



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

VOL. IV NO. 16

THE HANSARD

Tuesday, 11th March 2025

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

Hon. Speaker: Serjeant-at-Arms, ring the Quorum Bell.

(The Quorum Bell was rung)

Order, Hon. Members. We now have the quorum to transact business.

PAPERS

Hon. Speaker: Deputy Leader of the Majority Party.

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

1. Legal Notice No.53 of 2025 relating to the Environmental Management and Co-ordination (Controlled Substances) Regulations, 2025 and the Explanatory Memorandum from the Ministry of Environment, Climate Change and Forestry;
2. The Agreement between the Government of the Republic of Kenya and the United Arab Emirates on the Comprehensive Economic Partnership from the Ministry of Investments, Trade and Industry;
3. Annual Report for the financial year 2022/2023 of the Power of Mercy Advisory Committee (POMAC) from the Office of the Attorney-General;
4. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024 and the certificates therein in respect of:
 - (a) AIC Kang'itit Girls Secondary School;
 - (b) Bishop Birech High School-Tilol;
 - (c) Butere Girls High School;
 - (d) Cardinal Otunga Girls High School;
 - (e) Friends School Kamusinga;
 - (f) Gatugi Girls Secondary School;
 - (g) Joy Valley Secondary School for Physically Handicapped;
 - (h) Kagumo High School;
 - (i) Kakamega School;
 - (j) Kamusinde Boys High School;
 - (k) Kiluani Boys Secondary School;
 - (l) Kimabole Secondary School;
 - (m) Matiliku Boys High School;
 - (n) Mukaa Boys High School;
 - (o) Najile Boys Secondary School;
 - (p) Nanyuki High School;

- (q) Napeililim Secondary School;
- (r) Ndururumo High School;
- (s) Njonjo Girls High School;
- (t) Our Ladys Girls Secondary School Kakuma;
- (u) Sericho Secondary School;
- (v) St. Joseph's Girls High School-Trans Nzoia;
- (w) St. Theresa's Tartar Secondary School -West Pokot;
- (x) St. Patrick's Kimukung'i Girls Secondary School-Bungoma;
- (y) Turkana Girls National School.

Hon. Speaker: For the record, you have skipped letter (y).

Hon. Owen Baya (Kilifi North, UDA): Sorry, Hon. Speaker. Letter (z) is Tumutumu Girls High School.

5. Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024 and the certificates therein in respect of:

- (a) Competition Authority of Kenya;
- (b) Council of Governors Mortgage and Car Loan Fund;
- (c) Equalisation Fund;
- (d) Financial Reporting Centre;
- (e) Kenya Civil Aviation Authority (KCAA) Staff Mortgage Scheme;
- (f) Kenya Accountants and Secretaries National Examination Board;
- (g) Kenya Accreditation Service;
- (h) Kenya Energy Sector Environment and Social Responsibility Programme Fund;
- (i) Kenya Meat Commission;
- (j) Kenya Ordinance Factories Corporation (KOFC);
- (k) Kenya Ports Authority-National Treasury;
- (l) Kenya Revenue Authority;
- (m) Kenya Urban Roads Authority;
- (n) Kenya Vision 2030 Delivery Secretariat;
- (o) National Cohesion and Integration Commission;
- (p) National Drought Management Authority;
- (q) National Housing Corporation;
- (r) National Security Telecommunications Service;
- (s) National Social Security Fund;
- (t) Policyholders Compensation Fund Car and Mortgage Scheme;
- (u) Private Security Regulatory Authority;
- (v) Public Procurement Regulatory Authority Staff Loans Scheme Fund;
- (w) Receiver of Revenue Statements;
- (x) Roads Maintenance Levy Fund-Kenya National Highways Authority;
- (y) Roads Maintenance Levy Fund-Kenya Urban Roads Authority;
- (z) State Department for Devolution;
- (aa) State Department for Foreign Affairs;
- (bb) State Department for Internal Security and National Administration;
- (cc) Tana and Athi Rivers Development Authority; and
- (dd) The Kitale National Polytechnic.

Hon. Speaker: Thank you. Next is the Chairperson of the Liaison Committee.

Hon. Gladys Boss (Uasin Gishu County, UDA): Hon. Speaker, I beg to lay the following Paper on the Table:

Report of the Liaison Committee on the Budget Policy Statement for the Financial Year 2025/2026 and the Medium Term, together with a compendium of Departmental Committee Reports on the 2025 Budget Policy Statement.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Next Order.

NOTICE OF MOTION

CONSIDERATION OF THE BUDGET POLICY STATEMENT FOR THE FINANCIAL YEAR 2025/2026 AND THE MEDIUM TERM

Hon. Speaker: Hon. Deputy Speaker.

Hon. Gladys Boss (Uasin Gishu County, UDA): Hon. Speaker. I beg to give a notice of the following Motion:

THAT, this House adopts the Report of the Liaison Committee on the Budget Policy Statement for the Financial Year 2025/2026 and a compendium of Departmental Committee Reports on the 2025 BPS, laid on the Table of the House on Tuesday, 11th March 2025 and pursuant to the provisions of Section 25(7) of the Public Finance Management Act, Cap 412A and Standing Order 232(9) and (10) –

(a) approves the Budget Policy Statement for the Financial Year 2025/2026;

(b) makes the following Financial Resolutions with respect to the Budget Policy Statement:

(i) The National Government budget ceiling be approved at Ksh2,523,474,081,480

Of which:

Executive Ksh2,447,236,081,480

Of which: Office of the Auditor General Ksh8,652,200,000

Parliament Ksh49,488,200,000

Judiciary Ksh26,749,800,000

(ii) The County Government Equitable Share be approved at Ksh405,069,420,197.

(i) Consistent with the latest audited and approved revenues for Financial Year 2020/2021 amounting to Ksh1,570,562,945,014, the allocation to the Equalization Fund be set at Ksh7,852,814,725.

(ii) The arrears to the equalization fund be set at Ksh2,747,185,275.

(iii) The County Government Additional Allocations be approved at Ksh69,802,409,623 as per the third schedule which shall form the basis for the County Government Additional Allocation Bill, 2025.

(iv) The allocation for the public participation initiatives be approved at Ksh3,000,000,000.

(v) The first and second schedule forms the basis for the ceilings for the Financial Year 2025/2026 Budget Estimates.

(vi) Once approved, these recommendations SHALL form the basis for Financial Year 2025/2026 budget estimates.

(c) makes the Policy Resolutions contained in the Report.

I thank you.

Hon. Speaker: Thank you, Hon. Deputy Speaker.

Before Questions and Statements, allow me to acknowledge students in the Speaker's Gallery. I believe they are with their teachers from Moi Forces Academy of Kamukunji Constituency in Nairobi.

In the Public Gallery, we have Muthambi Girls' School from Maara in Tharaka Nithi; Makongeni Secondary School from Makadara, Nairobi; Kong'otik Girls' High School from Bomet East, Bomet; students and union members of the Technical University of Kenya from Starehe, Nairobi; and Kimuru Secondary School from Kipipiri in Nyandarua.

The Member of Kipipiri asked me to give her one minute to welcome a school from her constituency. On our behalf, do so to the rest of the institutions.

(Applause)

Hon. Wanjiku Muhia (Kipipiri, UDA): Thank you, Hon. Speaker.

I take this opportunity to welcome all the schools visiting the National Assembly today. To all students, work and read hard because education is one avenue to make your lives better. I recognise Kimuru Secondary School from Kipipiri Constituency, Wanjohi Sub-County, in a special way. I wish to let you and the Floor know that Kimuru Secondary School is one of the most disciplined and cleanest schools in Kipipiri. They did very well in the 2024 examination. I wish them well and hope they will do even better in this year's examination.

Hon. Speaker: Thank you. On my behalf and that of the House, we welcome all of you to the House of Parliament. Enjoy yourselves.

Question number one is by Eric Karemba of Runyenjes. It is a request for Statement. I am sorry.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Speaker. It is not a Question but a request for Statement.

Hon. Speaker: Go ahead.

Hon. Muchangi Karemba (Runyenjes, UDA): Before I request for Statement, I am very excited today. Unlike other days, I see a number of Akorinos in the Public Gallery. I am very happy.

Hon. Speaker: How do you know they are Akorinos?

Hon. Muchangi Karemba (Runyenjes, UDA): *Waswahili hujwana kwa vilemba*, Hon. Speaker.

(Laughter)

QUESTIONS AND STATEMENTS

REQUESTS FOR STATEMENTS

HIGH COST OF FARM FEEDS

Hon. Muchangi Karemba (Runyenjes, UDA): 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 high cost of farm feeds.

Dairy farming is crucial in ensuring food security and economic stability in the country. Sadly, the industry faces several challenges that have crippled farmers including high cost of animal feeds, high veterinary charges and change in milk prices. The challenges have

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decreased milk yields thereby undermining the overall performance and sustainability of dairy farming in the country, specifically in Runyenjes in Embu County. It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the following:

1. Statistics of milk production in Runyenjes, Embu County.
2. The measures being put in place to reduce the cost of animal feeds required for dairy farming.
3. Initiatives being put in place to enhance milk production in the country.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Karemba. Where is the Chairperson of the Departmental Committee on Agriculture and Livestock? DK, are you a Member of the Committee? Bring a response on the first day of resumption after recess. That is in three weeks.

Hon. David Kiplagat (Soy, UDA): Okay. We can bring it when we come from recess.

Hon. Speaker: Hon. (Dr) Ojiambo Oundo of Funyula is next.

WELFARE OF STAFF OF THE TECHNICAL UNIVERSITY OF KENYA

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, 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 welfare of members of staff of the Technical University of Kenya (TUK) that was awarded a charter on 15th January 2013.

The institution took over from the now defunct Kenya Polytechnic, which was a leading institution of education and training at the tertiary level in Kenya. However, over the past few years, audit reports by the Auditor-General have cited TUK as being among 23 out of 40 universities facing severe financial instability due to significant debts. More distressingly, the university was indefinitely closed on 3rd January 2025 following protests by lecturers. They were demanding improved working conditions and disbursement of salaries overdue since December 2024.

The Labour Relations Act and the Employment Act guarantee the fundamental rights of employees that include rights against servitude, conducive working conditions, and timely payment of remuneration. Despite the legal requirements, the management of TUK has repeatedly failed to honour obligations to pay salaries.

Additionally, the institution has failed to remit Pay as You Earn (PAYE) resulting in a debt of Ksh5 billion as at 30th June 2024. The university had pending bills of approximately Ksh11 billion. As a result, more than 1,500 employees face a bleak future in retirement after it emerged that the institution had lost nearly all their pension savings. On 15th July 2024, the High Court held that their staff retirement benefits scheme was to be wound up. Therefore, the situation in the institution that was once a beacon of academic excellence is becoming dire.

Hon. Speaker, it is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Education on the following:

1. The plans put in place by the Ministry of Education to address the financial constraints faced by the Technical University of Kenya, including timely payment of salaries to staff and remittance of statutory deductions.
2. The measures taken by the University Council and the Vice-Chancellor to address issues of retirement benefits owed to staff under the staff retirement benefit scheme and remittance of statutory and third party obligations.

3. Actions being undertaken to compensate staff members affected in winding-up of the retirement scheme and measures in place to prevent a recurrence of such financial mismanagement in the future.
4. Steps being taken to re-open the institution, specifying the timelines, in order to safeguard students from further interruption of their academic programme.

I thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Oundo. Chair, Departmental Committee on Education, that was a request for a Statement on the welfare of members of staff of the Technical University of Kenya. Bring the response in three weeks upon resumption from recess.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Speaker.

Hon. Speaker: Member for Kirinyaga Central, Hon. Joseph Gitari.

ELECTRICITY PROJECTS IN KIRINYAGA COUNTY

Hon. Joseph Gitari (Kirinyaga Central, UDA): Thank you, Hon. Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I request for a Statement from the Chairperson of the Departmental Committee on Energy regarding status of electricity projects in Kirinyaga County.

