more textbooks than what is essential. It is always recommended that the Ministry of Education should provide every student with essential textbooks that are needed for the academic success.

It is against this background that I request the Chairman of the Departmental Committee on Education to apprise the House on the following:

1. A comprehensive report on the policy on provision of textbooks in schools and the role of parents to purchase extra textbooks.
2. To clarify on the approved course books and the number of text books that are recommended in both primary and secondary education for each learner in the respective subjects.
3. The steps that are being taken by the Ministry of Education to ensure that all learners are provided with the requisite number of approved course books and supplementary textbooks to avoid inequities in access to learning materials among the learners.

Hon. Speaker: Thank you. Hon. Chairman, the Departmental Committee on Education. Hon. Nabii, tell your Committee to bring a response to this request for statement in two weeks.

Hon. Nabii Nabwera (Lugari, ODM): Thank you, Hon. Speaker.

Hon. Speaker: Hon. Joshua Kandie has indicated that his request for statement looks different from what he submitted to the Table Office. Therefore, I put it off to have it reconciled. Clerks-at-the-Table, follow up on that. You should not edit statements from Hon. Members to the extent that they lose meaning.

Hon. Barongo.

UPGRADING OF ROADS NETWORK IN BOMACHOGE BORABU CONSTITUENCY TO BITUMEN STANDARDS

Nolfason Barongo (Bomachage Borabu, ODM): Hon. Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a statement from the Chairman of

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the Departmental Committee on Transport and Infrastructure regarding the upgrading of road networks in Bomachoge Borabu Constituency to bitumen standards.

Hon. Speaker, the construction of Mogonga-Kenya-Riokindo-Nyabitunwa/Riokindo-Magenche-Kenya/Mariba-Nyagancha-Eberege-Edaraja/Riokindo-Kenya TTC-Magen Road links commenced on 5th August 2016. The development was intended to enhance accessibility of those areas and support the movement of people, goods and services. Sadly, more than 36 months after the signing of the contract, the road links are yet to be completed. This has hampered mobility in the constituency, including access to essential services.

Hon. Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Transport and infrastructure on the following:

1. The status of upgrading of the roads network in Bomachoge Borabu Constituency to bitumen standards.
2. The timelines of the completion of the long-stalled projects in the constituency.

Hon. Speaker: Hon. GK, I direct that you bring the response to the request for statement in two weeks.

Hon. George Kariuki (Ndia, UDA): We will do so, Hon. Speaker.

Hon. Speaker: Hon. Ariko Namoit. Member for Turkana South.

CONSERVATION AND MANAGEMENT OF SOUTH TURKANA NATIONAL RESERVE

Hon. John Namoit (Turkana South, ODM): Hon. Speaker, pursuant to Standing Order 44(2)(c), I rise to request for a statement from the Chairperson of the Departmental Committee on Tourism and Wildlife, regarding the status of implementation of the Memorandum of Understanding (Mou) that was signed between the County Government of Turkana and the Kenya National Wildlife Service (KWS).

Hon. Speaker, South Turkana National Reserve is a national reserve that was established under the Wildlife Conservancy and Management Act (CAP 376). On 19th January 2027, the County Government of Turkana and KWS signed a memorandum of understanding to provide the joint framework for effective and sustainable management of the reserve and to enhance tourism and economical conservation for social economic development. To realise the objectives of the MoU, the parties agreed on a two-phase application of their respective obligation running from 2017 to 2019 and 2020 to 2025. Despite the period of the subsistence of the MOU lapsing in early 2025, no tangible efforts have been made to ensure effective and sustainable management of the reserve as had been envisaged.

Hon. Speaker, it is against this background that I request for a statement from the Chairperson of the Departmental Committee on Tourism and Wildlife on the following:

1. The status of the implementation of the MoU between KWS and the County Government of Turkana.
2. A report on the conservancy rangers that were recruited by KWS in collaboration with the county government in the last five years.
3. The long-term plans the Ministry of Tourism and Wildlife has regarding the restoration of South Turkana National Reserve, including its conversion into a community conservancy.
4. The details of any development activities that are planned by the Ministry of Tourism and Wildlife including the construction of water pans, dams and access roads within the reserve.

I thank you, Hon. Speaker.

Hon. Speaker: Chairperson, Departmental Committee on Tourism. Any Member of the Committee? Hon. Naomi, tell the Chairman of the Committee to bring a response in two weeks.

Hon. Naomi Waqo (Marsabit County, UDA): I will do that. Thank you, Hon. Speaker.

STATEMENT

Hon. Speaker: The next Statement is by the Leader of the Majority Party. Go ahead, Hon. Naomi, if you are doing it on his behalf.

BUSINESS FOR WEEK COMMENCING 14TH TO 18TH OCTOBER 2024

Hon. Naomi Waqo (Marsabit County, UDA): Hon. Speaker, pursuant to provisions of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee, which met on Monday, 7th October 2024, to prioritise business for consideration during the week.

Hon. Speaker, as Members are aware, this week, the House considered the Special Motion on the proposed removal from office, by impeachment, of His Excellency Rigathi Gachagua, the Deputy President of the Republic of Kenya. I stand before you today to express my heartfelt gratitude to you, Hon. Members of this House, for your sacrifice, active participation and overall dedication and contributions during the recent impeachment Motion. This process, though challenging, exemplified our commitment to uphold the principles of accountability and transparency that are the cornerstones of our democracy. Your engagement and thoughtful deliberation throughout this process has not gone unnoticed. Each of you brought invaluable perspectives, ensuring that we examine the issues at hand with rigor and integrity. It is through such collaborative efforts that we can strengthen our institutions and reaffirm the trust that is placed in us by the people we serve.

Notably, Hon. Speaker, this matter transcended party lines and spoke to our commitment to good governance, accountability and fidelity to the Constitution. I commend those who stood courageously for what they believed was right, fostering a discourse that reflects the values we uphold. It is essential that we continue to work together, united in our pursuit of justice and ethical governance. Let us carry forward the lessons learned from this experience, remaining steadfast in our commitment to serve the public with honour and respect. Thank you, once again, for your diligence and dedication.

Hon. Speaker, with regards to business scheduled for Tuesday next week, the House is expected to consider the following Bills, if not concluded today:

1. Committee of the whole House on:
 - (a) Senate Amendments to the Food and Feed Safety Control Co-ordination Bill, 2023; and,
 - (b) Senate Amendments to the Statutory Instruments (Amendment) Bill, 2023.
2. Second Reading of the following Bills:
 - (a) The Kenya National Library Service Bill, 2023;
 - (b) The Equalisation Fund (Administration) Bill, (Senate Bill No. 14 of 2023); and,
 - (c) The Public Finance Management (Amendment) Bill, 2022.

Additionally, Hon. Speaker, debate would also be undertaken on the following Motions, should they not be concluded today:

1. Consideration of Senate Amendments to the Food and Feed Safety Control Co-ordination Bill, 2023;

2. Consideration of Senate Amendments to the Statutory Instruments (Amendment) Bill, 2023;
3. First Report on the Implementation Status of House Resolutions on Committee Reports and Public Petitions;
4. Report on the alleged unfair trade practices by foreign investors in Kenya;
5. Second Report on Employment Diversity Audit in public institutions;
6. Report of the Extraordinary Session of the Sixth Pan-African Parliament (PAP);
7. Consideration of reports on Financial Statements of State Corporations (Nyanza Region);
8. Consideration of Sessional Paper No.5 of 2023 on the National Policy on Labour Migration; and,
9. Third Report on consideration of the Audited Accounts of Specified State Corporations.

Hon. Speaker, in accordance with the provisions of Standing Order 42A(5) and (6), I wish to convey that the Cabinet Secretary for Roads and Transport is scheduled to appear before the House on the afternoon of Wednesday, 16th October 2024 to respond to the following Questions:

1. Question by Private Notice No.013/2024 by the Member for Gatanga, Hon. Wakili Edward Muriu, MP, regarding the status of any negotiations for a concession agreement between the Government and the Adani Group regarding the management of Jomo Kenyatta International Airport (JKIA);
2. Question No.167/2023 by the Member for Baringo Central, Hon. Joshua Kandie, MP, regarding the criteria used and applied by the Kenya Roads Board (KRB) to determine the amount of funds allocated to each constituency;
3. Question No.178/2023 by the Member for Kinango, Hon. Gonzi Rai, MP, regarding the issuance of demolition notices against the Mackinnon Road Trading Centre buildings by the Kenya National Highways Authority (KeNHA);
4. Question No.013/2024 by the Member for Funyula (Hon. (Dr) Ojiambo Oundo, MP, regarding the current status of Matayos-Ganjala-Nakhasiko-Nangina Road that was tendered under the 10,000 KMS Low Volume Sealed Roads (LVSR) procured during the commencement of the Financial Year 2017/2018;
5. Question No.014/2024 by the Member for Bahati, Hon. Irene Njoki, MP, regarding the status report on the progress and expected timelines for the completion of the Lanet Airport Project;
6. Question No.70/2024 by the Member for Malava, Hon. Malulu Injendi, regarding the progress report of construction of Class A1 Kakamega-Kaburengu Road, whose construction commenced in October 2023;
7. Question No.71/2024 by the Member for Westlands, Hon. Timothy Wanyonyi, MP, regarding the policy decision and rationale behind the use of unmarked, unregistered and distorted plates by the Police Service while on public missions on public roads;
8. Question No.79/2024 by the Member for Yatta, Hon. Robert Basil, MP, regarding the reasons behind the significant delay in the completion of construction of the Matuu-Ekalakala-Kiwandini Road to Kyasioni Road in Yatta Constituency;
9. Question No.127/2024 by the Member for Laikipia North, Hon. Sarah Korere, MP, regarding the reasons for the delay in completion of construction works on the Doldol-Nanyuki Road in Laikipia North Constituency;

10. Question No.131/2024 by the Member for West Pokot, Hon. Rael Kasiwai, MP, regarding the rationale behind the stalling of *the* Barpelo-Tot-Marich Road Project and the expected date of commencement of the stalled project;
11. Question No.132/2024 by the Member for Kajiado South, Hon. Samuel Parashina, MP, regarding the details on the status of construction of the Illasit-Rombo-Taveta Road;
12. Question No.123/2024 by the Member for Matuga, Hon. Kassim Tandaza, MP, regarding the update on the progress of construction of Kwale-Kinango (B92) Road, whose construction commenced on 4th August 2021 and was to be completed on 3rd August 2024.

In conclusion, Hon. Speaker, the House Business Committee will reconvene on Tuesday, 15th October 2024, to schedule business for the rest of that week.

On behalf of the House Business Committee, I wish Members a happy *Mazingira* Day and urge them to support the Government's efforts in environmental protection and conservation.

I now wish to lay this Statement on the Table of the House.

Thank you.

Hon. Speaker: Thank you, Leader of the Majority Party.

Next Order.

BILL

Second Reading

THE ETHICS AND ANTI-CORRUPTION COMMISSION (AMENDMENT) BILL
(National Assembly Bill No.11 of 2024)

(Moved by Hon. George Murugara on 1.10.2024)

(Debate concluded on 2.10.2024 – Afternoon Sitting)

(Loud consultations)

Hon. Speaker: Can you stay this? We will put the Question on Tuesday.

(Putting of the Question deferred)

(Loud consultations)

Pardon? Was the Mover called to reply? Hon. *Wakili* Karoli, were you not there the day you were supposed to continue? Under the Standing Orders, you lose the opportunity.

Next Order.

BILL

Second Reading

THE KENYA NATIONAL LIBRARY SERVICE BILL
(National Assembly Bill No.20 of 2023)

Hon. Speaker: Chairperson of the Departmental Committee on Sports and Culture.

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Speaker, I beg to move:

THAT, the Kenya National Library Service Bill, (National Assembly Bill No.20 of 2023), be now read a Second Time.

By way of introduction, the Kenya National Library Service Bill, (National Assembly Bill No.20 of 2023), seeks to give effect to the provisions of Article 11(2)(a) of the Constitution, which mandates the State to promote all forms of national and cultural expressions through literature, the arts, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage.

As a background, the Kenya National Library Service Bill was previously considered in the 12th Parliament. It was passed by the National Assembly on 6th July 2023 and thereafter forwarded to the Senate for consideration. However, by the end of the term of the 12th Parliament, the Senate had not concluded the consideration of the Bill.