The country has made significant strides in expanding electricity access over the past two decades, with millions of households and businesses connected to power. Despite this progress, various areas in Kirinyaga County continue to face persistent challenges in accessing reliable electricity. The lack of electricity has led to increased insecurity, hindered economic activities, and limited opportunities for businesses and households that depend on electricity daily. This has affected businesses, schools, and health centres. They are unable to operate efficiently due to unreliable power supply. Several follow-up attempts to Kenya Power and the Rural Electrification and Renewable Energy Corporation (REREC) on stalled electricity projects in Kirinyaga Central Constituency have borne no fruit.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Energy on the status of the following projects:

1. Kariko and Old Kangaita area projects in Inoi Ward.
2. Kiambungu area project in Mutira Ward.
3. Kwa Makadamia, Kirutira, and Gakarara-Kimeri area projects in Kerugoya Ward.
4. Kiangungu, Kirimunge, Koroma-Gatarwa, Gatuto, and Mukanduini area projects in Kanyekiini Ward.
5. Kiratina New Transformer.

Thank you, Hon. Speaker.

Hon. Speaker: The Chair of the Departmental Committee on Energy. Hon. Kawayu, are you still a Member of the Committee?

Hon. Vincent Musau (Mwala, UDA): Thank you, Chairman.

Hon. Speaker: I am the Speaker, not the Chair.

Hon. Vincent Musau (Mwala, UDA): Thank you, Hon. Speaker. I am sorry about that. I will communicate this to the Departmental Committee on Energy.

Hon. Speaker: I directed that you remain in office until the end of the day today. You are still the Chairperson.

Hon. Vincent Musau (Mwala, UDA): We will bring a response in two weeks.

Hon. Speaker: Bring it in three weeks. We shall be in recess for two weeks. Bring the response on the first day upon resumption. That is three weeks from today.

Hon. Vincent Musau (Mwala, UDA): Yes. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kawayia.

(Several Members walked along the aisle)

Order, Hon. Members. Member for Tiaty, take the nearest seat. Hon. Kiborek, Hon. Umulkher, and the Member for Mwea, take your seats.

Next Order.

MOTION

CONSIDERATION OF THE COUNTY GOVERNMENT (REVENUE RAISING PROCESS) BILL
(National Assembly Bill No.11 of 2023)

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the County Governments (Revenue Raising Process) Bill (National Assembly Bill No.11 of 2023).

(Moved by Hon. Kimani Kuria on 6.3.2025)

(Resumption of consideration interrupted on 6.3.2025)

(Question put and agreed to)

BILL

Third Reading

THE COUNTY GOVERNMENT (REVENUE RAISING PROCESS) BILL
(National Assembly Bill No.11 of 2023)

Hon. Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to move that the County Governments (Revenue Raising Process) Bill (National Assembly Bill No.11 of 2023) be now read a Third Time. I request Hon. David Ochieng' to second.

Hon. David Ochieng' (Ugenya, MDG): Hon. Speaker, I hereby second.

(Hon. Gathoni Wamuchomba and Hon. Suleka Harun walked into the Chamber)

Hon. Speaker: Hon. Wamuchomba, take the nearest seat. Hon. Member in the walkway, take the nearest seat.

Hon. Members, I want to repeat something to you. Everybody must be seated when the Speaker is on his or her feet. You freeze if you are standing. You do not lean to talk to somebody when the Speaker is upstanding. It is just etiquette. I think that is what we were taught on the first day when we met at Safari Park Hotel.

(Question proposed)

Hon. Members: Put the question!

Hon. Speaker: I confirm that we have Quorum.

(Question put and agreed to)

*(The Bill was accordingly read
a Third Time and passed)*

MOTION

CONSIDERATION OF REPORT ON
THE PUBLIC AUDIT (AMENDMENT) BILL

(Moved by Hon. Kimani Kuria on 6.3.2025)

(Resumption of consideration interrupted on 6.3.2025)

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Public Audit (Amendment) Bill (National Assembly Bill No.4 of 2024).

(Several Members stood along the gangways)

Hon. Speaker: Order, Hon. Members on their feet. Take your seats.

*(Hon. Njuguna Kwanjiku consulted
with Hon. Githua Wamacukuru)*

Those two Members at the back, Hon. Kwanjiku, take your seats. Thank you.

(Question put and agreed to)

BILL

Third Reading

THE PUBLIC AUDIT (AMENDMENT) BILL
(National Assembly Bill No.4 of 2024)

Hon. Speaker: Mover.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I beg to move that the Public Audit (Amendment) Bill, (National Assembly Bill No.4 of 2024) be now read a Third Time.

I also request Hon. Irene Mayaka to second.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Speaker. I second.

(Loud consultations)

Hon. Speaker: Order, Hon. Members.

(Hon. (Dr) Ojiambo Oundo crossed the Floor of the House)

Hon. Oundo, you better go back to where you normally sit.

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(Laughter)

(Question proposed)

Hon. Members: Put the question!

Hon. Speaker: I now put the Question at Order 9 after confirming that we have the quorum in the House.

(Question put and agreed to)

*(The Bill was accordingly read
a Third Time and passed)*

Next order.

MOTIONS

Hon. Speaker: Leader of the Majority Party.

RESOLUTION TO SIT ON OTHER DAYS

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, this is a short Motion. I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Orders 28(4) (Calendar of the House) and 30(3)(c) (Hours of Meeting), this House resolves to—

1. hold morning sittings on Thursday, 13th March 2025 and Friday, 14th March 2025, commencing at 10.00 a.m. for purposes of considering priority business relating to the Supplementary Estimates II for the financial year 2024/2025, related legislation and the budget cycle;
2. commence the short recess on Monday, 17th March 2025; and
3. resume Regular Sittings on Tuesday, 1st April 2025 to continue with the First Part of the Fourth Session.

As was agreed by the House Business Committee, there was a proposal to have sittings on Thursday and Friday mornings. I know many of our Muslim colleagues and Catholic brothers and sisters, including Hon. Speaker, are in the fasting and lent seasons, respectively. I know what happens on Fridays with them. We have sought to have that sitting only on the morning part from 10.00 a.m. to 1.00 p.m., to consider the Supplementary Budget. As Members are aware, there are many issues, especially relating to the Exchequer, that are pending awaiting the conclusion of these Supplementary Estimates II.

Hon. Speaker, that is why you see very many chairmen of committees are not in the House this afternoon. They are trying to burn the midnight oil, even tonight, to make sure that they finish with the Supplementary Appropriations Report in readiness for debate on Thursday and Friday, as we agreed in the House Business Committee this morning.

There is also more important business relating to counties especially on the Division of Revenue Bill, which has to be published and come for a First Reading, hopefully by Thursday evening or Friday morning. We would have extended the sitting as I said, on Thursday, probably up to close of business at midnight, but we have the *Iftar* dinner, Hon. Speaker, which you are hosting and have invited all of us to join our Muslim brothers and sisters. Thursday

evening, we have a very short afternoon, probably about just two hours before we adjourn for the *Iftar* dinner hosted by the Speaker. It would be important to have that extra sitting on Thursday and Friday mornings.

Hon. Wamacukuru, Hon. Wamuchomba and Hon. Jane Kagiri are making a lot of noise behind me. I hope they have heard. There will be sittings on Thursday and Friday mornings.

Therefore, I beg to move and request Hon. Jack Wamboka to second this Motion in agreement on behalf of the Leader of the Minority Party.

Hon. Wanami Wamboka (Bumula, DAP-K): I am the acting Leader of the Minority Party. In that capacity, Hon. Speaker, I second the Motion by my counterpart on the other side.

(Several Members stood along the gangways)

Hon. Speaker: Order, Hon. Members. Members on their feet, take your seats.

(Hon. Nolfason Barongo entered the Chamber)

Order. Is that Hon. Barongo? Hon. Barongo, can you walk to the Bar?

(Hon. Nolfason Barongo walked to the Bar)

Now take the nearest seat.

(Hon. Junet Mohamed walked into the Chamber)

Hon. Junet, take the nearest seat.

(Hon. Junet Mohamed spoke off the record)

Authority should follow you to any seat.

(Laughter)

(Question proposed)

Hon. Speaker: I put the Question?

Hon. Members: Yes.

(Question put and agreed to)

Hon. Omboko Milemba (Emuhaya, ANC): On a point of order.

Hon. Speaker: Yes, Hon. Omboko Milemba.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. I rise on a point of order that touches on a matter relating to the Constitution on the budget-making process. The practice of this House has been that, usually during budget processing, there is monies allocated through public participation to different counties. This round was the chance for Vihiga and other five counties.

Hon. Speaker: Hon. Milemba, I have been requested by the Leader of the Majority Party to stand you down so that we clear the short Motion appearing as Order No.11. I will give you an opportunity later, if you do not mind. Hold your horses.

Call out Order No.11.

Hon. Speaker: Leader of the Majority Party.

ELECTIONS IN RECONSTITUTED COMMITTEES

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you Hon. Speaker, I beg to move the following Motion:

THAT, further to the resolutions of the House of 5th and 6th March 2025 regarding reconstitution of Committees, this House resolves as follows:

1. That, with respect to Departmental Committees, where a Chairperson or Vice-Chairperson is ordinarily elected for the term of Parliament, the elections will only be undertaken for the positions of Chairperson or Vice-chairperson which fell vacant as a result of the recent reconstitution of Committees, being the following:
 - (a) Chairpersons for the Departmental Committees on Energy; Environment, Forestry and Mining; Health; Labour; and Trade, Industry and Cooperatives; and
 - (b) Vice-Chairpersons for the Departmental Committees on Education; Lands; Regional Development; and Tourism and Wildlife; and
2. That, with respect to all other Select Committees which were reconstituted pursuant to the Standing Orders and whose leadership also lapsed at the commencement of this Session, elections for all Chairpersons and Vice-Chairpersons will be undertaken for the respective vacant positions, as per the schedule circulated by the Clerk on 6th March 2025.

The import of this Motion is to allow the House to elect chairpersons and vice-chairpersons for the 18 select committees whose term had lapsed. They have no chairpersons and vice-chairpersons and are naturally going to hold elections to elect them.

Secondly, the Motion seeks to limit elections of departmental committees to those whose chairpersons and vice-chairpersons were affected by the reconstitution of committees. These are chairpersons of Departmental Committees on Environment, Forestry and Mining; Energy; and Trade, Industry and Cooperatives, who were moved from one committee to another. Therefore, these committees do not have substantive chairpersons.

The same applies to the Departmental Committees on Tourism and Wildlife; Regional Development; Education; and Lands whose vice-chairpersons were moved. Therefore, they are expected to hold elections. The import of this is that all other departmental committees shall not hold elections for chairpersons and vice-chairpersons.

Hon. Speaker, I heard you ask Hon. Oundo to go back to his usual seat. It is only Members of the Public Accounts Committee and him who understand why he was moved from one committee to another. I have seen this somewhere.

(Laughter)

There is a lot of lobbying and jostling for the vacant positions. So, we want to make sure there is orderly conduct of business because we are in a very important season, the budget-making process. As I mentioned today, the Liaison Committee which consists of all chairpersons, is sitting now when we are here. Therefore, we do not want to disrupt them with elections while they have a lot of ongoing work.

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As we agreed in the House Business Committee, I beg to move this Motion. I request the Leader of the Minority Party, Hon. Junet Mohamed, to second in agreement.

(Several Members stood around Hon. Junet Mohamed)

Hon. Speaker: Hon. Junet, disband that *kamukunji* and...

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Speaker, I have asked the Leader of the Minority Party to second but Hon. Katana is distracting him. Before Hon. Junet walked in, he was in a meeting with Members of his coalition in his office, and Hon. Wamboka was seated in his place. I requested him to second the Motion on behalf of the Leader of the Minority Party, who he was purporting to act on his behalf. That is when Hon. Junet walked in very fast. There cannot be an acting Leader of the Minority Party. He is now present and I invite him to second this Motion in agreement. Thank you.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker, I beg to second the Motion as moved by the Leader of the Majority Party.

Having said that, I am shocked that Hon. Wamboka was masquerading as the Leader of the Minority Party in this House in my absence. This is bad manners and very dangerous. Actually, it is treasonous because this is a man who came to Parliament the other day. I am the one who showed him the washrooms and where food is taken. I took him everywhere. I am really shocked that he is now masquerading as the Leader of the Minority Party in my absence. I will deal with him in accordance with the Standing Orders.

There are committees whose term has lapsed, such as the Budget and Appropriations Committee, Public Investment Committees, Public Accounts Committee and others. However, there are other committees whose term has not lapsed. Therefore, there was some kind of agitation in the House by some Members to contest for positions in committees whose chairpersons or vice-chairpersons are in office legally.

What we are currently having is just a small, mini or mid-term election. The general election is coming up later, so hold your horses. The real election is ahead of us. The Standing Order is very clear that there are committees that serve for two years and their term has lapsed. However, the committees that are supposed to serve a full-term cannot be subjected to an election. Their term will lapse at the end of five years.

This is the clarification that the Motion by the Leader of the Majority Party is making. I have seen some chairpersons who are under threats. Members are even campaigning for the position of Chairperson of the Departmental Committee on Transport and Infrastructure. I was wondering when his term ended. If you look at him today, he looks malnourished and worried. So, this Motion is going to protect and defend him.

With those few remarks, I second.

(Question proposed)

Hon. Speaker: Do I put the Question?

Hon. Members: Put the Question.

(Question put and agreed to)

Hon. Speaker: Hon. Milemba, you can start afresh.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker. I will now use a different style. Matters related to budget making are expressly documented in the Constitution.

In particular, matters relating to public participation are equally touched in Article 221(5) of the Constitution. It indicates:

“(5) In discussing and reviewing the estimates, the committee shall seek representation from the public and the recommendations shall be taken into account when the committee makes its recommendations to the National Assembly”.

It has been the practice of this House that in every budget making process, the Budget and Appropriations Committee moves around five or more counties to conduct public participation. Usually, they are allocated about Ksh2 billion for the five counties where public participation is to be done. During this Session of Parliament, this happened and about 21 counties benefited. In last year's public participation, Vihiga among other counties had their chance for public participation. It was insinuated that public participation would continue and all counties would benefit.

Following what happened in the Budget and Appropriations Committee, and possibly that is why we are changing its leadership, they misused the clause on public participation by increasing that figure from Ksh2 billion to over 10 billion. A guillotine was placed on public participation that disadvantaged Vihiga and other counties which I will speak on. Money was genuinely allocated for public participation but it is not known where the additional money went. You find that one constituency was allocated up to Ksh1 billion for public participation. This is not part of the real public participation that is provided for by the Constitution. Therefore, my county, Vihiga, lost on roads, schools and all the money it was allocated because of public participation.

I beseech the committee that is now looking at the Supplementary Estimates to bring back the money that is genuinely for public participation and not the extra that was allocated by those in power at that particular time. They ended up misusing that clause so that the constituencies and counties that were supposed to get the monies genuinely lost.

Finally, this should be a caution to those serving in these committees. A very good thing and practice by this House can be rendered useless, if it is abused by those in position as chairpersons of committees.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Maungu take two minutes.

Hon. Dick Oyugi (Luanda DAP-K): Thank you, Hon. Speaker. Allow me to ride on what my neighbour and brother, Hon. Omboko Milemba, has just raised. This is with regard to funds initially allocated for public participation.

For a long time, counties have benefited significantly as a result of funds set aside through the public participation kitty. For the first time, Vihiga County was catered for in this Financial Year. During the public hearings, I participated in one of those meetings. We proposed projects that we felt were important for our respective constituencies of the county. It is unfortunate that due to the June 2024 Gen Z uprising the kitty was slashed off.

The challenge came when the funds that had been allocated were increased to a level where it was felt that some counties would benefit more than others. I join my brother and request that the Liaison Committee that is looking at public participation to not just brush off that figure. This is because for the first time Vihiga County will benefit. Therefore, having it deleted will see the great people of Vihiga omitted from this important kitty supposed to bring equity.

Hon. Speaker, I join my brother, in saying that we need your indulgence on this matter. Thank you.

Hon. Speaker: Hon. Wangwe.

Hon. Emmanuel Wangwe (Navakholo, ODM): Thank you, Hon. Speaker. Within the reading of Article 221 of the Constitution as read to us by Hon. Omboko Milemba, this also disadvantaged Kakamega County. Hon. Speaker, in your ruling, please consider that the same

amount which was supposed to benefit Kakamega County in its entirety was not disbursed as per the voting of the House. Despite the fact that we voted, it was never disbursed to the county.

Thank you, Hon. Speaker.

Hon. Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I rise on behalf of the Chairperson of the Liaison Committee, the Deputy Speaker who has stepped out to have a sitting on the Supplementary Appropriations. I wish Hon. Omboko had raised this matter before the process moved that far.

(Several Members stood along the gangway)

Hon. Speaker: Order, Hon. Members standing in the walkway. Order, Hon. Mbeyu. You are walking across the aisle as if you are on the streets of Nairobi. It is not right. Try and maintain order in the House. This is your own House. You do not have to be called upon by the Speaker to maintain order. I repeat, those who want to have conversations, we have a beautiful lounge out there near the reception.

I have also allowed you to use the Speaker's recess room behind the Chair for you to have conversations as you wish. Let us have some decorum in the House, at least, so that those who are on their feet can be heard and those who are seated can listen. I know many Members are interested in listening to what is going. I also know a few who are not interested in whatever is going on in the House. Let us focus on the business of the House. Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I hope I will be speaking to those who are interested in the business of the House. Hon. Speaker, what you have said is true. The business of this House is the business of the people who gave us the greatest honour to represent them in the National Assembly. The issues Hon. Omboko raised are pertinent in line with Article 221 of our Constitution, on the cardinal place public participation should play in all our legislative processes and even decisions in the Executive.

I agree with him. It is true that the public participation process in the budget making process has been grossly abused. As he has mentioned, that is why Ksh2 billion was set aside for public participation. Those who sat in the Budget and Appropriations Committee found it prudent or imprudent, whatever the case may be, to put an additional Ksh10 billion. What is more worrying is that if the entire Ksh12 billion went to the counties that were slated for the public participation exercise, then there will be no problem.

This problem come about because Members have vested interests. They use this opportunity to put projects in their own constituencies and counties far from what was intended by public participation. I say this with immense respect to those who sit in the Budget and Appropriations Committee. I have chaired this committee in the past. We set a tradition right from the 11th Parliament when the new Constitution came into being. That money would be set aside for public participation and over a period of four years we would cover all counties in the country. It is sad that some counties like Vihiga and 10 others that were slated to benefit from this money lost out. This is because of bad manners by those who sat in the Budget and Appropriations Committee. We have now reconstituted the Budget and Appropriations Committee. Let me be on the record that it will not be business as usual. This House will not sit back and allow members who sit in the Budget and Appropriations Committee to use that position to appropriate money to their constituencies only, at the expense of other Kenyans.

(Applause)

All the 349 members come here to represent their people and lobby for resources to go back to them. That is why the people of the Vihiga are crying today. Sadly, you will find a county with a national polytechnic that was to benefit from public participation getting a meagre Ksh10 million whereas another county with a Member in the Budget and Appropriations Committee getting Ksh250 million for a national polytechnic. It is immoral, unethical and unprofessional of those who sit in that committee.

As I said, it will not be business as usual. This is because we have agreed as the House leadership, both in the majority and minority parties, that those who get the opportunity to sit in whichever committee, should ensure there is equitable allocation and sharing of resources across the country. We will make sure this happens.

I want to promise Hon. Omboko and the other Members who are affected that I will engage with the National Treasury so as to ensure that those counties do not lose on account of the actions by former Members of the Budget and Appropriations Committee. Therefore, within the next financial year - because we are now preparing the estimates for the next financial year, we factor in those counties that should have benefited this year and those that ought to benefit next year.

Let this serve as a warning bell to the committees. I know they are slated to hold their elections tomorrow. Whoever you elect, especially in the Budget and Appropriations Committee because it is one of the 18 committees whose mandates lapsed, he or she should know that an opportunity to serve in that committee is not one to enrich themselves. It is not an opportunity to allocate resources to your constituency, county or those you think are your friends above others. As Members of the committee, ensure that there is equitable and fair distribution of resources and not just those in public participation.

The reason why the Budget and Appropriations Committee has been elevated in our Standing Orders to somehow supersede other committees is because departmental committees take all their reports before it. Therefore, it is not because those who sit there are superior Members of Parliament than the others. We have given you premium time and opportunity to do what is right. Therefore, you must do it.

We shall not hesitate and let me repeat, as the leadership of this House, we shall not hesitate to remove any person who abuse their position. We must protect not just the dignity of this House but also the honour of Members of Parliament. It is unfair that a Member is being asked by his constituents where he took all their money. This is because a Member from a neighbouring constituency has used the opportunity in a committee to direct resources to their constituency at the expense of others. It is unfair.

Therefore, I urge all of you to be on the lookout and call out each other. This is the only way we can hold each other accountable and those in the Executive. For instance, if you are the Cabinet Secretary for Roads and Transport, it does not mean that all projects should go to your county. There must be equitable and fair allocation of resources in this country. That is the spirit that we want moving forward.

Hon. Omboko Milemba, I want to assure you that I will pick up that matter with the National Treasury and ensure that none of the counties lose out. I also want to tell the Members of the Budget and Appropriations Committee that, whichever leaders you elect tomorrow, I pray that they will do what is just, right and accountable by your own standards and those of this House.

Public participation allocation was meant to be seed capital. When you go out to listen to Kenyans and they tell you that a national polytechnic in their county with 10,000 or 20,000 students has hostels that can only accommodate about 1,000 students, you will realise that Ksh2 billion might not be enough to build the necessary hostels to match the student population in that institution.

So, you put in seed capital and this is what informs the next budget-making process. For instance, if Hon. Omboko's constituency in Vihiga County had a road identified as a critical link between his constituency and Kisumu County or another neighbouring county, therefore, the Members of the Budget and Appropriations Committee felt that road is a critical link and put Ksh20 million or Ksh50 million as seed capital. So, when they get a budget line that will be added onto the subsequent financial year's budget, they ought to have benefited from the addition this year.

Public participation should not be an end by itself. You allocate if you find a school with no classrooms. If you go to Turkana, Baringo or places where people have been displaced by bandits and classrooms demolished or burnt down you can allocate Ksh10 million to the school so as to allow the children to go to school. That was the essence of public participation, and not the kind of abuse that we have seen in the last two years. I want to commit on behalf of the House leadership in the majority and minority sides that we shall ensure this never happens again.

Hon. Speaker: Hon. Junet.

Hon. Junet Mohamed (Suna East, ODM): Thank you, Hon. Speaker. I want to add to what the Leader of the Majority Party has said regarding the matter raised by Hon. Omboko Milemba.

Hon. Speaker, this House never used to have the powers to look into the budget of this country. The Constitution gave us those powers. For the last two years, what has happened in the Budget and Appropriation Committee border on criminality. If we are to lay bare those things, as discussed in the retreat in Naivasha and the House Business Committee we cannot shy away from talking about those atrocities.

How on earth can one county have a budgetary allocation of Ksh12 billion and the whole region has Ksh60 million? What kind of a country are we living in? The Budget and Appropriations Committee went around the country to do public participation. They ended up agreeing to allocate Ksh2 billion to counties they had visited. That amount ended up ballooning to Ksh12 billion. The beneficiaries of that Ksh12 billion are not counties where public participation took place but other constituencies and counties.

The Budget and Appropriations Committee has reached a level where Members of Parliament are visiting the constituency of the Chairman for benchmarking, and yet all of us are supposed to receive the same amount from the National-Government Constituencies Development Fund (NG-CDF). What is making Members go and benchmark in a colleague's constituency? This is because he is receiving more funding by being the Chairman of the Budget and Appropriations Committee. Let us be honest with Kenyans and tell them the truth. He was sitting in an advantageous position of chairing that powerful committee of the House where he could skew allocation of resources to his constituency. Otherwise, which Member of Parliament can afford through NG-CDF to build classrooms, plaster them, put windows, a roof, tiles and cabros? Which Member can afford to do all that with a mere Ksh100 million and advertise on Citizen Television prime time news? Which Hon. Member here can do that? Raise up your hand if you can do that.