Hon. Speaker, permit me to give a brief summary of the salient features of the Bill. The Bill's purpose is to provide a legal framework for the preservation of our national documentary heritage and to distinguish the functions of the Kenya National Library Service from those of the other public libraries that are managed by the county governments.

[The Speaker (Hon. Moses Wetang'ula) left the Chair]

[The Deputy Speaker (Hon. Gladys Boss) took the Chair]

This Bill establishes the Kenya National Library Service as a body corporate with perpetual succession whose functions shall include acquiring, preserving and maintaining a collection of library resources, carrying out and encouraging research in the development of libraries and related services, providing a national library reference and referral service, among others.

The Bill provides that the management of the Kenya National Library Service shall vest in a board consisting of a chairperson and eight other members. The Bill further sets out the respective qualifications of the chairperson and the members of the board. The board shall be responsible for the furtherance of the objects of the Kenya National Library Service.

The Bill also provides for the appointment of the director-general of the Kenya National Library Service, who shall be an *ex-officio* member of the board and who shall be responsible to the board for the day-to-day management of the affairs of the Service.

The Bill provides for the repeal of the existing Kenya National Library Service Board Act Cap.225. It is important to note that the existing Kenya National Library Service Board Act was last amended in 2007, before the enactment of the Constitution of Kenya 2010. Therefore, the existing Act is inadequate as it does not appreciate the aspect of devolution, especially noting that the management of libraries is among the functions of the county governments.

The Bill provides for transitional provisions regarding the former Board's rights, duties, assets and liabilities, which shall be transferred to the Kenya National Library Service upon the commencement of the Act.

The Departmental Committee on Sports and Culture facilitated public participation in the Bill and, in so doing, received submissions from the Kenya National Library Service, the Council of Governors and the Kenya Library Association. In making their submissions, the stakeholders noted that while the management of libraries has been devolved to the county governments, there was a need to provide for national legislation establishing a national library that would bear the overall responsibility of acting as the central literary repository, the

custodian of national documentary heritage, as well as the centralised custodian of the Kenya National Bibliography.

The Committee considered the various amendments proposed by the stakeholders as contained in the Report. The Committee will propose various amendments to the Bill that are aimed at improving its substance and effectiveness. The proposed amendments to the Bill are contained as recommendations in the Committee Report, which the Committee will move during the Committee of the whole House.

Key among the amendments to be proposed by the Committee will be the clear spelling out of the respective functions of the national Government and the county governments in relation to the library services. Those amendments will avoid duplication of roles and conflict of mandates between the two levels of government. To this effect, the Committee will be proposing the amendment of Clause 5 of the Bill to provide for the responsibilities of the national Government as well as the introduction of a new clause in the Bill to provide for the responsibilities of the county governments.

The Committee will be proposing that the role of the national Government shall include the development of a national policy legislation and the setting of standards for the library sector, capacity building and technical assistance to the county governments, as well as the publication of the Kenya National Bibliography and the Kenya Periodicals Directory.

Further, the Kenya National Library Service will be responsible for the establishment of the National Virtual Library Service. As this House may be aware, a virtual library was launched on 12th July 2023. Its purpose is to encourage a reading culture and provide an avenue through which one can grow and further their skills in a particular field anytime and anywhere.

The Committee will be proposing that specific roles of the county governments shall include the implementation of national policy, legislation and standards for the library sector, development, management and maintenance of county libraries, as well as providing lending, outreach and specialised services in relation to the county libraries.

In closing, I take note that the enactment of the Kenya National Library Service Bill will result in the alignment of the regulation of library services to the Constitution as well as provide an avenue for the preservation of Kenya's documentary heritage.

I beg to move.

Hon. Deputy Speaker: Do you have a Seconder?

Hon. Daniel Wanyama (Webuye West, UDA): Hon. Deputy Speaker, let me ask Hon. Caroli Omondi to second.

Hon. Caroli Omondi (Suba South, ODM): Thank you very much, Hon. Deputy Speaker and Hon. Chairperson. I take great pleasure in seconding this particular Bill. If the House recalls, some counties inherited public libraries that the national Government had constructed; but others did not. There is a bit of disparity in the capacity within each county to offer library services. By setting up KNLS, we will have one institution with the capacity to help develop a harmonised national policy on national libraries or county libraries, set their standards, promote capacity building, and offer technical assistance to various county governments. Most importantly, we need a central depository, not just for our literary heritage, but also for certain publications like the National Bibliography, the National Periodicals Directory and the National Virtual Library, which would be accessible to all Kenyans wherever they may be and for free. We need a central service that can interface with international partners or organisations to help counties access other library services.

With those few remarks, I second. Thank you.

(Question proposed)

Hon. Deputy Speaker: Members who want to contribute, please, press the intervention button. Hon. Beatrice Elachi, do you want to contribute to this Bill?

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Deputy Speaker. I rise to support this Bill. It went through this House and the Senate, and now it is back with us. It is critical in terms of our libraries, especially when we talk about young people and all the new technologies that have come through, like the ChatGPT and others. Indeed, we need libraries. It is a function that was devolved, but we devolved many functions that required a lot of processing. That is why we find some challenges today.

When you look at the Memorandum of Objects and Reasons, the principal object of this Bill is to give effect to Article 11(2)(a) of the Constitution, which mandates the State to promote all forms of national and cultural expressions through literature, the arts, traditional celebrations, science, communication, information, mass media and publications. When you go out of the country, one of the places they will take you to understand a country is either a museum or a library. That is where you will find yourself learning so much about the history of that country than any other place.

Nairobi is lucky to have a team of young women who took over Macmillan Library. If there is any recognition we can do, the two girls deserve it because they took over the library, modified it, and changed it into a library you would appreciate when you walk in. We have students who use it. They have done another one in Makongeni. In Dagoretti North, we learned of a resource centre, but you cannot believe that the land was grabbed. Today, it is a yard for selling cars. While we are dealing with this Bill, we also have to look at where resource centres were allocated to be in this country, so that we can continue building libraries.

As we talk of CBC, if we had serious libraries, our children would be using them. If you walk into libraries, you will find books of our time. I have not seen a library that we have transformed and where our young people can compete in technology in terms of AI and IT. We are using the technology, but we need a library to research. That is the purpose of a library. Even if a child cannot get books, they can walk into a library and do serious research on the subjects they are doing in school, or anything they need to research on. As we do all that research, if a library was available, children would understand more about climate change. Those are the current issues that are affecting us. When I go into a library, I find old technologies of our agriculture, the way we used to do veterinary service and yet, seasons have changed. We are dealing with young people who are ahead even of their teachers. So, we must be ahead.

Part I of the Bill provides for preliminary matters, including the title. Part II of the Bill is on the establishment of KNLS as a body-corporate, which I agree with. Clause 5 provides for the functions of the Service. When I say KNLS, it is not just the one in Upper Hill, but the KNLS that should be replicated across the counties. That is why that function was devolved. But it seems those are some of the functions that the governors do not regard as functions. Some governors do not even take time to appreciate that they need a library for their children and anyone who needs to research or learn about the county. As we go through this Bill and ensure that it goes back to the Senate and we pass it, I wish we would not only look at the structures of the library. For example, it is stated that we need to nominate two people from the county. In every Bill we consider here, we create some committees and all that.

The most important thing we need to look at in libraries is that they must be our icons where young people can go and study and understand the country. Many people will say that it should be in a museum. Fine, in a museum, you will find our history in picture form. But in a library, you will read. A library gives us knowledge through reading. Of late, we are not reading. That is why we pick one thing and run with it. By the time we realise we have done something wrong, it is what is hurting us. A library will help us. Let us have reading clubs in

schools. Reading will help us, especially those of us with challenges of the mind while growing up. Scholars like Anyang' Nyong'o and James Orengo still function because they read books.

We have included everything that is needed in the library service. In research, we say the Service will research emerging issues, including climate change and any other current issue. We are also saying developing research database and related services. The database is there. With all the data we are collecting, we should not continue to allow the Government to collect data whenever any Ministry wants to do something.

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

[The Hon. Temporary Speaker (Hon. Farah Maalim) took the Chair]

Why do we have the Office of the Data Commissioner? Why are we still spending money on the office? We must first start using what we have in the right way. We can link all those things for better functioning. In my view, there is nothing like data collection. Data is already there. Our data is on our fingers and many other issues have already been collected. Can we use that data? And if I am a new person, I can just go to register my data. We are having problems with the Social Health Authority (SHA) because of data. Why does a Kenyan have an Identification Document (ID) number? When you ask the Ministry of Education to help us with data in the National Education Management Information System (NEMIS) so that we can get out of this problem once and for all, nobody wants to listen.

It would have been better if SHA had told us that they are able to use the system to integrate everything. Nobody would be complaining. So, as we consider this Bill on libraries, let us not introduce things that already have systems and are functioning. Those systems must be integrated. We have Information, Communication, and Technology (ICT) control, which can help us integrate library services across the country. This means that we need 47 counties to have libraries.

As I support, it is time we use our resources with the knowledge of the challenges we are facing. Let us not spend extravagantly in every sector. We must also ask ourselves whether those committees that we are establishing are viable because everything can now be handled using technology. We do not need to have committees all the time for something to function.

With those few remarks, I beg to support.

Hon. Temporary Speaker (Hon. Farah Maalim): Let us have Hon. Zamzam, followed by the Member of Parliament for Wajir North, Hon. Saney.

Hon. Zamzam Chimba.

Mhe. Zamzam Mohammed (Mombasa County, ODM): Ahsante sana, Mhe. Spika wa Muda. Ningependa kuchangia Mswada ulioletwa Bungeni leo. Tukiwa watoto, tulikuwa na *library* sehemu moja ambayo tulikuwa tukiita *Kenya National Library Services*. Tulikuwa tunapata muda, hata kama hatuna vitabu nyumbani. Kulikuwa na sehemu ambayo tunaweza kwenda tukakaa, tukasoma na kuboresha elimu yetu. Hata yule mtoto wa maskini alikuwa anapata nafasi ya kusoma, kwa sababu wengine wao wanashindwa hata kununua taa. Tulikuwa tunaenda kule *library* na tunapata kuna sehemu mbalimbali kama: *Science, Agriculture, Home Science and Arts*.

Ningependa kusema kwamba hatuhitaji tu *libraries* katika kaunti 47, bali katika *constituency* zote. *Constituency* zingine ziko mbali sana, na inakuwa ni mbali sana kwa mtoto kusafiri kutoka kwao kwenda kwingine. Kwa hivyo, ingekuwa bora kila Mbunge awezeshe kupata *library* katika *constituency* yake. Na isiwe tu ya kuitwa *library*, bali ifadhiliwe na vitabu vya kutosha na kuwekwa kompyuta. Iwekwe kila kitu ambacho kinahitajika na mwanafunzi kujikwamua na kupata elimu

Mhe. Spika wa Muda, haswa wakati wa likizo, watoto wetu wanaingia kwenye kamari, madisko na sehemu ambazo sio nzuri. Kwa hivyo, tukiweza kupeleka hayo maktaba kule mashinani watoto waweze kujifunza na kujituma, ata ile hadhi ya elimu itapanda juu. Lakini kila kitu ambacho kinapangwa na Serikali lazima kiwe na mpangilio mzuri wa kuweza kukimiliki na kuendeshwa vizuri ili watoto wetu wakitaka kupata pale faida, kusiwe na changamoto.

Mambo mengi yanatendeka katika vijiji, na kuna familia nyingi maskini ambazo haziwezi kununua vitabu. Kwa wakati huu nchini, tunataka watoto wetu wajitume. Wanafaa kufanya *research* ili wajue mambo mengi. Hivi majuzi, tulizungumzia mambo ya *Konza City* na zile *digital hubs* ambazo tunataka zienee Kenya nzima, ili watoto na vijana wetu wapate mwanya wa kujituma. Tungependa wajiweke katika mfumo wa elimu ambao sio wa kutegemea tu mwalimu darasani, bali waweze kuingia *libraries* na kujiboresha katika elimu.