(Laughter)

None of the 349 Members of this House can afford to do that. That can only be done by somebody who has access to bigger resources than other Members. The Budget and Appropriations Committee was not formed the other day. The distinguished Leader of the Majority Party was the Chairman of that committee for many years but he never did those things. I was with him in this House. He was very careful in sharing the resources of the country equitably. I can say that without any fear of contradiction.

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Hon. Speaker, I want to remind Members, especially those who have been here for long, that when the Budget and Appropriations Committee was chaired by the Member for Mbeere, Rev. Mutava Musyimi Members of that committee did the same thing which has been done for the last two years. One afternoon, the late Hon. Jakoyo Midiwo came to the House. While seated exactly where I am sitting today, he told the House the amount of money the Members of the Budget and Appropriations Committee had allocated themselves in the budget. At that time, the membership of the Budget and Appropriations Committee was 51. The whole committee was dissolved and a new one was formed based on what Hon. Jakoyo presented to the House.

If the Budget and Appropriations Committee does its business the way the defunct committee has done, the only solution available to the House is to convert all the 349 Members of this House into a Budget and Appropriations Committee. However, as leadership and parties, we have given responsibility and priorities to certain Members. On our side and I am sure even on the Kenya Kwanza Coalition side, we have picked one Member per county so that they can represent the interests of their regions, constituencies and counties.

Hon. Speaker, it looks like the committee sits down and agrees on how to share the resources among themselves forgetting that they are representing Kenyans and the whole House in that Committee. As the Leader of the Majority Party has said, we will not hesitate to remove any Member who behaves like the defunct Committee. I know there are remnants in that Committee from the previous one but I do not wish to mention their names. We are giving them a warning that if they are not going to share the resources equitably, we will de-whip and discharge them from that committee.

In conclusion, I saw an old man but I do not want to mention names, who has started a polytechnic that has 10,000 students. He talked about this polytechnic very passionately and requested the Executive to give him resources. The Budget and Appropriations Committee in their wisdom or lack of it, through the Chairman gave that polytechnic in Bungoma Ksh25 million and another one in another place with only 2,000 students Ksh250 million.

Hon. Members: Ksh10 Million!

Hon. Junet Mohamed (Suna East, ODM): Was it Ksh10 million? They gave only Ksh10 million to the first one and Ksh250 million to the other one.

Hon. Members: Name them!

Hon. Junet Mohamed (Suna East, ODM): We are going to name them. Hon. Speaker, we will not allow this to happen again. This House takes care of the interests of the people. Whatever concerns them is discussed here. On the same matter of skewed distribution of resources, look at what is happening in the roads sector. It is shameful. There are counties that have not received a cent to tarmac any road. Yet, there are those that have money every year to tarmac certain roads. Very soon, if we continue like this, there are counties that will donate tarmac roads to others. They will say, “take this tarmac, put it somewhere in your county and you can return after two years.” They do not know where to put it.

Hon. Speaker, I support the Leader of the Majority Party. This country can only prosper and go far if the representative of the people share resources equitable. That is why the Constitution gave us the mandate to look into the budget. Otherwise, the National Treasury should give us the budget and we just approve it. The framers of the Constitution felt it fit to bring that mandate to the House. This is because the previous Ministry of Finance under the previous regimes did very dangerous things in terms of sharing resources in the country. Do we want that mandate to be abused? That will not happen. It will only happen over our dead bodies.

Thank you, Hon. Speaker. With those few remarks, I want Hon. Milemba to know that we will stand with him and ensure that the people of Vihiga get their rightful share of the budget.

Hon. Speaker: Thank you, Hon. Members. You leaders have spoken. I just want to advise the House that the Holy Book says, “For everything you do to others, expect it to be done to you”. If you feel it is happy and fair, then it is good.

As Hon. Ichung’wah said, the centrality of the Constitution is equity, fairness and justice. All of you who have been given the privilege to serve in committees, you are public trustees. You do not represent yourselves but the country. If Members of a privilege committee only work for themselves, how will Members who serves in the Parliamentary Broadcasting and Library Committee do anything for their constituencies? I want to encourage the Leader of the Majority Party and Leader of the Minority Party, to exercise their duties and responsibilities. They should ensure that this democratically elected House discharges its duties and responsibilities to the satisfaction of every Kenyan, in every part of the country. A person in Mandera, Vanga, Lokitang and Malaba does not sit in this House to get fairness because we all have a duty to discharge fairly.

Hon. Omboko Milemba, thank you for bringing up that point. The Leader of the Majority Party and Leader of the Minority Party, as you have assured the House, move and correct that abnormally so that we have fairness. I sit in my office and wonder why almost everybody wants to serve in the Budget and Appropriations Committee. Now, I fully understand why. Those who serve in the Budget and Appropriations Committee are the trustees of public good, so is everybody else whether in the Departmental Committee on Transport or the Departmental Committee on Energy. I just want to encourage you, since many of you are in your first or second term and a few in their third term, to be fair, just and equitable in everything you do if you want to live longer.

Thank you. Hon. Farah Maalim.

(Hon. Dorice Donya spoke off the record)

Who is calling the Speaker?

Hon. Dorice Donya (Kisii County, WDM): It is me.

Hon. Speaker: Hon. Donya, is it on the same issue? That one is closed.

Hon. Dorice Donya (Kisii County, WDM): No!

Hon. Speaker: What is it?

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Speaker. You have guided us. However, now that our leaders have spoken, it is good to always give them an opportunity to echo their points. Sometimes, they can miss out on something because they do not carry our heads. We also ought to say something. Thank you.

(Laughter)

Hon. Speaker: Thank you, Hon. Donya. That is why they are leaders. They carry your interests at all times.

Hon. Members, in the Speaker’s Gallery, allow me to acknowledge Gatunguru Secondary School from Mathioya Constituency, Murang’a County and Gatero Girls High School from Laikipia West Constituency, Laikipia County.

(Applause)

In the Public Gallery, we have Kianyaga High School from Gichugu, Kirinyaga; Makongeni Secondary School from Makadara, Nairobi; Bahati Community Centre School from Embakasi East, Nairobi; and Miumbuni AIC School from Kathiani, Machakos. On my

behalf and on behalf of the House, we welcome the students and their teachers to the House of Parliament.

(Applause)

Hon. Speaker: Hon. Farah Maalim, two minutes.

Hon. Farah Maalim (Dadaab, WDM): Hon. Speaker, I thank you for giving me this opportunity. I rise to address the nation and our National Assembly. After the defunding of all UN organisations by President Trump's administration... I am a Member of Parliament of an area that hosts two refugee camps, the Dadaab Refugee Camp or the Dadaab Complex and Hagadera. The situation in the refugee camps right now during this month of Ramadhan is dire. The refugees are getting less than 20 per cent of the rations they used to get before. So, we have a disaster. We have starvation in the refugee camps. I am calling on our good Government and all other well-wishers in this case, businessmen to help the refugees who are in our country today so that they can get a balanced diet in this month of Ramadhan.

I particularly call upon the Department of Special Programmes to deal with this thing. Otherwise, we are staring at starvation in our eyes. Refugees are struggling to get water and basic medical services. All the UN agencies that have been defunded are not executing their programme specialties as they used to do before, particularly a body like the World Food Programme. I call upon our Government and other governments to come to the assistance of the 600,000 refugees that we have in the Dadaab Refugee Complex and almost 200,000 refugees in Kakuma Complex.

Thank you.

Hon. Speaker: Thank you, Hon. Farah Maalim. The Leader of the Majority Party has heard. He will communicate to the national Government.

Next Order.

BILL

Second Reading

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (National Assembly Bill No.2 of 2025)

Hon. Speaker: The Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Speaker. I beg to move:

THAT, the County Governments Additional Allocations Bill (National Assembly Bill No. 2 of 2025) be now read a Second Time.

We published this Bill for the second time following the lapse of the mediation process on the Bill that we had published last year. You know, this Bill has additional allocations that go to the county governments above what we share in the Division of Revenue Bill. The schedules that are attached to this Bill are three. The first one has conditional allocations to counties from our national Government revenue such as the County Aggregation and Industrial Parks Programme (CAIPs) money that the national Government gives to counties and other conditional allocations. Members can remember 11 counties that have in the last few years benefited from conditional grants to help them build and complete their county headquarters. It is the first schedule that details all the additional conditional allocations.

The second schedule has unconditional allocations to counties from money that comes from, especially court fines that are collected by the Judiciary from contraventions of the county government's legislations. Many people are taken to the courts and levied fines as

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penalties for having contravened county government legislations or by-laws in our towns. That money is shared between the Judiciary and our county governments, since it is their laws that are contravened. That money comes as unconditional allocations.

The third schedule contains conditional allocations from proceeds of loans and grants from development partners. Many of these loans and grants touch on very sensitive areas of our national resource management. If you look at the schedule, you will see money from IDA on water and sanitation that touches on healthcare and money that goes to the Kenya Urban Support Programme on urban development grants. These grants have transformed, in a great manner, many of our towns, including my own town in Kikuyu Constituency. Kikuyu Town was transformed through allocations by the World Bank programme under the Kenya Urban Support Programme.

We have the Kenya Informal Settlement Improvement Project (KISIP) that has benefited many people in urban areas. Those from the informal settlements have benefited immensely from these allocations. It is sad that last year we lost the opportunity to pass this Bill. When we published it last year, it went to the Senate and the Road Maintenance Levy Fund (RMLF) of about Ksh10 billion in this Bill was included by the Senate. However, we disagreed with the Senate and the Bill was referred to a mediation committee that lapsed at the end of the last financial year.

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

[The Temporary Speaker (Hon. Omboko Milemba) took the Chair]

The import of that lapse is that our counties will continue to lose. When our county governments lose, our constituents lose. It is our constituents who will not benefit from water for sanitation, the IDA projects or money that will finance locally led climate action programmes that also comes from IDA, food system resilience programmes and the National Agricultural Value Chain Development Project that has an amount of almost Ksh5 billion that should go to our counties. I gave an example last week of a case of a county that said it is losing money under the IDA projects.

(Loud consultations)

The Temporary Speaker (Hon. Omboko Milemba): Order Members! The Leader of the Majority Party, hold on for one minute.

Hon. Osoro, Hon. Tim and Hon. Wangwe, Order!

Hon. Members, please consult in low tones. The Bill being moved by the Leader of the Majority Party is an important Bill that affects our counties.

You may proceed.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Temporary Speaker, I was giving an example of a county – I do not want to name it – whose governor told me that the impasse between the RMLF and this Bill was making them lose Ksh1.1 billion that should have gone to water, sanitation and health programmes just because of Ksh173 million shillings that has to go to RMLF. That is the case across all the counties and not just that county that I have the liberty of not naming, so that I do not expose the governor to his colleagues in the Council of Governors. I really want to plead with the Council of Governors and the Senate to allow this Bill to pass as published. We are in the last two or three months before the end of this financial year. It is sad that it is three months to the end of the financial year and we are yet to finalise with the additional county allocations. The loss will not be to the National Treasury, the National Assembly, the Senate or the Council of Governors. The loss will be to the people of

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Kenya who cannot access funds that go to their health care programmes, water and sanitation, and funds that improve infrastructure under the Kenya Urban Support Programme. I know there are many counties, including my own county of Kiambu that have roads that were to be done under the KUSP funds, for instance, my road in a place called Ondiri and another one that goes from Renguti through Kanyayo to join the Ondiri-Makaresha Road.

However, they cannot be done because of the grandstanding in pursuit of Ksh10 billion whereas other billions are being held by this Bill. I implore upon the Senate and the Council of Governors (CoG) to allow the approval of this Bill by both Houses of Parliament so that counties get additional allocation over and above the division of revenue. Before the end of this week, we will publish the Division of Revenue Bill for the 2025/2026 Financial Year. However, it is sad that we will publish that Bill – and subsequently another County Governments Additional Allocation Bill for 2024/2025 Financial Year – when we are yet to finalise with the one for the current financial year.

Therefore, I urge Members to support this Bill. I also plead with the other House not to wait for this Bill to go there for them to amend and introduce the RMLF again. This is because they are aware of the challenges with RMLF and what they will encounter in this House. Failure to pass the Bill is a punishment to the counties and our constituents. Once we approve this Bill – which I hope we will approve before we proceed for the short recess or immediately after – I request the other House to allow our counties to access this money.

On the County Aggregation and Industrial Parks (CAIPs), the President recently inspected one in Busia County. Beautiful work is ongoing there and in 19 other counties, including Kiambu, Kirinyaga, Kwale, Machakos, Meru, Migori, Mombasa, Murang'a, Nakuru, Nandi, Nyamira, Siaya, Trans Nzoia and Uasin Gishu. Each county is slated to receive Ksh105.3 million for CAIPs. These parks will not only create opportunities for our farmers and business people to get a place to trade their goods, but also create employment opportunities for people in our counties. Therefore, for every minute lost, we lose an opportunity for these 19 counties to access this money.

Allocation for the Community Health Promoters (CHPs) is also in this Bill. Part of what was envisaged under the health laws that we passed, was that the national Government, in conjunction with the county governments, would put resources together to pay stipends to our CHPs. This is to help in the actualisation of the Universal Health Coverage (UHC) dream, which is now a reality under the Social Health Insurance Fund (SHIF). However, this cannot succeed if we do not adequately resource our CHPs, whose money is in this Bill. Therefore, I urge our colleagues in the other House to help.

There are also salary arrears for county government health workers, following the return-to-work formula agreement between the health workers' association and the county governments. The national Government committed to provide the first phase of the bargain in the 2024/2025 Financial Year amounting to Ksh1.759 billion. The Bill also contains a similar provision towards settlement of the salary arrears of health workers in the counties, as per number of doctors in a county. Currently, our health workers are threatening to go on strike because of the arrears from the CBA. This money is also in this Bill. I am mentioning the contents in this Bill so that everybody can bear the weight of its importance. Further, we need to understand why there should be no fight among us, the Senate and the CoG on the enactment of this Bill. I plead with the Senate and CoG to allow this Bill to pass, as published, so that these counties can access this money for the benefit of our people.

Hon. Temporary Speaker, with those many remarks, I beg to move and request Hon. Jematiah, who was retained as a member of the Budget and Appropriations Committee, which had considered this Bill – Hon. Junet Mohamed referred to them as the remnants in that committee – to second.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Jematiah.

Hon. Jematiah Sergon (Baringo County, UDA): Thank you very much, Hon. Temporary Speaker. It is not very palatable to be a member of the Budget and Appropriations Committee. However, we did our best. The work of the committee is not done by its members only, but by the departmental committees and all of us.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Jematiah, you are out of order. Proceed to second the Bill.

Hon. Jematiah Sergon (Baringo County, UDA): I am sorry, Hon. Temporary Speaker. As I second this timely Bill, I reiterate what the Leader of the Majority Party has said that it is important that we pass it immediately.

I do not envy being a governor in Kenya today because of the many monetary problems that they go through. Of all the challenges facing our counties, the biggest problem is lack of funds. Therefore, this Bill will enable governors dispatch and do their work comfortably, specifically on matters grants, UHC, County Aggregation and Industrial Parks (CAIPs) – that have been re-launched several times by the Head of State – and the wishes of the people of these counties.

These additional funds will impact this country, through the counties, in a very positive way. I hope that the governors will be better managers and ensure that these monies are not lost along the way through corruption, embezzlement and pilferages. This will ensure that we build this country, embrace devolution and ensure that Kenyans get better services.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Give Hon. Jematiah the microphone. You need to say: ‘I beg to second.’

Hon. Jematiah Sergon (Baringo County, UDA): Hon. Temporary Speaker, I beg to second. Thank you.

(Question proposed)

The Temporary Speaker (Hon. Omboko Milemba): The first Member on my screen is Hon. Joshua Mwalyo. He is not in. Let us have Hon. Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Bill.

The essence of devolution was to disburse funds to the rural areas; to get funds from the centre to the periphery. The idea was to bring equity to our country. This is because for a long time, during the Kenya African National Union (KANU) era, if you did not vote for KANU or the late President Moi, your area would be starved of development. You would be told: ‘*Hakuna pesa, hakuna pesa, hakuna pesa, hakuna pesa.*’ Whenever they wanted you to vote for KANU, they would put up electricity poles in the area. However, if the elections did not go the ‘right way’, the poles would be carried away, like it happened in Kipipiri Constituency by-election in 1995.

It is the wisdom of *Baba* Raila Amolo Odinga, who has relentlessly fought for devolution, that currently, counties are allocated a substantial amount of money every single year, regardless of their political inclination. For this, all Kenyans will be forever grateful to the magnanimity, resilience and ability to struggle for the common people of Kenya by one Raila Amolo Odinga. When we promulgated the Constitution of 2010, it became obvious that at every budgeting point, there are residual funds that remain in the national Government. These residual funds must, therefore, be disbursed to the counties. It is through the wisdom of this House that we have an annual Additional County Allocation Bill each year to look at the services that ought to be devolved but have been retained at the national level and identify areas of collaboration. As we collaborate between the national Government and the county governments, funds should follow functions. It is on that score that we are here today.

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In totality, the county governments are getting a substantial amount of money in additional allocation which goes towards CAIPs, community health promoters, basic salaries for county health workers, court fines, loans and grants that are given to the counties and guaranteed by the national Government. So, in addition to the equitable share of Ksh410 billion that they are going to get, there are additional funds. Unfortunately, we are only three months to the end of the financial year. We are where we are because of the insentient behaviour of the Senate and the big-headed behaviour of the Council of Governors. If we had resolved this matter much earlier, the funds would already be in the counties to undertake the relevant functions.

Hon. Temporary Speaker, whether we like it or not, between now and the end of the financial year, it is very unlikely that a number of these allocations meant for physical projects will be absorbed. The Ksh10 billion or so is unlikely to be absorbed. The governors will likely bank the money in their accounts, as the Controller of Budget always notes that they have unspent amounts of money. We expect that once the Senate passes it as it is and the disbursements are made, our health workers and community health promoters will be paid their salary arrears, some of which have been pending for several months. This is the anchor of Universal Health Coverage; without health promoters, we have nothing on it.

We also want to bring to the attention of counties that the loans and grants being shared with them are public debts. Public debt must invariably be used for the purpose it was meant for. We continue to saddle the people of Kenya with additional debts, and we must ensure that whatever happens is done in the right way.

Hon. Temporary Speaker, as I conclude, although it is unrelated to this matter, I take this opportunity to thank the Cabinet of Kenya for approving the elevation of Bumbe Technical Training Institute to a national polytechnic. I remember with nostalgia in 1977 or 1978, as a small boy, lining up on the road with a miniature national flag, singing good patriotic songs to the then Vice-President Moi, who had driven all the way to launch it as a youth polytechnic. Due to geopolitics and hatred, we have been requesting for this oldest polytechnic to be elevated to a national polytechnic, but we have always been given a wide berth. However, today, by the miracle of God, we now have a national polytechnic. I urge you to continue praying for the people of Busia, because many times we are ignored. Nothing good ever comes to our place. Even when they are sharing resources in this place, you never hear anybody from Busia being mentioned. The little that we have is often taken away.

With those remarks, I support.

The Temporary Speaker (Hon. Omboko Milemba): Very well, Hon. Oundo, but Busia has had two Finance Ministers, Hon. Okemo and Masakhalia. Anyway, that is a discussion for another day. Hon. Francis Sigei, you are on my list here. If you are not ready to speak on this, I will move to Hon. Richard Yegon. Is he in the House? For those who want to speak on this, please put forward your interventions.

Yes, Hon. Ferdinand Wanyonyi.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you, Hon. Temporary Speaker, for giving me this chance to wholeheartedly support this additional fund. As mentioned by the Leader of the Majority Party, it would be beneficial for this Bill to be passed as soon as possible. I come from Trans Nzoia County, which is mentioned in this Bill, and I want it to be passed as soon as possible because there are a number of outstanding issues. It has been very difficult for the counties to account for some of the money they are given. In my county, there are very serious projects that have come to a standstill because there is no additional money. For example, a market project has stalled. This additional money will help complete the market.

As mentioned by the Mover of this Bill, we will be creating jobs for everyone, including *mama mboga*, our mothers, sisters and the youth who will have access to this marketplaces. As

the Swahili saying goes, “*Mchagua jembe si mkulima,*” this will help our people become more creative in expanding their abilities and resources, particularly farmers. If the market in Trans Nzoia County is completed on time, people will no longer come to me for handouts. I will only assist them with whatever they need.

This Bill is important and I want it to be passed as soon as possible for the benefit of our counties. As mentioned earlier, and I quite agree with the Mover of this Bill, there are people who have not been paid. For instance, last weekend, three young men came to my residence after attending a funeral and told me they had not been paid for the last six months. I could not believe, but it is true. The county government is struggling to expand, create more jobs and generate revenue. This Bill will assist county governments to meet their obligations, including paying salaries and other expenses. As the previous speaker mentioned, county hospitals, such as those in my county are facing threats of strikes. Doctors, nurses and other workers are not striking for any other reason, but because their pay has not been increased.

I hope the governors are serious. I am not pointing at any particular person, but they must take this opportunity seriously and ensure that the funds are used to create more opportunities and generate income, which can help pay some of the nurses and hospital workers who are threatening to go on strike. Regarding outstanding bills, in my area, the county government has not been able to pay water bills. They get water from a supplier, but cannot pay the bills because there is no expansion of county activities. Let us pass this Bill as soon as possible so that they can meet their obligations. My request to the governors and even Members of County Assemblies is that they do this without engaging in corruption over this activity. This Bill should have been passed yesterday so that governors can meet some of these obligations in the counties.

Hon. Temporary Speaker, I support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to the County Governments Additional Allocations Bill, 2025. This is a very important piece of legislation because, as Parliament and as a country, we must enable counties to operate. Counties can only operate when they have funds. They cannot operate without funds. The functions devolved to counties must be funded for them to be operational. The Constitution is very clear: functions follow funds, or funds follow functions. That is a very important maxim to ensure the success of counties. That is why, as a tradition, Parliament must table the Additional Allocations Fund.

In the County Governments Additional Allocations Bill, 2025, you realise that we are talking about Ksh6.99 billion, which is money that must be used to ensure certain projects are done. From the outset, this Government initiated the CAIPs, which are very important in bringing manufacturing to counties. Every county must have a CAIP to support the industrialisation of counties so that farm produce from these counties are processed in these industrial parks; Ksh250 million was set to be allocated per county. This amount of money needed to be utilised to build these CAIPs, ensuring a successful take-off. This Bill now allocates additional Ksh250 million for CAIPs. The counties benefiting from this initiative include Bungoma, Busia—where my friend, Prof. Oundo, comes from, and he will be a beneficiary of the CAIPs funds. I can also see the County Women Representative for Busia, a gallant lady and fighter, Hon. Omanyo. You definitely have to support this Bill because your county will receive Ksh250 million to set up a CAIP. Let your governor know that we are sending him money to ensure the CAIP is completed so that the people of Busia can have an industrial park they can be proud of. Other notable counties, apart from Busia include Homa Bay, Garissa, Embu, Kiambu, Kirinyaga and Kwale.

(Hon. (Dr) Ojiambo Oundo spoke off the record)

The Temporary Speaker (Hon. Omboko Milemba): Hon. Oundo, who do you want to inform, and is he willing to be informed?

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, I wish to inform my good friend.

The Temporary Speaker (Hon. Omboko Milemba): Is he willing to be informed?

Hon. Owen Baya (Kilifi North, UDA): Yes. I can always be informed by a professor.

The Temporary Speaker (Hon. Omboko Milemba): Proceed, Hon. Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, I want to put this issue of CAIPs into perspective because I am a Member of the Departmental Committee on Trade, Industry and Cooperatives, where it is domiciled. I can clarify that each county was to receive Ksh250 million from the national Government, with counties contributing their own Ksh250 million, plus land. Initially, the idea was to implement the programme in all 47 counties, but due to slow absorption and identification of the right sites, we have only managed to fund 18 counties. For some of them, what is contained in this Bill is the second tranche. Over Ksh100 million had already been disbursed. Once this second tranche is disbursed, the national Government will have discharged its obligation and the county governments will take over the completion of the projects. Some projects are at different stages of completion, and we thank the Almighty God that this year is one of them.