Hivi majuzi, nililetewa barua na shule tofauti tofauti za Mombasa Kaunti. *Jomvu Girls' Secondary School* iliomba kujengewa *library* kwa sababu hii ni sehemu ambayo wanahitaji sana. Wengine wanaweza kusema hawaoni umuhimu wake, lakini kama Mama Mombasa, ninaona kuna umuhimu. *Library* zipelekwe hadi kwenye constituencies na sio tu kwenye kaunti. Mhe. Wanyama amefikiria kitu kizuri sana na kukileta Bungeni. Tukipitisha Mswada huu, uanzishaji wa maktaba utaendeshwa vizuri bila bughudha.

Mswada huu ni mzuri sana, na ninaomba Wabunge wenzangu tumuunge mkono mwenzetu ili tuwapatie watoto wetu mwanya wa kusoma. Kwa hivyo, namuunga Mhe. Wanyama mkono. Tuendeleo kushika kasi na kuwapa watoto wetu nafasi na kuboresha elimu yao kwa sababu ndio uti wa mgongo wa taifa lolote. Lazima mtoto awe na elimu ya kutosha, awe maskini au tajiri. Ni lazima tuhakikishe kwamba watoto wetu wanapata elimu.

Kwa hayo machache, ningependa niachie wenzangu waweze pia kuchangia.

Ahsante sana.

Spika wa Muda (Hon. Farah Maalim): Kabla Mheshimiwa wa Wajir Kaskazini hajaanza kuzungumza, nataka niwakaribishe wanafunzi kutoka Shule ya Upili ya Muthwani ya Wavulana na Wasichana, ama kwa kimombo *Mixed Secondary School*, kutoka Mbooni *Constituency*, Kaunti ya Makueni. Karibuni sana muone vile wanasiasa ama Wabunge wanavyohudumia nchi hii na kushughulikia mambo mengi.

Nataka nimpe nafasi Mbunge kutoka *South-Eastern*, hapo zamani ilikuwa Ukambani, Mhe. Rachael, azungumze machache.

(Hon. (Dr) Rachael Nyamai stood up in her place)

Nenda kule mbele ndio wanafunzi kutoka sehemu yako waweze kukuona ukiwapa mawaidha. Nenda kule *Dispatch Box or anywhere they can see you*. Pahali popote wanaweza kukuona. Endelea. Mpatie Mhe. Rachael *microphone* awakaribishe wanafunzi kutoka Mbooni.

Mhe. (Dkt) Rachael Nyamai (Kitui South, JP): Ahsante sana, Mhe. Spika wa Muda. Nakushukuru sana kwa kunipatia fursa hii niwakaribishe wanafunzi kutoka shule ya Muthwani. Ningependa kuwakaribisha sana katika Bunge hili. Hapa ndipo tunapotunga sheria za nchi ya Kenya. Tunahakikisha kwamba Serikali kuu na serikali za kaunti zinapata fedha za kufanya maendeleo. Vile vile, tunafuatilia jinsi pesa ambazo tumewapatia zinatumiwa.

Kwa hivyo, bila kupoteza wakati, ninawashukuru sana. Ningependa kujiunga na wewe, kama Naibu Spika aliye kwa Kiti sasa hivi, pamoja na Wabunge na Spika wetu, Hon. (Dr) Moses Masika Wetangula, kuwakaribisha wanafunzi na kuwaambia wasome kwa bidi kwa sababu wao ndio viongozi wa kesho.

Ahsante sana.

Spika wa Muda (Hon. Farah Maalim): Ahsante sana, Mhe. Rachael Nyamai. Mheshimiwa wa Wajir Kaskazini, endelea kuchangia Hoja iliyo mbele yetu hii leo.

Hon. Ibrahim Saney (Wajir North, UDA): Thank you, Hon. Temporary Speaker. The National Library Service Bill, 2023 is quite straightforward. We appreciate that the library service is a devolved function and most of the libraries have been devolved to the counties. This Bill attempts to bring a different tier that is concerned with policy development, regulations, making sure that standards are maintained and that there is an inspectorate service to oversee the library services in the country.

Library services are an important thing all over the world. Libraries enhance literacy and education. They are, indeed, the repository of education. All that we go through in school is sourced mainly from books and so, libraries are the repository of education. Libraries also help in access to information. Access to information is a right. For sure, most of information is acquired from books that are written. Although there are challenges of going virtual, books and libraries in their entirety serve as an important source of access to information. Libraries do the role of cultural and historical preservation of our society.

However, there are challenges that are facing the libraries today. Physical libraries are no longer enticing. They are not friendly. Library services have gone digital and virtual. There is a challenge in making sure that we have virtual libraries and database management of technologies that are involved to make our libraries up to date. Automation of what is in books and making sure that they are virtual in the internet is also a big challenge.

As a member of a nomadic community, how pastoralist communities will take advantage of the library services is a big concern. We from northern Kenya in the arid and semi-arid (ASAL) areas know that there is a higher degree of illiteracy there. Given that internet services are limited and the old physical structures that were libraries are inadequate and were not in the northern frontier districts, how will library services reach the nomadic communities? How can they go in tandem with the livelihood of the pastoralists? Pastoralists are Kenyans. They are entitled to every right that is available to the residents of Kenya. So, there is no excuse in telling us that there are challenges because we are nomads and they cannot access library services. The Government must conceive friendly noble ways of making sure that information and library services are available to the pastoralists child however complicated their livelihood is or whether they are on the move 24/7 since access to education has nothing to do with livelihood. It is a right and it shall remain a right.

One other big challenge to the library services is under-staffing. It has limited staff. It is time for the library sector to make sure that they get human capital and human resource that is trained in information sciences. They should not be so averse to the fact that there are new challenges to the frontier of library services in terms of technology and digital concerns. Those are the skills that are required to make sure that there is the right manpower to manage library services at the county level, or the one that is envisaged to be developed at the urban centres at the national level.

Another big challenge is the quality of information and materials in the libraries. What you find in libraries today is as old as the books of Shakespeare. They are old books. Education has been transforming daily, monthly and annually. Things have been changing. The world is changing rapidly and yet, what we have in our libraries is old outdated information. Scientific concepts that have been overtaken by time are still there. There is need to make sure that we, at least, showcase that there is a trajectory from that point to a new development as much as those old books are still required for reference purposes. However, we still need new books. We need to equip our libraries with new books that will make sure that new facts and advances are brought to the fore for our children to take advantage of.

Authenticity is a big concern in our library services. The social media has complicated issues. Anything can go viral and people will take it as information. Wikipedia has become a kind of ... In universities, there is a mistake of quoting Wikipedia as an authority. That is a big challenge. Anybody under three years can go to Google and input information in the internet.

So, in as much as we are managing our library services, there must be stringent standards to make sure that all that is available virtually – should there be any – is authentic, genuine and protected.

The Bill seeks to establish national libraries in urban centres. As much as it is a devolved service, I can see that, at least, there is an attempt to establish a national library that is managed by the national Government in the main cities of the country. That is welcome. They will serve as modern libraries for those that are devolved. They will be a resource centre. They will provide the requisite backup for what is devolved. As we all know, our devolved units are still having problems. They have challenges and it will take time for them to stabilise and deliver as it is expected of them.

Finally, devolution means taking services to the people at the lowest level. Devolving functions at the county level does not mean devolving things to county headquarters. One of the principles of devolution is to make sure that, things are devolved to the lowest level progressively, so that all the citizens can access services. In Wajir County, I expect libraries to be in all the sub-counties. I know there is a library in Bute, although it is dysfunctional and not in good state. I look forward to a situation where we will have a library in Buna Sub-County, Korondille Sub-County, Eldas Sub-County and all the other sub-counties in Wajir County. When things are devolved, it does not mean that they will be centralised at the county headquarters. We will be making a big mistake to assume that devolution means taking things to the county headquarters only. Devolution means cascading those things to the lowest of the low. The remotest areas should access those services. Without further ado, I support the Bill.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Mbunge wa Suba Kaskazini, Mhe. Millie Odhiambo, kisha atafuatwa na Mbunge wa Dagoretti Kusini. Endelea, Mhe. Millie Odhiambo.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity and also for intimidating us with Kiswahili. I have no clue what you have said, but I trust you have said good things.

Having said so, I thank the Mover for clarifying that this Bill...

Hon. John Kiarie (Dagoretti South, UDA): On a point of information, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Mhe. wa Dagoretti Kusini anataka kukupasha habari. Umekubali?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Nimekubali.

The Temporary Speaker (Hon. Farah Maalim): Tueleze, Mhe.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, it is just a point of information because Hon. Millie Odhiambo, a very accomplished Member of this House, has said that she might not have understood what you said in Swahili. It is important for me to understand because one of the requirements of any Member to be in this House is proficiency in English and Kiswahili. This is even more important for Members who came here before us. I remember in the 2013 elections when Hon. Millie came to this House, that was the only requirement even before the bachelor's degree requirement. I would like to establish whether Hon. Millie Odhiambo passed that test.

The Temporary Speaker (Hon. Farah Maalim): For your information, she has been here since the 10th Parliament. She first came into this Parliament as a nominated Member in the 10th Parliament, and then she has been elected since that time. She is still here.

Hon. John Kiarie (Dagoretti South, UDA): This raises my concern even further.

The Temporary Speaker (Hon. Farah Maalim): Atatueleza kwa nini hakufanya bidii ya kuelewa Kiswahili.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. That is not a point of information. He is seeking clarification. I can assure my brother that I passed the proficiency test for Kiswahili language that is spoken in Kenya, but not in Tanzania. Hon. Temporary Speaker has spoken Tanzanian Kiswahili. I can manage the basic Kiswahili that is spoken in Kenya, but not the complicated one.

I support and thank the Mover for clarifying that this Bill was before the House in the last Parliament. That is because it looks extremely familiar. I discover that I had given a lot of input and even proposed amendments. I have seen that some of my amendments were carried, which I appreciate, even though others were not picked.

The Kenya National Library Services Bill is very necessary. Since 2010, library services have been devolved. I agree with Hon. Members who have said that the fact that they have been devolved does not mean libraries should only be at the county levels. We do not have libraries that meet the standard of equalisation in those counties. For instance, there is an excellent library at Ogande Girls High School in Homa Bay that was promoted by Hon. Mama Ida Odinga, which is almost complete. Those are the kinds of library standards that we want in every county. We should also devolve the libraries to sub-county levels and even further.

I have a programme in my constituency called Drop Everything and Read (DEAR) in Suba North that promotes a culture of reading. Our National Government Constituencies Development Fund (NG-CDF) resources are limited. I hope to set up a mobile library using a boat that sails to the seven islands of Suba North to promote a reading culture. I am not only an avid reader, but also I am a writer. Last week, I launched one of my books, *Rig or Be Rigged*. I am concurrently writing six other books. I am a very passionate reader and writer. I do this because I know reading has actually enabled me to become who I am. I was lucky to have a mother who went to school at a time when women did not go to school. My mother encouraged a reading culture in our household. Even though she was a widow with eight children, almost all of us studied up to university level because she encouraged a reading culture in our lives. I know that through digitisation, which I proposed amendments in the earlier Bill, we can open up the world and get more information and opportunities.

Hon. Temporary Speaker, I am trying to log into my computer, but it does not recognise me. This is a challenge of digitisation. How can my computer not recognise my finger or face?

Hon. (Dr) Lillian Gogo (Rangwe, ODM): On a point of information, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Mhe. (Dkt) Gogo anataka kukupasha ujumbe. Uko tayari kuupokea?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Hon. Temporary Speaker, I do not mind being informed, only if you will compensate my time that has been taken by Hon. K.J. and Hon (Dr) Gogo. We are dealing with library services which are about information and so, I am okay being informed. She is a PhD holder. She is learned.

Hon. (Dr) Lilian Gogo (Rangwe, ODM): Thank you so much, Hon. Temporary Speaker. I would like to inform my sister not to forget her promise to donate her book, *Rig or be rigged*, to Rangwe Constituency, which she launched recently. I celebrate her on that. I would like to inform her so that it goes on record that I follow her.

Thank you.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. Indeed, I will not only donate *Rig or be rigged* to Rangwe Constituency, but I will also donate *Rough Silk* by Deborah Tendo, which is an amazing book. I thank Kenyans for their writing and storytelling culture and speaking the unspoken. I will donate the books to your constituency. We can twin and have a competition under the DEAR Suba North Programme, where we have a spelling competition to encourage that reading culture. We must make sure that our young people are not only experts in Ohangla. I am an excellent dancer. When I was

in my constituency with Hon. Joyce Bensuda recently, I told the young girls that life is not just about dancing. There is a growing culture that young people think they can only dance weekend to weekend. Dancing is basically to relax us. We must progress in other areas, including education.

I will propose some amendments which I had proposed in the last session of Parliament. We are not used to things that sound concentrated. I had actually proposed a Kenya Resource Identification Numbers Agency. For those of us who have published books, you know that we have such an agency that sets standards to administer international standard resource identification numbers for books, serials, magazines, music and other resources. The functions of the agency should be, amongst others, to provide a linkage between the national agency and other international resource number agencies for the purposes of the development of unique identification system for resource identification materials in Kenya. When I made that proposal, the Committee thought it was too complex at that time. I wish I had a copy of my book here. I would have shown you a barcode that has a unique identifier number. You cannot have it, unless you have a system. We have an agency that administers that in Kenya. It should apply to music, books and others. Therefore, I will propose further amendments to this Bill. I thank the Committee for taking up the issue of digitisation which I had proposed. In this era and time, we are moving...

Currently, I am selling my books and people, especially in the diaspora, are more concerned about receiving the digital version. Of course, as a passionate reader, I have to get physical versions of books. I am that old school, but we must provide that. I am also happy that they have provided the braille version for persons with disabilities.

In concluding, because we are dealing with issues of abuse of girls and the distractions like the dancing I was talking about, promoting that reading culture is one of the ways to keep our girls and young boys engaged. I thank you, Hon. Temporary Speaker. I support this Bill, with the proposed amendments.

The Temporary Speaker (Hon. Farah Maalim): Mheshimiwa wa Dagoretti Kusini, akifuatwa na Mheshimiwa wa Kilgoris.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I thank you. I take this opportunity to first thank the Committee led by Hon. Wanyama and Members of this amazing Committee for processing such a good Bill for us to debate.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Millie Odhiambo. What is your point of order?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Sorry, Hon. Temporary Speaker.

I do not know if it is Hon. K.J. or Hon. Lillian. One of them raised a point of order and spoke of attending my book launch. Could I please just give my gratitude to the Members of Parliament who came for the launch and supported it? Members and the Office of the Clerk came overwhelmingly. I just want to thank you. I do not take it for granted. I just want to thank you.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. It is not a point of order. Nonetheless, it is taken with dignity.

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, I would also like to request that you protect my time.

The Temporary Speaker (Hon. Farah Maalim): Proceed. I will protect you.

Hon. John Kiarie (Dagoretti South, UDA): Thank you. I was thanking the Committee under the leadership of Hon. Wanyama and its Members for processing this Bill that came to us in the last Parliament.

Preliminarily also, because we are talking about libraries and repositories of knowledge, allow me to congratulate Hon. Millie Mabona-Odhiambo who recently launched a book by the name *Rig or Be Rigged*

I recommend it to every Member of this House, especially Members of the fairer gender and younger Members of Parliament who are joining politics at a very young age. They might want to have a look and a read of the book that was launched by Hon. Millie Odhiambo.

We are here talking about a Bill that seeks to establish the Kenya National Library Service so that we can provide for the management of the Kenya National Library Service and other connected purposes. We are speaking at a time when we understand that library services were devolved to counties. A tragedy was occasioned upon this country with this devolution. Libraries were devolved to counties to go and die.

[The Temporary Speaker (Hon. Farah Maalim) left the Chair]

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) took the Chair]

The situation was already so dire before we even devolved libraries to a point where a joke was being made that if you want to hide anything from a Kenyan or an African, hide it in a book. It was known that Kenyans and Africans do not read. This is the time we would be disabusing that notion. However, counties have not stepped up to the plate to protect the repositories of knowledge known as libraries. Neither have counties worked hard enough to bring the libraries in this country up to speed with technology and the times.

This Bill spells out the purpose of this piece of legislation if it becomes law. It says that the purpose of this Bill is to preserve national documentary heritage and distinguish functions of the Kenya National Library Service from other public libraries. Preservation of national documentary heritage is critical for this country, especially at a time like this. I used to be part of a troupe called the Kenyatta University Traveling Theatre, when you and I were at the university. It ended up giving birth to a show known as *Redykyulass*, which ended up being one of the most-watched shows in Kenya's history. It was billed as the most-watched show in Eastern and Central Africa at that time.

I learned then that there were people who were seeking to preserve the content with every production that we made. One such people is the Library of Congress in the United States of America. They were keen to have every single episode of *Redykyulass* documented and deposited at the Library of Congress for records. You can imagine if I wanted *Redykyulass* today, I might not get it in any Kenyan library. It tells you what tragedy we got into with those libraries.

Even more importantly, we are in what is being called the 4IR—the Fourth Industrial Revolution that shall be driven by data. As we speak today, the situation of data presentation is in such a way that we might be walking back to the era that we were in. Those are the times of colonisation and slave trade where the extractive economy was the order of the day. Knowledge was being extracted from this continent and being imported to other places. If you look at London, New York and the big cities in the East, they have been built on the back, blood, sweat and tears of the Africans. Even more tragically, that story is not recorded anywhere. If you go to a school today and ask a child where the source of knowledge is, they will tell you that intelligence comes from the West, not knowing that Africa, at some point, was the superpower of knowledge.

It was just the other day that we were here on this Floor having a conversation with Hon. CNN and talking about the great libraries of Africa that were in Mali, Cairo, Abyssinia or the Kush Kingdoms that were in the area that we live in today. The great libraries of South Africa. Generations that will come after us might never know that the idea of the library was

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birthed in Africa. That technology was birthed in Africa, because that big gap exists. What this Committee has done is a great service not only to our country or the Kenya National Library Service, but also to this Continent for that one purpose of preservation of national documentary heritage.

We are moving to a world where globalisation shall be the order of the day. Globalisation might end up having all of us speaking one tongue and one language. What happens to Dr. Oundo's language or vernacular language? What happens to mine? What happens to yours? Today, the Mutharaka who is represented by Hon. George Murugara here should be bidding for a pole position in the new world with French, Spanish and English.

However, how will Tharaka be bidding for that pole position if their traditional oral cultural heritage is not recorded? I am very concerned about the functions that are listed here, especially the function listed in Clause 5(b). They say that the functions of the Kenyan National Library Service shall be to acquire, preserve and maintain a collection of library resources, including books that are produced within Kenya and such other material and sources of knowledge that is necessary for a comprehensive national bibliography. To do that, those libraries will need to be equipped because the people of Tharaka never used to write. Their knowledge is neither recorded in numeracy nor in literacy. There must be a method of collecting the traditional oral stories that my grandmother used to tell us. For example, there is the story of 'muthuri o turaga' which means the craftsman who is so well versed in their craft. This is a story that is narrated so well by my grandmother that it even has some music in it. Where will we find this in this generation? We may need those libraries to capture the sol-fa notation of the music that was traditionally sang by our people so that we can record and preserve it for the national bibliography that is listed in this library.

The other point I would like to raise is about duplication of duties. As we speak, in the Ministry of Information, Communications and the Digital Economy, there is an entity called the Kenya Year Book which prepares bibliographies every other day. There needs to be synergy between the Kenya National Library Services and other entities who aim to do the same as what the Kenya National Library is doing. The future world will depend on collaborations. No single individual, department or agency will stand on its own like an island. Each collaborative effort shall work towards attaining the aspirations of this Bill. During the Committee of the whole House, there are amendments that some of us will put into this Bill, so that we can fortify it because it is a good one.

Hon. Temporary Speaker, I support and thank you.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. K.J. Hon. Members, I would like to confirm that while at Kenyatta University, Hon. K.J. was a great member of the Kenyatta University Travelling Theatre. He was as eloquent as he is. Hon. K.J., continue doing what you do. You have done very well in this House.

Hon. Members, the Hon. Temporary Speaker who was in the Chair had called the Member for Kilgoris. Hon. Sunkuli, you may proceed.

Hon. Julius Sunkuli (Kilgoris, JP): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I rise to speak after very eloquent Members because, as you have confirmed, Hon. K.J. is eloquent. Additionally, before him, was Hon. Millie Odhiambo, who is equally eloquent.

Last week, we debated a Motion that was brought by Hon. K.J. on museums that had tilted towards science. This Bill is a general library issue. I am a member of the Departmental Committee on Health, where most of the Members have a mentality of science. Unfortunately, I am an arts person.

While I support this Bill by Hon. Wanyama, I also lament that we are doing two opposite things. We are establishing a National Library Service and, at the same time, devolving the libraries. I totally agree with Hon. K.J. that devolving libraries might not see the

light of the day, if the mentality of governors continue to be what it is now. This is because, first, the reading culture in Kenya has gone down. Secondly, the way things are done in the counties is such that the tangible things are more important than the software. The libraries are the important part in the preservation of knowledge. In this Bill, one of the purposes of the library services, as indicated in Clause 5(e), is promoting reading for knowledge, information and enjoyment through the simulation of public interest books.

When I was growing up, we used to read textbooks, but not in the same way the students read nowadays. Nowadays, students are glued to reading set-books. For us, we had more books, thanks to one great man, William Heinemann, who set up the African Writers Series, where the African writers were deliberately promoted to write their books. That is where we got Kenyan writers like Francis Imbuga and Meja Mwangi. The pioneers were Ngugi wa Thiong'o, although the readable books by Ngugi were when he was referred to as James Ngugi. The rest of his books were in Kikuyu. Those were the days when reading was placed very high. I thank Kenyans who have started taking us back to the situation where there was writing. Most of the books they write are not creative literature but autobiographies. I have read autobiographies by Hon. Musalia Mudavadi, Hon. Adan Duale and very lately, a book by Hon. Millie Odhiambo. Hon. Members, that book is very readable, especially if you like reading cheeky literature because at some parts, she will describe to you the true meaning of 'bottoms up'. It is a good attempt to go back to reading.

This is a good idea but we should also use this library to deliberately promote our young people to write creative literature, novels and fiction. That is because that also helps them a great deal. Therefore, the work of that library will not only be to promote them, but also create a space where those things are seen and read. I look forward to a situation where I can have a library in Kilgoris. Therefore, the National Government Constituencies Development Fund (NG-CDF), should be coached in such a way that it can promote libraries within our constituencies. But, at the national level, we need that as a grand plan. We need good libraries in the big cities of Kisumu, Eldoret, Nakuru and Mombasa, so that people can go there to celebrate and take readership into account.

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) left the Chair]

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

I notice a change of Chair to a 'Mr Temporary Speaker'.

Hon. Temporary Speaker, I heard my friend Hon. K.J. talk about libraries being equipped. One of the other good things about libraries is that if you do not have all the books there, you can link to other libraries. In one of the universities in Leicester where I did my masters, I did not have to get all the books. I would just request the university to link me to their other libraries. This is important because the universities in Kenya should establish good libraries so that, if you are in a national library service facility, you can connect to the University of Nairobi, which is my university. It has a good library and we can actually link ourselves to that university. We have to create libraries that link themselves to major libraries. I agree that today, some of those libraries are very archaic. I used to think that we have a wonderful Kenya National Archives until recently when I sent my researcher to get some items there. You will be shocked that we are not running those institutions to the satisfaction of the present, let alone for the future generations.

The National Library Service should be run in such a way that it gives updated information without destroying the historical records. I wanted to know what happened about the migration of the Maasai from Eldoret, because our colleagues there do not know that, that land was ours until just the other day. Unfortunately, I cannot get those records. They were

there but somebody took them and we cannot find them. Therefore, we have to save and preserve the knowledge in our computers and libraries in such a way that it will be satisfactory for the future. The establishment of libraries is a good idea. I regret to think that the Government may not find money to do so. I know this is not a priority, but it is up to those of us who believe in reading to ensure that the Government finds money to establish libraries in Kenya. To a great extent, Hon. Wanyama should ensure that this Bill preserves control at the centre. Do not devolve everything. The best way is what we have done with the hospitals. You better have a level 1 and level 2 library which is managed by counties and a level 5 library which must be managed by the national Government. If you give everything to the counties, you will have killed our libraries.

Thank you very much for bringing this Bill. I hope that the young people in our country will go back to reading books, so that we can stop the culture of hiding money inside our books where our sons will not find it. I support.