Hon. Owen Baya (Kilifi North, UDA): Thank you for the information, Professor. When you are informed by a professor, you become more enlightened.

The counties were selected based on the progress made towards project completion. This brings me to a very important point. Some counties have received CAIP funds but have not done anything yet. You can see that only a few counties have made progress while many have not. Based on this document, priority is given to counties that have already started. Some have not started yet this is a very important programme. I urge those counties that have not yet deposited money into CAIP to do so. I do not know whether the county of my friend, Hon. Elisha, has started this work. It is important that it does.

These additional funds will also go towards paying CHPs. I was on the ground yesterday, visiting all seven wards of my constituency, and one of the major concerns raised by CHPs was that while the national Government has disbursed funds, county governments have not paid them. CHPs are important links for the success of the Social Health Authority (SHA) and the Social Health Insurance Fund (SHIF). If we do not pay CHPs, we will have a problem.

I urge us to support this Bill so that it goes out there. The CHPs who are operating all over the counties are very important people. They spend a lot of time working for the community but do not get paid. The national Government has provided some funds but the county governments have not paid them. It is important we pass this Bill to ensure that counties receive money to pay CHPs. I want CHPs to know that as a Government and as Parliament, we are keen to ensure they get their monthly stipends. In fact, I advocate for even higher perks for them so that they can take care of this important docket. By passing this Bill, we are ensuring CHPs have resources. We have Ksh2.34 billion shared across the 47 counties for CHPs. This is a very important piece of legislation to ensure that CHPs in places like Homa Bay County receive their payments. They should not be left to work and walk under the sun and through the mud without any money. CHPs are very important people and we must support them by ensuring that they have money to do their work properly.

Another important component of this Bill is the unconditional additional allocation for court fines. Recently, the Chief Justice stated that since the small claims courts were set up, a lot of money has been collected and many activities have taken place. I cannot remember the exact figure that the Chief Justice mentioned, but it was a large amount of money, and many

claims were settled. The Bill's Third Schedule allocates Ksh116 million for court fines collected under County Legislation Violations. The benefiting counties are: Murang'a, which has collected Ksh70.74 million; Machakos County, which has collected Ksh16.05 million; Mombasa County, which has collected Ksh13.42 million; and Kiambu County, which has collected Ksh10.78 million, among others. However, this money cannot be transferred from the courts to county accounts. If we pass this Bill, these counties will be able to use the money. Passing this Bill will help us disburse the money that has been collected as fines to the counties to enable them do projects.

The transfer of court fines to the respective county governments has faced challenges due to lack of a framework for the collection and transfer of the same. Currently, the law requires that all revenue collected by the Judiciary be sent to the Consolidated Fund, but if we do not have a law, these funds cannot be transferred to counties.

Hon. Temporary Speaker, please add me three minutes because my flow of thoughts is on high gear.

The Temporary Speaker (Hon. Omboko Milemba): We are only adding you one minute.

Hon. Owen Baya (Kilifi North, UDA): No, three minutes will be good. I know you are a good man and you will do that. There are certain important things. We have seen many county government health workers protesting because they want their arrears to be paid. However, there is no framework for paying these arrears, but this County Governments Additional Allocations Fund Bill does that.

There have been protests outside Parliament, with workers demanding payment of arrears. However, the elephant in the room is the lack of a framework for disbursing arrears to these workers. I assure health workers in the counties that once this Bill is passed, their arrears will be paid. This is the framework required to pay the arrears. I urge them to hold their horses because Parliament will ensure that this Bill is passed. Once it is passed, the county health workers' salary arrears will be paid. And it is quite a colossal amount of money—Ksh1.759 billion. This money will be paid if we pass this Bill. I request Members of this House to ensure that we facilitate the payment of arrears.

As you can see in the Schedule, the amount is shared among 10 counties where fines were collected. I have already talked about that. There are also funds from development partners funded projects, totaling about Ksh33 billion. However, these funds cannot be spent because we do not have a framework. The funds that come from IDA, Emergency Locust Response, Kenya Informal Settlements Improvement Project 1 (KISIP 1) and money for Financing Locally-Led Climate Action (FLOCA), are all affected. FLOCA is a very popular project in my county, but they cannot use the money because there is no framework. If we pass this Bill, the Kenya Urban Support Project, Urban Development grants and all the other funds from All Nations International Development Agency (ANIDA) and Agence Française de Développement (AFD), will be given to the counties. This will address all the noise about unpaid workers and stalled projects.

Lastly, as we disburse these funds through the County Governments Additional Allocations Bill, I urge governors to ensure proper utilisation of this money. The money we are disbursing from this House must benefit the people, helps in development, and furthers the spirit of devolution pushed by the leader of ODM, Hon. Raila Odinga, a cause for which my friend Hon. Oundo here is very passionate.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Martin Owino, Member for Ndhiwa.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Bill wholeheartedly. Hon. Baya has made many factual and important comments here. This really makes us unhappy: We have money, even from development partners, in

billions—Ksh33 billion, as he correctly stated—but it cannot be disbursed to rural folks because of lack of infrastructure. I was asking Hon. (Dr) James Nyikal here, we used to have monies from the Swedish International Cooperation Development Agency (SIDA), Danish International Development Agency (DANIDA) and others, and they were taken to the counties. Why do we have a delay on this? The effect is enormous. For example, if you look at community health workers, which I champion... I know the importance of early detection of diseases so they can be treated on time, without paralysing the system in the villages. Early detection of diseases is done by community health promoters, and that has been proven. It is much cheaper than dealing with progressed and full-blown diseases in tertiary care yet these arrears and allowances are held here.

Hon. Temporary Speaker, no one can work without compensation. These people pay school fees, upkeep of their families and more. However, what is more intriguing is that when these funds are held here, many issues arise. One, they are not just grants and shares from the national Government; some of these are loans, meaning we are paying for loans that are held here and not being used for work in the rural settings. Some of the monies held here are also salary arrears for health workers. In my view, it appears we are shooting ourselves in the foot. At one point, we are giving hospitals, especially Levels 6 and 5, the budget to deal with the conditions that we should have prevented at the primary healthcare level. Money from DANIDA and similar agencies are supposed to improve primary healthcare, but it is being held here. As a result, we will have progressed conditions that could have been avoided.

Some of the monies are also for climate resilience, agriculture and food systems resilience, which could make the rural economy more vibrant. However, the monies are held here. As a result, when this is not acted upon quickly—I urge Members to do so—it kills rural economies, interferes with the health of our people and also disrupts businesses. This is because some of these development partners are supporting small-scale businesses.

We are also interfering with equity and equality, which continues to distance itself as time goes on. Many people are sinking into poverty, while a few, living opulently, are at the helm. I think it was wrong for institutions like the Senate and the CoG to demand that their Ksh10 billion be added to this Bill for it to pass. That does not make sense to me. It seems they are also shooting themselves in the foot. Why do we not just pass this Bill, release the money and fight the other battles separately and not with money that is holding people's lives? I urge Members, as I know the necessity and urgency of releasing this money, to pass this Bill as soon as possible.

I thank you for the time, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. (Dr) James Nyikal, you are on my list here. Are you speaking on this?

Hon. (Dr) James Nyikal (Seme, ODM): Thank you, Hon. Temporary Speaker. I rise to support this Bill, but what bothers me is that this Bill is for the Financial Year 2024/2025. These funds should have long been used yet we are still discussing them, and the people they were supposed to serve have not been served. The jobs they were supposed to do have not been done. My concern is the perpetual adversarial relationship between the counties and the national Government. I do not think the idea of devolution was to build territories. The idea was to ensure that monies flow to counties. It is a good idea because it has made equity much easier. It does not really matter to the people being served where the resources come from. As leaders, we should realise this. When we have territorial differences and argue over who should control what, the people are simply looking for water, if that is what they need.

They do not want to know whether the water is from the national Government or the county government. This should not happen every year. Article 187 of the Constitution provides how this should be done. It outlines the intergovernmental and technical committees' relations, even between policies and programmes at the county and national levels. Why is it

that when it comes to giving the counties additional money, the same is not applied? I agree with my colleague, Hon. Martin that even if we have other things that we differ on, we should let the money go and serve the people.

It is time we re-looked at our structures and asked ourselves if we are adhering to them or we are just using them as obstacles to hinder service delivery to the people. We should be questioning the programmes that are being delayed, and the arrears for the health workers. That money should have been allocated to the counties, and health workers should have been paid. If they work in the counties, the counties should pay them. In the bargaining agreement, it was stipulated that the national Government should pay. That was part of the return to work formula.

Hon. Temporary Speaker, you are more versed in these things. I do not know why we delay these things. Looking at the issue of community health workers, we are putting more and more loads on them. If you go to the rural areas, you will find that we are entrusting them with more equipment. We are now asking them to take blood pressure and do diabetes tests but when it is time to pay them, the structures in place are not satisfactory. Even changing their title from “community health volunteers” to “community health workers” has been a challenge. This shows that deep inside, we do not want to acknowledge them. We are now calling them community health promoters.

Part of the money is being paid by the national Government, and the other part by county governments. That is why this money has to move. We need to get a clear structure. My suggestion is that we get all that money and give it to the counties for them to pay the people. People are best paid where they work. Money should come through the supervisors that they know. You cannot be working in one level of government and your money comes from another level of government. If there is a delay, you do not even know how to follow up on that money. These are things we should do.

We know that there are a lot of funds that come from our international development in the form of grants and loans. Those monies are being given to Kenyans that live in the counties. I do not know Kenyans who live at the national level. I do not know where they are. In fact, we should have more programmes at the county level. We should not have arguments about whether the grants or the loans should be moved to the counties. Even where there are revenues arising from activities that take place in the counties, like fines from the courts, it is agreed that such revenue should be shared. Those are issues that should be put into law. After a year, if we feel that the law is not as good as we wanted it to be, we can amend it. We cannot put services on hold waiting for a “perfect law.” I suggest that we focus more on getting the services to our people in the counties. Whatever money we get, it should go to the counties. Arguments should come later.

With those remarks, I support this Bill.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Phylis Bartoo.

Hon. Phylis Bartoo (Moiben, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to support the County Governments Additional Allocations Bill (National Assembly Bill No.2 of 2025).

We started devolution, and we cannot strangle it so that it is not able to serve the people. The county governments play a very important role in our economy, and in terms of ensuring the wellbeing of the people of Kenya. When they are not well funded, the same people we are serving become disadvantaged. A case in point is my County of Uasin Gishu. I empathise with my governor, Jonathan Bii alias “Koti Moja”. Due to scarcity of resources in the counties, he has been reduced to playing very minor roles in that county, which I do not want to mention. He does not have money to run the activities of the county.

I am, firstly, worried about poor road infrastructure. At this time of the year, it rains heavily in Uasin Gishu. The roads are in very bad conditions currently. The machines which

have been purchased are just idle. The county government cannot fuel those machines for the road network to be improved. This Bill is very important. It should be dealt with the urgency it deserves so that our counties can continue with their operations.

Secondly, is the issue of the health promoters. They are supposed to be given a very small monthly stipend of Ksh5000, which is not even enough but they are not even getting that money. There is no money in our counties yet we are giving them additional work. They are supposed to be registering people with the SHA as well as sensitising them on the same. They do that job diligently but at the end of the day, they do not have anything to take home. If we are supposed to make SHA functional, this money should be released to the counties so that they can run smoothly.

Thirdly, there are no medications in our hospitals. In fact, as I was coming to Parliament a few minutes ago, I met a group of health workers demonstrating in the streets. That is a clear indication that our county the governments are not working. They are not operating because they do not have resources. They use the little resources they have to support other services because they are not enough.

Additionally, there is the issue of distribution of fertilisers, which was devolved to counties. This is very key during the planting season. The county governments are supposed to do the last mile of distributing the fertilisers from the National Cereals and Produce Board (NCPB) to different cooperative societies in different wards. Unfortunately, they are not able to do so. If you go to the NCPB stores in Uasin Gishu, you will find farmers angling for fertilizers. The county government is not able to transport the fertilisers from the NCPB depot to the cooperative societies in the region because they do not have resources. If devolution was supposed to make life easy for our citizens, then we had better dispense this money so that the common mwananchi can feel its effects. If there is an obstacle in the disbursement of this money, it should be removed so that members of our communities can benefit. For instance, if the Senate is the problem, and they want any funding through this Bill, they should wait until this one is dispensed with quickly. At the end of the day, we all serve the same mwananchi. The mwananchi who elected the Senator is the same mwananchi who elected the Governor, the Member of Parliament, and the Member of County Assembly.

Let us, therefore, put our differences aside and look at what benefits mwananchi directly. Let us sort out other issues independently and not put obstacles that make the lives of our citizens difficult. For example, in my County of Uasin Gishu, specifically in my own Constituency of Moiben, we did the ground-breaking ceremony for a County Aggregation and Industrial Park. On that day, we were very excited that it would bring great value to the lives of farmers, *mama mboga* and everybody else in Moiben. It is now two years down the line. The building is just in a sorry state. There is no work going on because there is no money.

I wish the disbursement of these resources could be fast-tracked so that execution of all the commissioned projects in the counties can commence. When projects are not completed on time, there is always an element of extra cost occasioned by such delays. Delays may also lead to contractors taking legal action against the county governments because contractors cannot just sit and wait for a decision to be made so that they are paid. People work under timelines. When they are not paid, they go to court, and the courts award them hefty compensation. Who bears such burden? It is the county government and, by extension, the Government of Kenya.

I pray that we pass this Bill quickly to ensure that the money goes straight to the county governments, so that the county governments can serve the people of Kenya. I hope the money will be used for the purpose it is intended. Let us not have a scenario where resources are disbursed but are diverted to purposes they were not intended for.

I wish the passage of this Bill could be fast-tracked so that the county governments can be up and running to serve the people of Kenya.

With those remarks, I beg to support.

The Temporary Speaker (Hon. Omboko Milemba): Hon. John Waluke.

Hon. John Koyi (Sirisia, JP): Thank you, Hon. Temporary Speaker for giving me a chance to also speak on this important Bill.

I have a different view from some of us. We need to put good structures in place for this money going to the counties. Some counties are doing well while others are just swindling the money. If we are all in support of the money going to the county governments, we need to, first, appreciate the fact that there is no work going on in the counties because we have not put in place proper structures. For example, because there are proper structure in the execution of NG-CDF programmes, the work being done with NG-CDF money that goes to the constituencies can be seen, unlike the case of county government money.

Hon. Temporary Speaker, I invite you to visit my constituency one day. Since the rollout of devolution, there has not been even a bottle of water in my constituency that is from the county government. I always wonder why there is nothing to show for the almost Kshs13 billion that the county receives annually. There is only one County Aggregation and Industrial Park in Busia County, which I visited. Maybe, Hon. Temporary Speaker, you were also there. I was impressed with the work that Busia County is doing. Even the President was amused when he saw the structures of the industrial park and all that was going on there. Busia County was given the same amount of money that my county, Bungoma County, received. Surprisingly, there is no iota of development in Bungoma County. Even the Principal Secretary, Dr. Mukhwana, was wondering how both counties got the money on the same day but one county could only see the good work being done in the other county – such as the industrial park that is almost complete and the beautiful tarmac roads that could be seen everywhere, showing that Busia County is working seriously.

Some county government officials are just there to steal public money. Let us, therefore, put the structures in place before we release the money to the counties. Maybe, for now we should only give resources to the counties that are doing well, which include Busia County and Mandera County, among others. In Mandera County, the Governor returned unused money to the National Treasury because he is honest. For many years, county governors have let us down in many aspects. For example, the case of CHPs, who are always crying for salaries not being paid. There is a time the President made sure that he cleared all the balances that were demanded by the constituencies. He also made sure that all the counties were given all their monies. However, a week later, they were on national television complaining that there was no money. Where does the money go to?

It is high time we became honest with the people even if they suffer. We are not just here as a voting machine. We want the truth, honesty, and for the money to be used properly for the benefit of mwananchi. If you ask people in some counties, like those in county; they will tell you that the money is being used badly. Let us, therefore, be candid enough to point out what is wrong.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Japheth Nyakundi, Member for Kitutu Chache North. Give him the microphone. You can use the microphone over there.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to also add my voice to the County Governments Additional Allocations Bill, which is very important for the people of Kenya, and especially to the county governments. This is because our county governments play a very crucial role in ensuring that our people back at home get the services they need.

The Constitution was promulgated in 2010, thus establishing the county governments, which came about to ensure that our people get services. Therefore, the Bill is important because our people back at home do not get funds for services, yet the funds are lying with the national Government.

I am touched by the fact that the Bill includes funds for the CHPs. I had a meeting with CHPs from my Constituency in December. They were very happy with the national Government because previously, it used to release their funds on time. However, as at the time I met them, there was an eight-month backlog in the disbursement of funds meant for CHPs from the county governments. The CHPs need funds because they play a critical role, especially at this time because of the SHA and the SHIF registration that they are undertaking. We now call it Taifa Care. It is very critical for the people of Kenya. It is one of the five pillars of the Kenya Kwanza Government under President William Ruto.

Our country has never implemented anything as big as Taifa Care. This is the first time we are doing so and it is happening during the tenure of President William Ruto. It will succeed despite there being some teething problems, which is a normal phenomenon. The SHA and SHIF are good for our people. It is important for us to pay the CHPs because they are the roadmap towards ensuring that Taifa Care succeeds.

Secondly, donors have given us a lot of money, and the Government of Kenya is expected to match up those sums in terms of contribution. A lot of funds are just lying around. They include funds meant for Kenya Informal Settlements Improvement Project (KISIP) and the Kenya Urban Support Programme (KUSP), and funds for water sanitation and development projects. We all know that water is a devolved function.

Recently, there was a problem in Hon. Silvanus Osoro's Constituency. People were affected because of drinking contaminated water. Therefore, I ask the county governments to ensure that they use these funds in a proper manner once they receive them. If there was clean water in South Mugirango Constituency, the people would not have experienced the issues they are currently experiencing. Many people were affected by contaminated water. It was a sad incident. We have never witnessed such incident in Kisii County. Therefore, I call upon the county governments to ensure that they utilise the funds in a proper manner once they receive them.

I have heard some people say that their counties are receiving funds for aggregation centres, which are very good for creating employment and ensuring that farmers get common markets for their commodities, and even contributing to value addition. About 18 counties in the country will receive funds for that purpose but I am devastated because my county will not receive anything. This is because projects have stalled due to inaction by the contractors or by the county government.

I want to thank the national Government because the county governments receive money on time. The problem is that some governors are very incompetent and, therefore, they do not utilise the funds they receive in a proper manner. I call upon the county governments to ensure that they channel the funds they receive from the national Government towards delivery of services that the mwananchi needs out there.

Currently, the county governors want funds meant for the RMLF under the KeRRA. They want Ksh10 billion to go to the county governments. They have not used the funds allocated for the maintenance of roads. The roads are impassable and pathetic, yet they want more money. I do not know why they want more funds yet they have not utilised the funds they currently have. They do not even have enough personnel or engineers like KeRRA to supervise the roads that KeRRA is constructing. If you go home right now, you can easily identify a road that is being constructed by KeRRA because it is done properly as compared to road projects being undertaken by county governments. This is because county government road projects are being executed by very incompetent engineers. We cannot see the fruits of their labour.

I support this Bill because the counties are important since they play a vital role in ensuring that mwananchi gets services. The National Assembly and the Senate should support counties. However, there is a rider – the counties should ensure that the funds we give them are used properly.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Is Hon. Geoffrey Mwangi, the Member for Tetu, in the House?

Please, proceed.

Hon. Geoffrey Wandeto (Tetu, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to also lend my voice to this debate. I fully support the County Governments Additional Allocations Bill.

I would like to, first, point out that this House will protect devolution. Our primary mandate as the National Assembly and the Senate is to protect devolution. This week, we saw a memorandum of understanding (MOU) being signed that purported to protect devolution yet that is the responsibility of this House. Be that as it may, we need to ensure that we first devolve all the functions in the Fourth Schedule to our Constitution, including health. We know that most of the funds allocated for healthcare services are still at Afya House instead of being with the county governments, which are in charge of healthcare. Funds meant for agriculture still lie at Kilimo House. The national Government is still in the business of distributing fertilisers, an exercise that should be conducted by the county governments. Recently, the national Government started engaging in the business of housing – which is, again, a devolved function. I urge this House to, first and foremost, ensure that we protect devolution from the excesses that we continue to see the Executive engage in from time to time.

Our healthcare workers are on strike. We should quickly release the funds required to meet their demands. It is also sad that our CHPs have two employers. They receive funds from the national Government and the county governments. When you have two employers and there is no synchronisation as to when the salaries should come, you receive a half of the money and wait for the other half to come. How can we ensure that funds for CHPs are allocated at the beginning of the year and paid out at the same time? We urge the National Treasury to ensure that those funds are released on time.

Our governors and the county governments cannot escape blame. Despite being proponents and disciples of devolution, they have at times made devolution look like it is a sham or a myth because of some of the things that we keep seeing in our counties. The biggest issues are corruption and wastage or plunder of public resources within our counties. The Senate and the National Assembly should keep looking for additional measures to fight corruption in the counties. We also urge the Auditor-General and the various arms of the government that are concerned with fighting corruption to focus on the counties, which have become the headquarters of corruption. The common joke about devolution in our country is that the only thing that we have successfully done is to devolve corruption. That is a problem we must address.

Our county governments also seem to lack the capacity to absorb the funds they receive from the national Government. A recent report shows that many counties have not even absorbed their capital expenditure budgetary allocations, or they have been deviating their capital expenditure allocations to finance recurrent expenditures. The biggest problem that we have in our counties is bloated workforce. Every governor who comes into office adds 200 or 300 new employees. After the expiry of the governor's five year term, those employees cannot be fired because they are employed on permanent and pensionable terms. A new governor comes into office and adds another 500 new employees. Many counties need a staff audit. Maybe, it is time that staffing matters in the counties are placed under the Public Service Commission (PSC), if they are not already there, so that staff establishments for various service units can be approved by the PSC and their salaries properly determined by the Salaries and Remunerations Commission (SRC).

The county governments also have many pending bills. Sadly, many of the pending bills are owed to small businesspeople. This is not only a problem of the county governments

but it also affects the national Government. It is sad that in this country, the third largest source of revenue after taxation and domestic borrowing is small and medium-sized enterprises (SME) finance. How does small and medium-sized enterprises (SME) finance contribute to the economy of the country? If, as a government entity, you procure goods worth Ksh1 million from a small businessman at the beginning of the year and you do not pay him for a year, two years or three years, is that not forcing him to unlawfully contribute to the country's kitty? We need to address the issue of pending bills, going forward.

Lastly, how can our counties diversify their revenue sources? We created 47 small governments. Some of us who were part of the Constitution-making process had cautioned then – that, we were creating so many small governments. However, we are now long past that stage. We may not be able to revert to the eight county governments that we desired, but how can we ensure that the 47 small governments are somehow self-sustaining? As we devolve more functions over time, and as the country goes through various economic challenges, how can we ensure that the counties raise more revenue? We should come up with mechanisms for the counties to raise revenue. Some mechanisms are already in place but they need to be streamlined to ensure that the counties get funds based on how much revenue they collect. Some governors are doing very little to generate their own revenue. All they do is sit in their headquarters, wait for big cheques from the National Treasury, sit with their colleagues and cronies and figure out how to divide the allocated funds.

As I conclude, I would like to point out my own County of Nyeri. I remember going to a meeting about two years ago, just after we were elected to Parliament. Nyeri County was supposed to be one of the first beneficiaries of CAIPS funds. However, looking at the list, Nyeri County has not been allocated any funds. I do not know whether it is because the county got an allocation last year or whether the governor has not contributed his matching counterpart funding, but I would like it to be on record that the County Government of Nyeri has not received any CAIPS money this year. We would like to do many things in our county, whose primary activity is agriculture.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Member. What is your point of order, Hon. Baya?