The Temporary Speaker (Hon. Farah Maalim): Hon. Rachael Nyamai.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I support this Bill that has been brought by Hon. Wanyama, who is the Chairperson of the Departmental Committee on Sports and Culture. I also want to thank Hon. Charles Nguna for putting a lot of effort in it.

This is a very important Bill. There was a big attempt to pass it in the 11th Parliament, but it was not completed. It is here with us again so that this August House - the 13th Parliament - can pass it. Now that it is in the debate stage, I believe it will go all the way to the end. The many amendments that have been suggested through public participation will be passed. I went through the Report and saw that the Committee reached out to stakeholders in that sector like the Kenya National Library Service. They gave very good suggestions on how this can be done.

I agree with Hon. Members who spoke before me like the Member for Kilgoris, Hon. K.J. and Hon. Millie Odhiambo. They suggested that we should not devolve libraries because they need proper buildings, the best human resource, storage for both hard and soft copies, and linkages at the international level. If this is left to the counties, we may end up losing because they may lack financial and technical capacity as well as international linkages. They also reached out to the Kenya Library Association, Council of Governors (CoG) and many other stakeholders in order to enrich this Bill. I believe in the Third Reading, it will be more enriched.

Kenya will be joining the other countries that have national libraries like Iceland, India, Indonesia, Iran, USA, Belgium and Denmark, where I went to school. Denmark encourages the reading culture. In fact, they start with the Danish language so that their children can be experts and understand the Danish culture.

In Africa, we have many other countries like Algeria and Angola with national libraries. Therefore, Kenya will be doing what other countries have done. I join other Members in appreciating this very important Bill. It will help us pick from where Hon. K.J. has left.

Last week, we were debating the matter of having museums in our counties. There should be a linkage between museums and libraries so that we can secure books, journals and stories not only in English, but in our native languages too like Kiswahili.

We have realised that data is not just data, but it can be used for economic purposes. We have seen people enriching themselves through story-telling in their own language on YouTube. This is then translated to other languages and they end up making some money. This is not only for preservation of culture, but also for economic value. Today, we have young people who are highly talented.

You should have seen the talent we had at the university. Hon. K.J. and I used to act, but I did not do it the way he did. I wish I was recorded like Hon. K.J. I was so beautiful and you should have seen me dance. All that is lost and I wish it was recorded. When I try to dance like I did at the university, it does not come out well. If it was recorded, you could have seen

that I had a very good figure, which I have lost. We do not want our young people to lose such moments. They should record it so that when they grow old, they can look back and see what they used to do.

This is a wonderful Bill and it will only secure what we have as a country. When I look at the carvings from Wamunyu in Ukambani, who will tell the story of the carvers? We may lose it. Who will tell the story of the *kiondo*? We have already lost it because it has been registered by other countries. The *kiondo* seems to come back to Kenya as a story from other people. We are also losing the story of the *kikoi* to other people and yet, it is of Kenyan origin belonging to the Maasai community. It should be documented because we have not lost it completely. We can do it today.

Hon. John Kiarie (Dagoretti South, UDA): On a point of information, Hon. Temporary Speaker.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Point of information?

The Temporary Speaker (Hon. Farah Maalim): Do you wish to be informed?

Hon. (Dr) Rachael Nyamai (Kitui South, JP): Oh yes. I definitely wish to be informed by Hon K.J.

The Temporary Speaker (Hon. Farah Maalim): Give him the microphone. Proceed.

Hon. John Kiarie (Dagoretti South, UDA): Thank you very much, Hon. Temporary Speaker. Our Standing Orders allow us to inform a Member who is on the Floor, if they agree. I am not standing to inform or confirm that Hon Rachael Nyamai was a very beautiful girl who had an amazing figure. It is true that she participated in the theatre arts and music when we were at the university. That is not the information I seek to offer.

The Wamunyu Carvers have a great history. This is a story about one Kamba man who interacted with the Makonde people of South Africa. He learnt that trade from them and came back home with that beautiful knowledge and craftsmanship. He settled in Wamunyu, Machakos County. That is the point that Hon. Rachael Nyamai is trying to make. That, without records, that becomes an untold story.

Like I said when I was contributing about the science museum, if you do not tell your story the way you want it told, it shall be told by someone else in a different way. I just wanted to inform Hon. Rachael Nyamai about the history of the Wamunyu Carvers.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Yes, Hon. Nyamai. I do not know the minutes that you are left with.

Hon. (Dr) Rachael Nyamai (Kitui South, JP): I am grateful for the information and confirmation by Hon. K.J. and for him relating the matter of the Akamba and Wamunyu. I hope that this can be documented.

By appreciating our authors, I believe that we can establish a hall of greatness for our leaders and authors. That is the place that will encourage people to even write more so that they can see the value and prioritise appreciation. We appreciate and give people honours like Elder of the Order of the Burning Spear (EBS), Chief of the Order of the Burning Spear (CBS) and Elder of the Order of the Golden Heart (EGH). We also have great authors like Hon. Millie Odhiambo, Hon. Duale, Hon. Baba Raila Amollo Odinga, Hon. Kalonzo Musyoka and many others. They have written books and we should have them appreciated so that they can feel great that they have done work for Kenyans.

Hon. Temporary Speaker, I would like to appreciate what Kenyans have been doing. I have been watching a lady called Lynn Ngugi. I have a problem pronouncing the word 'Ngugi' because in Kikamba, there is not 'g' without 'n'. So I am trying to pronounce, 'Lynn Ngugi'. She has done a wonderful job by trying to document our stories. I have seen her moving towards politics now. She has done a lot to tell the story of Kenyans. We send it out there to YouTube

and, at the end of the day, she gets something done in terms of being paid for producing Kenyan content. We look forward to having more people like her.

We would like to see more collaboration between the originators and financiers in a way that nobody is left behind. As it is now, someone comes up with a very good story and then it goes to the person who is recording and they lose it. We would like to see the net effect from the young people who are producers, organisers who collect information and financiers. We have seen situations where those who benefit are the financiers and yet, those who started the story are left behind or are paid peanuts. Those who benefit are the ones who have the money to put the story together.

This is a very good Bill and I look forward to listening to my colleagues as they support. I fully support it. Thank you, Hon. Temporary Speaker for giving me the opportunity.

The Temporary Speaker (Hon. Farah Maalim): Hon. Mishi Mboko, then followed by Hon. Murugara. Hon. Members, most of you will have a bite on this and so, do not worry.

Hon. Mishi Mboko (Likoni, ODM): Give me the microphone, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Can you move to the next one? I am made to understand that the one you are trying to use has issues. Okay, there you go now.

Hon. Mishi Mboko (Likoni, ODM): Thank you, Hon. Temporary Speaker. I stand to support the Kenya National Library Services Bill, (National Assembly No. 20 of 2023).

This Bill's objective is to give effect to Article 11(2)(a) of the Constitution. Also, it will help distinguish the functions of the national library from those of the public libraries, which are devolved to the county level. National library services are vital for they contribute to the preservation of cultural heritage. They also support education, research and promote access to information by all citizens in this country. It is really unfortunate when we go to our counties and see the bad state of public libraries. It is really pathetic. Anytime you enter those libraries, you come across materials or books that are outdated and obsolete. Governors have not put any funding to ensure that we, at least, empower the libraries.

The library plays an important role and, among them, is preserving national heritage by collecting published and non-published information for use by our future generations. My sister, Hon. Rachael, has spoken at length about areas where we need to deposit information for our future and current generation. Our libraries also act as a legal depository on behalf of the Government. They retain all records of our country. When we talk of database, statistics about population, and many more, we can go to the library and retrieve the information. Researchers are interested in several emerging issues such as agriculture, environment and so on. We need to have a platform whereby they can access reading materials and also connect locally and internationally through networks. They also provide a variety of information and resources which can facilitate our learners, especially for students in our learning institutions.

Hon. Temporary Speaker, during vacations back in the day when we were still in secondary school, we used to go to the library to read. We did not have time to sit idle and involve in vices in our society. Nowadays, since we have not enriched and resourced our libraries, it is really difficult to ensure that our students access them. The one in Mombasa County is too small. You wonder how many students can access books and other reading materials in there. There is need to ensure that there is a proper structure with a clear mechanism about how to get some funding.

I want to agree with the Mover of this Bill when he talks about a statutory recognition of the Kenya National Library Service. They must have some authority and degree of autonomy so that they can have some competence in terms of management. This is a very vital platform to ensure that we encourage the reading culture. This is the only way we can ensure that education flourishes. This Bill is very important and special in our country in terms of social economic development. We need to encourage the reading culture. It is the only way we can

help Kenyans to be critical thinkers and to get new knowledge to develop new technology. With the era of digitalisation, things keep on changing everyday and our professionals need to access reading materials to be in tandem with what is happening in the current generation.

With the Competence Based Curriculum (CBC) that we are having now in our schools, we really need to have libraries in every school, be it at the primary or secondary level. I am looking at the Arid and Semi-Arid Lands (ASALs), especially those in North Eastern, whereby even access to education is a problem. Therefore, we are asking ourselves, how many libraries do we have? Can those students access the library? How long should they ‘tarmac’ to get to a place they can call a library to access information and other learning materials? As Members of Parliament, since we have the National-Government Constituencies Development Fund (NGCDF), we need to ensure that we build some libraries in our schools. Also, we need to have what we call community libraries because knowledge is not only for students or pupils. It is also for the rest of Kenyans. People need to understand the emerging issues locally and even internationally.

Libraries are non-profit making organisations and so, we need to have a way of giving them some funding. I do not know whether when we do budgeting, we put this as a priority area. It is high time we ensured that we have resources that are allocated to the libraries. That is why, today, in this Parliament, we launched the e-library. It is because library is not only physical, but also digital. This is a digital era. We need to have digital libraries to ensure that even Kenyans down there, those whom we represent, can understand what is going on in this Chamber, committee meetings, and how Members contribute and represent them. That is why we say we need to have that digital platform, and then we link them to our website.

Hon. Temporary Speaker, we also have internship programmes for students, some from the university and some from colleges. They also need to access adequate materials for them to empower themselves academically. That is why I say it is very important to ensure that we go as per the current technology. We know technology keeps on changing each and every day.

We also want to ensure that our national library gets networks globally so that, at least, our scientists, entrepreneurs and innovators can have a platform where they can converge, discuss, share ideas, and develop some technologies which may assist us in having solutions to the emerging problems in our country.

This Bill has talked about the maintenance of our records. But I want to say it is not only about maintenance. When you talk about maintenance, it means you are keeping it in the form it is. We also need to preserve them so that we prevent them from decay, loss and damage, either because of climatic conditions or some other reasons. So, let us think about those areas.

This Bill has also talked about putting the library in a good standard both physically and digitally. That is what I want to emphasise, so that we can go as per how the technology is taking us. I really want to emphasise that.

We need to ensure our schools have a library. I do not know what we are going to do as per the NG-CDF. Maybe, we can put some funds to ensure that at least...

The Temporary Speaker (Hon. Farah Maalim): *Mheshimiwa*, you are not on record now. You have exhausted your 10 minutes. It is Hon. Murugara, followed by Hon. Eve Obara, and then followed by Hon. Ombaka.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Temporary Speaker. Allow me also to rise and support this Bill. Today, we are debating a very important Bill. I begin by thanking Hon. Daniel Sitati Wanyama, the Chairperson of the Departmental Committee on Sports and Culture. Hon. Daniel Sitati is not known for many things, but he is a very good sportsman, and he has a famous handshake, which most of us try to avoid as much as we can because we know him for that. He is also a great sportsperson.

May I also...

Hon. Charles Nguna (Mwingi West, WDM): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Member of Parliament for Mwingi West? Proceed.

Hon. Charles Nguna (Mwingi West, WDM): Hon. Temporary Speaker, I just want to inform my colleague, Hon. Murugara, that Hon. Daniel Wanyama is a well-known volleyballer. He was the captain of the Kenya team during the Olympics, and he is famous for sports, especially during the East Africa Legislative Assembly Games. He is well-known not only in Kenyan Parliament, but also across East Africa. So, Hon. Daniel Wanyama is a well-known person with many personalities.

The Temporary Speaker (Hon. Farah Maalim): The Chair is going to allow your compliments, but that is not a point of order. I am sure you are well taken by Hon. Daniel. Parliament is happy that one of their own has an image outside.

Proceed, Murugara.

Hon. George Murugara (Tharaka, UDA): Thank you very much, Hon. Charles Nguna, CNN, for that unsolicited information. That is because I did not solicit for it. But, thank you very much. Hon. Charles Nguna is from Mwingi West, which is not far from Tharaka. In between lies the vast Mwingi North Constituency. Then you cross Tana River into Tharaka. I was just giving accolades to the Chairperson of the Committee on Sports and Culture, because he is known for several things, the top-most being a great sportsman in this Republic. He also has the famous handshake, which not many of the parliamentarians here wish to come into contact with. An excellent job has been done here by him for bringing this Bill, which is supposed to make a distinction between the Kenya National Library Services and the public libraries, which are found in the rural areas and are manned by counties.

Allow me, first and foremost, to just give a preview of what happened yesterday in my constituency, Tharaka, because I think it is vitally important and connected to what we are debating today. A community library was commissioned at a place known as Gatunga, which is in Tharaka North Sub-County of Tharaka Constituency. It is a community library and an Information Technology centre that was set up through the efforts of a lady in Tharaka who does a lot of community work known as Anceta Kiriga. She has an organisation known as Tharaka Women Welfare Project. I was ably represented by my office manager. The United States Agency for International Development (USAID) Mission Director, Mr. David Gosney, came over to commission it accompanied by another gentleman known as Dr. Onesmus Kiminza, who is the Director of Sisters Read. I believe this is an organisation that also deals with libraries.

Yesterday, I was able to donate more than 3,500 books that were donated to me by a gentleman by the name Douglas Mugendi from Tharaka Nithi. He has an international Non-Governmental Organisation (NGO) known as Solidarity International Trust where he does that charitable work for which I am grateful. I am grateful to USAID and the Sisters Read and the lady Anceta Kiriga because that is what we are debating today.

Let me also register my thanks to the Kenya National Library Services Board, which is going to be the precursor of what we are debating today, for promising to donate to me 3,500 books, which I will be taking to that library. That is the first library in Tharaka Constituency. We do not even have public libraries.

When we want to do library matters or get library services, we have to go all the way to Meru Town because that is where we find one library service, which used to be under the Kenya National Library Service. But now it must be under the County Government of Meru, having inherited it from the national Government. Most library services are actually devolved, especially public libraries. It is important to point out that our counties have not done much regarding public libraries. We want to see a lot more being done, as happened in Tharaka. I

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have not heard of the commitments that the county governments made when they visited the place yesterday to attend that commissioning, but I expect to hear from them. They are also part and parcel of the plan to establish libraries in the rural areas, so that we can encourage our people to read. We cannot claim to be literate and knowledgeable unless the literacy levels in the country improve. A literate society is a developed society.

We are debating a very important Bill, which I urge my colleagues to pass. Hon. Wanyama has committed that the Committee will be proposing some amendments to the Bill. We will stand with him during the Committee of the whole House. We will give him the support he deserves so that we make the Bill better.

Kenya is known the world over for many attributes, most of them being firsts. Those are in cultural matters, sports or other spheres and avenues. Documentation is limited, which is why this Bill should be passed by this House, so that we can improve our literacy through libraries. Libraries are not just custodians of books. Our art and culture will be stored in libraries. That is why I am proud to have a library in Tharaka because we are known for our vast culture. We are also known for our art, including carvings, which are also famous in Ukambani. We are very good at making carvings and traditional weapons. All that is worth being placed in a library where future generations can get knowledge of how it used to be in the past.

We should not only emphasise on Western education. We must also preserve African education. Much of it is transmitted orally from generation to generation. However, today we are able to document and record those oral histories into books, which we and our future generations can use, so that we do not lose our African values. When the colonialists came, they made us believe that our culture was primitive. Everything we did was primitive and needed to be discarded, whether it was our music or our form of education. I have no idea why they said that our music was primitive or that our form of education did not qualify to be called an education. They also said that our culture and mode of dressing were not worth keeping.

However, the Maasai were able to resist this. Today, they are celebrated world over.

If you talk about Kenya, people will tell you that it is known for three things. First, there is excellent wildlife. That cannot be gainsaid. Secondly, it has a culture that has been preserved through the Maasai. Thirdly, we have sports. Great sportsmen and athletes are found in the Republic of Kenya. Those are our accolades. If we do not document all this, what will happen to us? We will be lost. There is a Kiswahili saying that states: If you lose your culture, you become a slave. We do not want to become slaves to the rest of the world. Let us encourage the culture of having libraries, especially now that they are devolved. We have the county governments which are spread across the Republic. Libraries should be devolved down to the villages, so that people are able to access books, cultural practices and everything else that is beneficial to us.

This is a very important Bill with various provisions. I urge Members to go through it and understand. It now takes over from the Kenya National Library Service Board. The Board will be an integral part of the Service.

With those very many remarks, I support the Bill.

The Temporary Speaker (Hon. Farah Maalim): Hon. Eve Obara followed by Hon. Ombaka and Hon. (Dr) Oundo.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to also contribute to this debate.

Before I support the Bill, let me congratulate my sister, Hon. Millie, for publishing a very interesting book. I hope that you have given it an ISBN number, so that you are able to promote it on an e-platform, preferably Amazon, so that that knowledge or information is shared to many upcoming women politicians because there are many who look up to you as a trainer of great repute. Congratulations, once again.

I am happy that this Bill is coming at this time, particularly when library services are almost collapsing in the country. Across the street, we can see one big concrete building, that is, the Kenya National Library Services. It was also there in Kisumu. I used to see one but, somehow, they have all ‘kind of’ disappeared. This Bill is designed to enhance the governance and operations of the Kenya National Library Service. There are very many positives in this Bill and I want to highlight some of them.

First, is improved governance. The Bill seeks to establish a clearer governance structure at the Kenya National Library Service, potentially leading to more effective decision-making and management of services. We expect to have enhanced services when this Bill comes into operation, so that we promote literacy and learning.

The Bill emphasises the importance of literacy and information access, supporting national educational goals, and promoting life-long learning.

We are also looking at allocation of resources. This Bill will facilitate better allocation of funds to enable libraries to expand their collections and services, and also spread throughout the sub-counties in the counties.

Another positive is community engagement. This Bill encourages libraries to engage with local communities, fostering partnerships that can enhance educational and cultural initiatives.

I have also foreseen that there are possible challenges even as we look at implementing this Bill. One major challenge that I foresee is funding constraints. Implementation may require significant financial resources which could be a challenge given our current budgetary constraints, particularly in the counties.

There is also a possibility of bureaucratic challenges. I know that we have set up governance structures, but we have to be careful because it could lead to additional bureaucracy, potentially slowing down decision-making processes and service delivery.

Finally, we must put in place a mechanism for equity of access. Not all communities may benefit equally from enhanced services, particularly in rural and underserved areas where resources are limited. We must be deliberate about this so that those services can reach all the sub-counties for people to benefit. I support.

Hon. Temporary Speaker, thank you very much for giving me the opportunity.

The Temporary Speaker (Hon. Farah Maalim): Hon. Ombaka, Member for Siaya.

Hon. (Dr) Christine Ombaka (Siaya County, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity. This Bill has come to this House for the second time. I have contributed to it before. The fact remains that a nation without a library is not a nation. That is because libraries are part and parcel of development. I recall the days when libraries used to be libraries in this country. At that time, I was a teacher and a principal of a school. KNLS used to exist in all the provinces. They were very well run, had very good books and served not only the community and the public, but also schools. KNLS used to have mobile libraries and they would go to schools and students would borrow books. They would come back after two weeks to collect the books. Students would borrow again and again. It was very powerful and well run. The CEO at the time was a close family friend. He was very passionate about promoting libraries. Somehow, that collapsed for reasons not known to me. Libraries were well run in the 1980s when I was a teacher.

Right now, people have gone digital and no longer care about reading because they can get what they want from the internet. It is as simple as that! That is like a summary of things. A book that you can read from cover to cover and be a scholar is in the library. You get good books and reference materials, and you can read for long. Today, people are not reading. People do not know how to read or what to do. They just want entertainment, which is still very okay. But people are putting more effort in entertainment than reading as a culture. We are seeing young people growing up without reading, and many of them cannot read. I

remember one time a Vice-Chancellor of a university - and I do not want to mention his name - said that university students do not know how to read. They are not reading. They cannot even write job application letters. That was a Vice-Chancellor lamenting how our students cannot read. It means we have never promoted a reading culture or if we did, then we are not putting more effort in doing so. It is because people have access to information the way they want from the internet. We have lost so much. We need to re-institute those libraries and ensure that they are devolved at the county level.

I am the Woman Representative for Siaya County. I am proud to say that I have constructed three libraries in schools. The demand is high, but the problem is getting books. That is because even the books are disappearing somehow. They are very expensive and they are not available. Libraries are there, but if we do not watch out, they may end up being white elephants. The people have their own libraries on their phones. They can get access to information the way they want. They may not put a lot of investment into establishing national libraries, county libraries, family libraries or personal ones. I have a personal library, very powerful, with several books, but I still do not have the time to read some of them. Time to read is a big challenge today because of the many demands of our lives. We are so busy that we do not read and we do not encourage our children to read. Books are also very expensive.

Libraries are very important and we need to promote them for the fact that we can protect the knowledge of the past. I know that in the past, we had a rich culture. That culture has never been preserved. In my community, we have great singers. There are people who passed away but left their music alive like Kabasele and Daniel Misiani. Those are musicians that are still thought about even today, but we have no history about them. The music is there, but there is no documentation that has been put together that generation upon generation will have access to.

It is important that, as we think about improving our libraries, we need to go beyond just constructing buildings and saying this is a library. What is inside that library is what matters. Even if it is an old structure, let it be improved. We need to put all manner of information that people require today. There are so many scholars looking for books which are no longer there. Books are not being published, or if they are, we cannot get the ones we need sometimes. You have to make reference to them or borrow them from other countries. I remember when I was a student in the UK, and I was doing my thesis, I needed to make reference to a certain book that my supervisor insisted I must read. It was not available in that university. It had to be borrowed from another country nearby, and it took two weeks to arrive. Books are disappearing as well. So, we need publishers and people who can write. Hon. Millie Odhiambo has done a great thing. She has published a book. It is the way to go. I have published poetry. I am a poet. It is only that you do not know. I am a great poet and I have a whole poetry book. It is only that I have never shared it with so many people. It is published worldwide.

We need to encourage a reading and writing culture. We are losing writings. People are creative out there. In this country, every year, schools participate in music and drama festivals. That is celebrated in this country year after year. Students travel to Nairobi to contest and sing, and then end up with their music and songs not recorded or preserved. For years, we have had this. We need to begin assembling the resources that we have to become part of our culture and be preserved in the libraries we are constructing today. So much should happen and we need to improve the way we store information.

In the Kenyan National Library, I recall there was a huge section of children's library; a section for ECD children. There were fantastic books, very nice music for children, cartoon books, little stories and folk tales for children. They are no longer there. This is what we need to preserve. We need to get them and have our children read and get used to them so that they can know that there is power in reading. So, I support this Bill because it promotes education,

information and documentation of our culture, which is part and parcel of who we are in this country.

This is all I have to say for now. There is more to say about libraries in this country. We need to improve and work around them. We need to publish books and store in the libraries. We need to collect our cultural artefacts and store them in libraries for future reference.

Thank you for giving me this opportunity. I support this Bill.

The Temporary Speaker (Hon. Farah Maalim): We will have the Member of Parliament for Funyula, followed by the Member of Parliament for Lamu East.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I stand to support the Kenyan National Library Bill, (National Assembly Bill No. 20 of 2023). I also want to put it on record, because I sat in the Twelfth Parliament, that we discussed and processed this Bill to its logical conclusion in the National Assembly. It was transferred to the Senate and, all along, I thought it was passed and assented to become an Act of Parliament. This, again, shows the challenges that we are having between the National Assembly and the Senate. Having to redo this Bill afresh is a terrible waste of public resources and public time. I believe, hopefully, that with the comradeship between our Speaker and the Speaker of the Senate, we will be able to expedite and sort out these issues at hand.

Hon. Temporary Speaker, let me confess that the first time I went to a library was in 1986 at Starehe Boys Centre as a Form 1 student. That is when I first met a library.

(An Hon. Member spoke off the record)

We are not of yesterday. That is when I met a library. We had books in classrooms that were given by the Government, but it was my first time to see a library where books were arranged in a line and on shelves. Since then, I fell in love with books. And if there is anything that I like to do whenever time allows, is to read. If there is anything I commit all the time to do is to read. Again, when we went to universities, obviously the University of Nairobi because the others were small colleges then, we had libraries like the Jomo Kenyatta Library, Memorial Library and the college libraries. I am trying to say that libraries are repositories of information. They are a source of knowledge. They provide everything.

Hon. Temporary Speaker, again, taking our children to the Kenya National Library Services in Upper Hill also became an easy outing. If you were committed, going to work on a Saturday during school holidays, you would drop your children in the library, pay Ksh20 by then, and let them go and study, while you attend to other things. Even when we were doing our thesis, we would go to various libraries here. Macmillan Library was very good because it had some old literature that could build your literature review over a period of time.

The drafters of the new Constitution of 2010 had very noble ideas, but I still believe that they overloaded the counties without giving them adequate capacity and political goodwill to run those activities. As part of the conditional grant, in the last two to three financial years, some of the money that was reserved for the Kenya National Library Services was taken to the counties. Of course, everybody will wonder: What have the counties done with that money?

I also join my colleagues to tell Kenyans that it is good to read because knowledge becomes stale over time. Whatever knowledge you learnt in the 1960s, 1970s, 1980s, 1990s, or even as late as during the COVID-19 times, you will realise that so many new developments have come up. You need to refresh yourself. We need to encourage the art of reading. How do we do that? We need to have books or a central place where somebody can go sit down, read, or even borrow a book, read and return it in exchange for another one.

When we were growing up, we had a series of storybooks or fiction books. Fiction books expand your imagination. They push your thinking to the horizon; that unbelievable things can happen. They also improve vocabulary and diversity of language.

Hon. Temporary Speaker, as we stand here today, it would seem so many things are changing. I also echo the sentiments of my colleagues and the Minority Whip. Some of us are still stuck in the traditional days. I am unable to read any document in soft copy. I prefer to have the hard copy so that I can read and feel; and cross-referencing is far much better. However, we must be aware of the fact that things have changed. With the virtual libraries, we can literally get all the books we require online.

The question we need to keep asking is: Do we still need physical buildings that we used to refer to as libraries? Even when we have libraries, do we need physical texts in those libraries or do we simply need a mainframe, a computer or a screen where somebody can simply access and read books?

Hon. Temporary Speaker, I was having a discussion with one young guy who is currently doing his master's degree and he was telling me that there is a platform that you can subscribe for an e-book for several days. Once that period elapses, the book disappears. It is set in a way that you cannot download it, or even screenshot it. We need to move towards that kind of thinking. I hope the new library service that is being proposed here will embrace that new technology.

We also have so many community libraries and private libraries that have emerged all over. I have a fairly rich collection of books spanning many generations on very many subjects in my house library. Whenever I am stressed or something like that, I like to just look at them and my stress evaporates.

As I have said, we had gone through this Bill and made some amendments. Some of the proposed amendments had been carried, while others had not been approved.

Hon. Temporary Speaker, those who were around in the 1980s, after the 1982 coup, would recall that there was a massive crackdown on dissidents and people who needed progressive change. Those people wrote very many wonderful documents, books, journals and newspapers. Now that we have a transformed and a fairly accommodative society, I want to ask the Kenya National Library Service whether it is possible to get those pamphlets and preserve them for historical purposes.

We remember Mwakenya, and it is not the 'mwakenya' that is now a common practice here in the universities. I remember the writings by Mr. Mwandawiro, Mr. Gitobu Imanyara and the rest that opened up our minds towards intimidation and oppressive leadership that was there then. Therefore, the Kenya National Library Service must document our history. History is cumulative. It is not just the history of migration, colonialism, but a progressive one. We need to document things that made changes in this country.

Hon. Temporary Speaker, this Bill has several progressive provisions. I draw the attention of the Chair - and I hope he is still around or it should be on *The Hansard* - to Clause 6 on the issue of appointment of members of the board. 1(g) talks about two persons to be nominated by the Council of County Governors; and 1(h) talks about one person to be appointed by the Cabinet Secretary. As part of my amendments, I would request that this must be done through a competitive recruitment process.

Hon. Temporary Speaker, at the opportune time in the Committee of the whole House, I would also suggest that all public institutions, semi-permanent institutions and private individuals that have libraries that can be accessed by the public, must be members of the Kenya National Library Service. As part of their certification, they must display a certificate to indicate that whatever they have meets the standards that are set out in the Third Schedule. In doing so, we will be able to keep track of quality and the kind of materials that are being exposed.

With those many remarks, I support.

The Temporary Speaker (Hon. Farah Maalim): Next, I give an opportunity to Hon. Ruweida. She will be followed by Hon. Chepkong’ a and Hon. Omanyo. We will proceed in that order.

Hon. Ruweida Mohamed (Lamu East, JP): Ahsante Mhe. Spika wa Muda kwa kunipatia nafasi nichangie Mswada huu kuhusu Maktaba ya Kitaifa.

Mwanzo, ninaipongeza Kamati kupitia kwa Mwenyekiti wake, Mhe. Wanyama. Wamefanya jambo la maana kwa sababu sheria hii ilikuwepo kabla ya ugatuzi. Hivyo, kulikuwa na haja kubwa ya kuweka hii sheria baada ya mwaka wa 2010 kuhusu mambo ya ugatuzi. Kwa hivyo, ilikuwa muhimu sana afanye hivyo.

Sheria inasema kuwa, kuna haja ya kuwa na maktaba angalau katika makao makuu ya kaunti, lakini kuna kaunti zingine kama Lamu ambazo hazina maktaba hata moja. Hii sheria ikitungwa, ningependa Kamati izingatie kuwa kaunti zingine ambazo hazina maktaba hata moja zisiachwe nyuma. Ugatuzi ulipokuja, hapakuwa na maktaba kwenye Kaunti ya Lamu.

Kwa hivyo, kuna kaunti nyingi kama hiyo ambazo hazina maktaba. Kwa hivyo, sheria kama hii ikitungwa, kule kwetu tunajiuliza: Inatungiwa nani? Pia, ningependa kujua Kamati kwamba wenzangu walivyosema, nami pia narudia kuwa teknolojia imesonga sana. Kuna *ICT hubs* ambazo Rais alisema zijengwe katika kila wadi. Kwa nini tusichukue hii nafasi kubadili sheria hii iseme kuwa, kwenye kila wadi kujengwe maktaba ambayo itatumia teknolojia? Itakuwa rahisi kuliko kwenda kujenga kwa kila wadi, eneo bunge au kaunti. Tunaweza kutumia raslimali zilizopo tuwe na maktaba ili watu wapate kusoma. Kama tulivyoambiwa na Wabunge wenzangu, siku hizi watu wanahamia kwenye mambo ya dijitali.

Pia, hapo nyuma tulikosa. Kuanzia saa hii kwenda mbele, tutazungumzia kwenda kwenye upande wa hiyo teknolojia lakini kukosekana kwa maktaba kunaregesha eneo nyuma sana. Kwa mfano, sisi kwetu Lamu, Kaunti nzima hatuna maktaba. Imesababisha watu kuandika vitu visivyovyote vya ukweli. Kuna mambo mengi ya kihistoria. Kwa mfano, kule Shanga kuna msikiti yenye kibla mbili. Kibla moja ikielekea Masjid Aqsa. Hiyo ni historia kubwa inayomaanisha karne na karne. Ihali katika historia, hakuna vitu kama hivyo. Saa zingine watu hutuuliza: “Nyinyi kwenu si Kenya. Kwa hivyo, asili yenu ni ipi?”

Inamaanisha Uislamu ulikuwepo kabla Kenya iwe tayari. Kijiji kinaonyesha kuwa wakati wa kuswali, Waislamu walikuwa wanaelekea Al-Aqsa kabla waanze kuelekea Mecca. Kwa hivyo, kukosekana kwa hizo maktaba ndiko kunakosababisha kukosekana kwa hizo kumbukumbu. Zingekuwepo kumbukumbu, tungejua tunakotoka. Sasa hivi, wengine tukiamua kufanya DNA, sijui itajulikana tuna asili ipi ila huenda sisi tukawa wenye asili ya Kikenya zaidi kushinda wengine. Ni karne nyingi tangu wazazi wetu watoke pale walipokuwa. Kulikuwa na haja sana lakini pia kwa sasa, serikali ya kaunti na ile ya Kitaifa yaweza kutekeleza hilo jukumu.

Tunataka kujua historia kwa sababu inashangaza kuwa hayo mambo hayaaminiki. Siyo kabila zote zikioana kunatokea kabila nyingine ijapokuwa inasemekana kwenye historia ya Mbajuni kwamba ni Mmijikenda na Mwarabu walioana ndipo akazaliwa Mbajuni. Na ambapo utaona Mkikuyu akioana na Mkamba, haizaliwi kabila nyingine. Isipokuwa wakati Mmijikenda alipoolewa na Mwarabu, ndio ikapatikana Mbajuni. Inashangaza! Hizi historia lazima zijulikane. Kama zimejulikana, zingekuwa kwenye hifadhi za maktaba zetu ambapo ingekuwa rahisi kujua mambo kama hayo.

Kaunti ina jukumu lakini *national Government* inatakikana isukume, hata kama ni upande wa kuweka *policy*. Hii Kamati ina kazi ngumu zaidi kwa vile imesema hii *Bill* ni ya Kamati ya Michezo na Makavazi. Nataka waangalie mambo ya maktaba na makavazi ambayo yako Kenya yetu ambayo ni vivutio vya utalii ili watu wafaidike. Kule Lamu kuna makavazi mengi na sheria nyingi ambazo zimewekwa na zinamkandamiza mwananchi anayeishi pale.

Kwa mfano, pale Lamu *Town* kuna sheria kwamba huwezi kujenga nyumba iliyo zaidi ya gorofa tatu karibu na bahari. Lakini utaona mtu akikandamizwa na sheria hii. Lazima tutumie utamaduni huu kwa sababu ya makavazi na *historical sites*.

Naomba hii Kamati hata kama Mwenyekiti hayuko hapa, wazingatie sehemu ile ndiyo wapate fidia fulani ili wazidi kuhifadhi na kuweka kumbukumbu vizuri. Maanake maktaba na *museums* hizo ni kumbukumbu. Zimewekwa na kaunti na hazishughulikiwi. Ukiangalia *Lamu Fort*, hakuna maktaba ya kumbukumbu ya kisawasawa ambayo mtu anaweza akasoma. Ie maktaba yao ina kumbukumbu ndogo ya kueleza kitu fulani kimetoka wapi. Kwa hivyo, naona ni mwanzo mzuri na tunaunga mkono hii Kamati. Lakina, ina kazi nyingi ya kufanya na kwa hivyo, wahusishe mambo yote ambayo tunasema.

Ahsante sana.

The Temporary Speaker (Hon. Farah Maalim): Mhe. Samuel Chepkong'a, nafasi hii ni yako ya kuchangia.

Hon. Samuel Chepkong'a (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker. Of course, you know the language which my very good friend, Hon. Ruweida Mohamed, uses. You can be sure if I attempt to use it, I will be confused quarter way. So, I better stay on a safe and well-trodden road, which is speaking in English. The one from Lamu is a little bit tricky and murky for me.

I rise to support the Kenya National Library Service Bill. Indeed, it is a very progressive Bill that will help this country in terms of research. Generally, there is no body that coordinates the standards of libraries that are constructed across the country by the county governments and the national Government, particularly in secondary schools. This Bill will provide a framework within which those libraries will be regulated. That way, we can have some sought of seamless standards across the country. We do not want to have a stand-alone library that you do not know the sort of books that are found there.

As you know, for a country to progress, there must be research institutions. If they are not supported by well-equipped libraries, that country will not progress. Even if they are supported, if you want to come up with a new idea, you must know the ideas that were formulated in the past.

Hon. Temporary Speaker, when I was doing my Master of Laws (LLM) research, we were told that you must come up with a new area that has not been investigated upon. The only place you can find out whether this is a new area that has not been investigated, is to go to a library and find out what research has been undertaken by people that have gone before you, so that you do not repeat what someone else has done.

The second thing that it does is that it will discourage what we call xeroxing or copying other people. That is where people steal other people's thesis and dissertations. Those dissertations are kept well so that we know the particular areas where people have researched on and so, you do not need to waste your time trying to research on a matter that has been well researched. You can only find that in a well-equipped library which is well organised. Thus, this Bill provides a framework within which those libraries will be organised.

Hon. Temporary Speaker, the third thing that this Bill seeks to do, is to distinguish the functions of the KNLS from all the other libraries. We do not know which is the Grand Norm. In law- and Hon. Millie and Hon. Kipchumba know this - we have something called the Grand Norm. The Grand Norm is like the Constitution. That is the Grand Norm of this country. The Grand Norm from the libraries is the KNLS where you can find any book that you are looking for purposes of helping you in advancing knowledge in this country.

Hon. Temporary Speaker, as I said, you cannot develop without research and research can only be as good as the library that this country has. I have visited a number of countries and the last time when I was a Commissioner of the Parliamentary Service Commission (PSC), we visited Arkansas. When we went to Arkansas, we visited the William J. Clinton Library

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and Museum. Every President of the United States of America (USA), I am told, has a library. So, what we are seeking to do is to also borrow from the first world where they have very good libraries. In Georgia, you will find the Jimmy Carter Presidential Library and Museum. In Illinois, you will find the Barrack Obama Presidential Library and I found those libraries to be very interesting. It also has the list of vehicles that were last used by that President. They are taken to that library. When we went to Arkansas, I know some people call it “aa-kan-sas”. It is not called “aa-kan-sas”. It is called “aa-khun-saw”. In fact, they passed a law on the pronunciation of Arkansas. If you say “aa-kan-sas”, they tell you: “No! That is wrong. It is pronounced aa-khun-saw.” Do not think I am pretending to be speaking like an American. It is just that there is a law which was passed on the pronunciation of that particular State. I found that the armoured vehicle that was used by Bill Clinton when he was the President of USA is in the William J. Clinton Library and Museum. When American Presidents leave office, they do so with their vehicles and take them to their libraries. They become part of their libraries. There are very important functions that take place in libraries, and I want to encourage Presidents who retire in this country. We want to see the Uhuru Kenyatta Library, the Mwai Kibaki Library and the Daniel Moi Library.

Do not start foundations. Foundations do not help anything. You are just reproducing our National Government Constituencies Development Fund (NG-CDF). We already have institutions that help in terms of giving bursaries to the less fortunate in the society. We want something that is distinctive, something that distinguishes you from all other persons so that we know you have written a book and it is available in, for example, the Daniel arap Moi Library, when we go to do our research. That way, we will know that we are advancing as a country. By just having foundations, when you die, those foundations also collapse. For example, the Moi Foundation no longer exists. Although it exists by name, it has become horrible. If it were a library, we would talk about the Daniel arap Moi Library.

I support this Bill because it provides for an enabling framework within which people can come up with libraries, and they can be regulated. You can borrow from the best libraries across the world, study them like we do study tours. When we come here for the first time as Members of Parliament, we go on learning tours. Those are the things we need to learn from.

I like that this Bill contains in the Third Schedule, the Kenya Library Association guidelines. These are very important guidelines that will be developed as a result of the passage of this Bill. The Chairperson of the Departmental Committee on Justice and Legal Affairs will be very keen to look at these guidelines and how they are going to fit into the statute that has been passed, so that we are able to operationalise this particular legislation.

All those regulatory-making bodies should not make regulations or give guidelines that have not been brought to this House. For instance, today, we were complaining about the Kenya Roads Board (KRB) and Kenya Rural Roads Authority (KeRRA), who came up with guidelines and rules which, under the Statutory Instruments Act, ought to have been brought to this House. In fact, people are struggling and saying that we should not take that money to a certain account. The question of budgeting is contained in Article 95 of the Constitution. Even courts have no business purporting to say that money will move from the national Government to the county governments. They cannot take our role. The only institution which is mandated under the Constitution to budget is this House.

I am very happy that there is going to be a budget line for that library so that it can be well-equipped for purposes of research.

I support and thank you for giving me the opportunity.

The Temporary Speaker (Hon. Farah Maalim): Hon. Omanyo followed by the Member of Parliament for Marakwet West and then Hon. John Gitonga.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Temporary Speaker. I happen to be one of the Members of the Departmental Committee on Sports and

Culture chaired by Hon. Dan Wanyama. This idea of having libraries devolved is among the best things to happen since the sliced bread. For some of us who were raised in the remote areas, it was evident that even owning a textbook was only left for the “haves”. The “have nots” depended on notes that the teacher wrote on the blackboard. We would copy the notes and go home to read.

So, we want those libraries not to be at the centre of the county. As the Woman Representative of Busia County, in Budalang’i, there is a student or a pupil somewhere who is thirsty to read and cannot afford a dollar a day or Ksh100 a day. It will be a challenge to find fare from a place like Bulwani in Budalang’i to just go and read in Busia Town. How does a pupil or a student in a place called Aidomoru in Teso North even start? There is need to have a motivating factor. When those libraries are finally put in place, they should go closer to the communities. They should be put in the sub-counties where people can walk because we are used to walking anyway. Also, libraries are very good for those who cannot afford internet bundles. Just knowing that they have a free library that they can go to read in will expand their thinking. We will be bringing up people who can think for our nation, so that we can stop being described as a “Third World” nation.

It will also be easy for students to search for the implied meaning of various things, which they can understand. If one does not have internet bundles, one cannot read a textbook from the introduction, body to the conclusion. So, accessibility is paramount. Centralising libraries is like giving an opportunity to cockroaches and rats to feast on the books because very few people can access a library that is far away. Bringing such a resource closer to the community means that children who come from very poor families in the lowest strata of life will not feel discriminated against because the “haves” and the “have-nots” will both be able to access the books. So, a student from Kosera Village in Teso South will be able to read what a student from the Nairobi Academy in Nairobi County is also reading. In that way, knowledge will be well spread and it will become easier for all the children, even those in the rural areas, to come up with solutions for our many issues.

We also assume that everybody can afford android phones and can easily google information. Some people have phones but they cannot afford enough internet bundles to access information. With those libraries, more people will become knowledgeable and thus resulting in higher literacy levels. It will be easier to reason with a knowledgeable person than someone with limited knowledge.

We have many badly cultured people in Africa today, because they never had access to literature on things like Sustainable Development Goals (SDGs). That is why you can easily hear a man calling a woman a prostitute; forgetting that her mother, who dared to be called a prostitute, gave birth to her. So, with libraries around, we will have more civilised and cultured people who view each other as important, instead of viewing others as half-citizens or lower citizens.

Devolving libraries closer to the people is long overdue. We should immediately implement that idea, if we are to promote development and higher literacy levels. Kenya has now matured as a country since Independence. Once you are above 60 years old, you are a senior citizen. Kenya should be among the more mature nations in Africa and the world.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Member for Marakwet West.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this very important Bill.

At the outset, I thank the Committee led by Hon. Dan Wanyama for bringing this Bill, which will set up a legislation to run national library services in the country. Part II paragraph 4(f) of the Fourth Schedule of the Constitution of Kenya makes it very clear that library services are a devolved function. This Bill has gone further to define what a national library is and what

a public library is. Under the section on definition, it has defined a “public library” to mean a library established, maintained and managed by a county, a non-governmental organisation, a community or private person that is open to members of the public. So, it is now clear. There was no distinction. When the Constitution said that library services is a devolved function, there was no clear definition as to what constitutes a national library and a public library. This proposed legislation is clear on what falls within what category.

This is a very important legislation. Libraries in this country have been run in a haphazard manner. The current legislation in operation is CAP. 225 and the Kenya National Library Services Board. So, this proposed new legislation gives a clear guideline on how national libraries will be managed in this country. In effect, this law will repeal CAP 225. CAP 225 was enacted in 1965 and amended in 1967 and 2007. That means that since we passed the new Constitution of Kenya in 2010, that Act has not been amended to reflect devolution under the 2010 Constitution.

The other challenge that we have is that the County Library Service Bill is still pending before the Senate. The Senate has to fast-track it. As we speak, we do not have a uniform legislation that is governing the running of devolved libraries in this country, because that Bill is still pending before the Senate of the Republic of Kenya.

I have done the statistics. Only 33 counties in this country have public libraries. That means that we have 14 counties in this country that do not have a public library. That is a challenge that county governments have to take up because it is a devolved function. They should set up those libraries.

I have the Report of the Committee. We must carefully look for a way to address conflicts. Ideally, if you read the Constitution critically, you will realise that this function is devolved. We are just trying to find a way of taking care of the national libraries. Library services is a devolved function. We must find a way of resolving a conflict in case there will be a question on interpretation. Remember, Article 191 of the Constitution says that when a function is devolved and there is conflict with the national legislation on which law is superior, the county legislation prevails over the national legislation. So, we must find a way of resolving such a conflict if it arises. I support the Bill.

Before I sit down, I wish to thank Hon. Millie Mabona for the wonderful book, *Rig or be Ripped* that she has written. She will go into the memories of this country just like the renowned author, Chinua Achebe. There is something good in writing a book. When I retire, I must capture what I have learned in this Parliament in a book. Today we quote Chinua Achebe, especially in his book, *Things Fall Apart*, just like he still lives. I believe in future, we will quote Hon. Millie Mabona because she will live in her book.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): The Member of Parliament for Manyatta.

Hon. Gitonga Mukunji (Manyatta, UDA): Hon. Temporary Speaker, in cognisance of the very important role that libraries play in the world, I really commend the drafter and the Committee for a well-thought Bill that will give a new breath of life to KNLS, with good and improved governance and the assurance to reach the sub-county level. As I read the Bill, one of the things that I would like to be amended is the qualification of the board members. I find it very discriminative that the chairperson must have 10 years of experience in a senior level. That locks out many of the young people who can become board members. Interestingly, for you to become a member, you require five years of experience in a management position. That is a very bad precedent in terms of what has been ailing this country regarding the joblessness among the young people. I wonder why we are normally obsessed with years of experience rather than the quality of experience. I believe many Members here got a chance to be Members of Parliament without prior experience. Yes, experience improves leadership and problem-

solving skills, but I believe it is not fair to put it in law that such things are supposed to be checked. I hope it has been captured in *The Hansard* that we need to check such issues.

I interact a lot with the Government library in my constituency in Embu, and the officers visit me many times. One of their key issues is lack of funding of their work. They even lack money for fuel. While we are talking about ensuring our national libraries work, it is important that the budget line is not only on paper, but is also taken seriously. Libraries are pertinent, as has been indicated by many speakers. If we do not encourage a reading culture, we will have a country of people who are not thinkers or writers. It is said that a reader lives a thousand lives before he dies. Many times, I have thought about how this country could change if many young people stopped social media obsession and embraced reading. It is through reading that we get writers. You cannot write if you do not read. I attended a very extravagant launch of a book by Hon. Millie Odhiambo, *Rig or be Rugged*. I got very much inspired that there is a need to write stories.

Hon. Samuel Chepkong'a (Ainabkoi, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): What is your point of order, Hon. Chepkong'a? Proceed. Give him the microphone.

QUORUM

Hon. Samuel Chepkong'a (Ainabkoi, UDA): Thank you very much, Hon. Temporary Speaker. It is not my ordinary business to interrupt good friends like Hon. Mukunji who calls himself '*Mwenye Kujituma*'. Someone who sends himself must be respected. But because of the rules of this House, which go beyond respect, it behoves me to inform him, on a point of order under Standing Order 35, that we do not have quorum in this House.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. I agree with you that we do not have quorum.

(Hon. Gitonga Mukunji spoke off record)

Order, Member for Manyatta. We do not have quorum. Can you ring the Quorum Bell, please?

(The Quorum Bell was rung)

Stop the Bell. We have reached the 10 minutes.

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): There being no quorum, I want to tell Hon. Mukunji, who is the Member for Manyatta, that he still has six minutes when this debate next comes up. The time being 7.02 pm, this House stands adjourned until Tuesday, 15th October 2024, at 2.30 pm.

The House rose at 7.02 pm.

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