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, the Member who is on the Floor is my friend. He is a good Member of Parliament. I just want to inform him that Nyeri County may not have an allocation because they have not adequately used their previously allocated funds, or there was no counterpart contribution from the county government, or they have not yet found land to put up a CAIPs. Therefore, as a Member of Parliament and a friend of the county governor, he needs to ask the governor what happened. The counties that have been allocated funds have received them on the basis of good progress on their CAIPs. They also have land for construction and the county governments have matched the national Government's contribution.

I know that the good Governor, Dr Kahiga, is your friend. He should help the people of Nyeri to get a CAIP before he departs. It will be part of his legacy. He should not leave the legacy of the "Wamunyoro train" to his people. He needs to leave a proper CAIP.

The Temporary Speaker (Hon. Omboko Milemba): You have made your point. Hon. Gideon Ochanda.

Hon. Geoffrey Wandeto (Tetu, UDA): Hon. Temporary Speaker, I have not concluded my contribution. I was interrupted by a point of order.

The Temporary Speaker (Hon. Omboko Milemba): You gave me the impression that you had concluded your contribution.

Hon. Geoffrey Wandeto (Tetu, UDA): Hon. Temporary Speaker, I thought you would allow me to finish my contribution, but you stopped me to allow the Deputy Leader of the

Majority Party to make some remarks against Wamunyoro, which are quite unpalatable in this House.

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Member. I am a fairly seasoned moderator. In my opinion, you were trying to run away from the point of order and, maybe, you are just replying.

Hon. Geoffrey Wandeto (Tetu, UDA): Now that I have been caught...

The Temporary Speaker (Hon. Omboko Milemba): Let us move on. The point has been made. Hon. Gideon Ochanda.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Temporary Speaker. I want to speak to something that the entire leadership of the House needs to be cautious about. We have conflicts every year in terms of the vertical division of revenue. We do it without thinking of additional monies, whether conditional or unconditional, that are extended to the counties. This Bill includes additional funding figures of above Ksh6 billion. If we add on grants and many other things that the national Government supports the counties on, we are talking about huge amounts of money.

The markets that the national Government is constructing in my county are worth more than Ksh1 billion, and they are not included in the Bill. That is in one county. If we put all those things together, the disputes that we constantly have between the Senate and ourselves about the figures and the division of revenue should end. We should lump together all those allocations to the counties in one division of revenue arrangement when we are doing the vertical division of revenue. We should implement that arrangement moving forward, so that it also helps us in terms of negotiations and understanding. We should not constantly dispute over revenue division just because of figures that are thrown on the table.

Hon. Temporary Speaker, the other issue is the monies that are taken to the counties in relation to their development vote. What we saw last week was a little bit embarrassing. No county had more than 25 per cent absorption rate of their development vote. If you isolate the 25 per cent absorption rate and examine how the counties are spending the money, the county that had used the development vote in a manner worth discussing was at a rate of slightly over 30 per cent. The rest had absorption rates of below 10 per cent. Why do we constantly allocate additional monies to the counties yet there is no development? We need to check on that. There is no comparison between the allocations we give to the counties and the meagre resources that are allocated to the NG-CDF). They cannot be compared at all. It is not right that counties are not carrying out any development, with their absorption rate of development funds being below 10 per cent. It is astonishing.

Another important issue to note is how court fine monies have been sent out to counties. We previously used to have municipal courts in every town council and municipality, which handled cases relating to municipal by-laws. Some of those by-laws are still in existence. I do not understand why court fines generated by the municipalities or the county governments are not viewed as local revenue generated by the counties, instead of collecting court fines and spreading them out to the counties such that some counties get those allocations while others do not. That is not right. If you are keen, you will realise that some counties have not been given additional funds in terms of court fines. I am very clear in my mind that some of the counties that have not received additional funds in terms of court fines actually generated some revenue in the name of court fines.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Ochanda, you are talking to the nation. Could you explain exactly what you mean when you say that some counties are given additional allocations in terms of court fines while others do not get those allocations?

Proceed.

Hon. Gideon Ochanda (Bondo, ODM): Thank you, Hon. Temporary Speaker. If you look at the First Schedule to the Bill, you will see that many counties are not receiving any allocation while others are receiving.

The Temporary Speaker (Hon. Omboko Milemba): What is your point of order, Deputy Leader of the Majority Party?

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, in terms of court fines, certain counties have established courts. Court fines are generated from the county governments' courts. The county governments have established their own courts. There is a county court at Treasury Square in Mombasa County. Fines that are generated from the county courts should be disbursed and used by the county. My Kilifi County set up its courts the other day. Therefore, they cannot get money because they have not generated any court fines. Some counties have generated revenue through court fines while others have not. That money belongs to the counties that have generated revenue through court fines. We are now providing a framework for the disbursement of court fines money to the counties so that they can use the money. If your county government does not have a court, tell your governor to establish one and ensure that many boda-boda operators and traders who breach the county by-laws are charged, tried and fined so that the county government can get court fines money.

Hon. Gideon Ochanda (Bondo, ODM): We are together, Deputy Leader of the Majority Party. That is what I was talking about. Before the advent of devolution, there were municipal courts all over. They should be all over again, so that they help to generate court fines for the counties that may not have such courts for now.

(Hon. Owen Baya spoke off the record)

The Temporary Speaker (Hon. Omboko Milemba): Order, Deputy Leader of Majority Party. That is not how the House runs.

Proceed, Hon. Ochanda.

Hon. Gideon Ochanda (Bondo, ODM): Hon. Temporary Speaker, that is the explanation that you wanted me to bring out. I am with Hon. Baya on that explanation.

Court fines have not been factored in certain counties because the municipal courts that were previously in those counties are no longer functional. If they are, they are all under the central Judiciary. That means the counties are being denied a source of revenue in terms of fines, which should form part of their local revenue. That is exactly what I was talking about. If you looked at it from that angle, no county should receive an allocation because most towns have municipal courts, and all those towns are now under the county governments.

We should ensure that additional grants absolve us from annual disputes in terms of vertical revenue allocation.

With those few remarks, I support the Bill.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Rindikiri Mugambi.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. I have looked at the Bill and noticed that it has met the threshold of what is required for it to be presented in this House for deliberations. I join the other Members in supporting the Bill.

One note of concern is the utilisation of resources that are either with the national Government or the county governments. Allocating more funds to the national Government or county governments does not mean that they will utilise them properly or implement the intended purpose. The national Government and county governments should work together, particularly during critical times such as droughts, health crises, and floods. Article 190 of the Constitution gives us the leeway to allocate more funds to the counties because they need development.

The Bill addresses pertinent issues, which I will summarise. I have noticed that there is CAIPs, which is a very important component of the national Government's agenda. I would like to disabuse the notion that the counties are being developed by county governments. The national Government and the county governments are in partnership. The CAIPS will create areas that will enhance value addition, create storage facilities, and become centres of innovation where trading can be done effectively and in an organised manner. In Meru County, the CAIP is situated in my constituency. We are excited that the national Government and the county government are in a partnership. We are an agricultural county. My constituency is the largest producer of flowers, wheat, potatoes and vegetables, which feed almost the entire northern frontier. We should support this Bill and allocate more funds to the counties. We have gone through a tempting and embarrassing situation where provision of medical services in this country has been put to a test.

Hon. Temporary Speaker, we have seen the crisis in the medical sector. We have many unemployed doctors. Interns and employed doctors have never been paid their salaries. We all know that health is devolved. Therefore, the Government has to come in handy and clear those arrears so that the country can move on. We, as the national Government, need to release more funds to the counties. The question that we need to ask ourselves here is why the counties waited until we reached this point where there is a crisis. Many people will say the national Government delayed in sending the money, but that is not the truth. There is improper utilisation of the resources and lack of priorities in the county governments. It is quite embarrassing that in a country of Kenya's age, doctors cannot be paid. We all know that health is a very important factor in this country.

I have seen there is money to support CHPs. However, I am a bit embarrassed here because we only have 3,716 CHPs in Meru County. We have been told that every CHP will be in charge of 100 households. I have multiplied and found that the CHPs will cover only 371, 600 households in Meru County. Surely, this is not even a half of Meru County's entire households! This means that we are far from meeting the expectations in the health sector in terms of provision of healthcare. We would like to allocate more resources in this sector or area.

I have seen that there is a problem with the money that comes from development partners. If you look at the schedule that has been provided here, you will notice there are so many projects. Some of them are repeated, but there is nothing wrong with that. The only problem is accountability. Year in, year out we send money from the development partners to counties which oversee the utilisation and implementation of these projects. I join my colleague, Hon. Ochanda, who said we give a lot of unconditional revenue to counties every year. I will give an example. We appropriate money for informal settlement schemes. There are Kenya urban settlement schemes which we do not know. These things are not visible at the counties.

I have seen two programmes here on climate change which are parallel. One is allocated Ksh3.3 billion and the other one Ksh1.2 billion. I have seen the allocation on drought is repeated. What is the basis of bringing this money? Who oversees it? The money for Kenya Informal Settlements Improvement Project (KISIP) and Kenya Urban Support Programme (KUSP) is appropriated in this House. However, it is a conduit. What normally happens after that? What is the value of this money that is given to counties year in, year out? It is a concern to us. I am yet to see a Governor who will rise up and issue a policy statement on the education sector, health sector, agriculture sector, or water sector. All what we see is impromptu implementation of one or two projects discriminatively. They do not go to areas where they have no support. They neither speak about water policy nor health policy. That is why our country is grinding to a halt in terms of the health sector.

(Applause)

In as much as we are saying we obey Article 190 of the Constitution on support for county governments, time has come for accountability. We should not only pass Bills on additional revenue, but also we must have accountability of all the money that is given to the counties. What happens after we pay the salary arrears? After we give them the green light to use the money collected from the courts, what happens next? These are the basic questions that you really need to ask. All the money that is taken to the counties must have a correspondent policy. I can see here that we are giving them money collected from the courts, but there is no framework.

The Temporary Speaker (Hon. Omboko Milemba): Give him one minute.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. How are we allocating more money without a framework? There is money that is deposited into the Consolidated Fund. We need a framework to guide how to withdraw money from that Fund. There must be a law, but this Bill says we should give them the money. Are we doing the right thing? We understand the others. However, where the law is needed, we must pass it before we allocate the money. We must challenge the counties. We must ask ourselves why they wait until a county has arrears. Why do we have to wait until we start pumping them with money? The national Government is spoiling the county governments.

The cost of living cannot be apportioned to the national Government only; it also needs to be apportioned to the counties because they have money for agriculture, water, and drought. When we bash the national Government for the high cost of living, we should not spare the counties, more so Meru County. The governors must say what they are doing to reduce it.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Omboko Milemba): Hon. Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity. I want to add my voice to this important debate on the County Governments Additional Allocations Bill (National Assembly Bill No. 2 of 2025).

At the outset, it is important we realise that we are not discussing equitable share, but additional resources which are supposed to be taken to the counties. These are conditional resources which come from either the national Government or development partners. This Bill is being presented to this House a second time. If you remember, it was presented here, but we did not agree with the comments. It was taken to the Senate, but they did not agree with us. We went for mediation, but the process died midway. That is why it has been brought here. I want us to be more objective in terms of how we look at it.

The first thing is that we are discussing resources for the Financial Year 2024/2025 conditional grants. Looking at where we are in terms of the financial year, we are doing this in March, which means we are only about three months to the end of the current financial year. If you look at the history of the County Governments Additional Allocations Bill, this House always passes it very late in the day. Because of that, there is no much time for implementation. Before you go to the subject matter of the Bill, timing is a critical issue. This House needs to look at it. Why am I saying that? We have our development partners who have committed resources to develop our counties. As long as this Bill is not an Act of Parliament, the resources cannot be taken to the counties. This means, automatically, we are denying our people a chance to benefit from the resources.

Hon. Temporary Speaker, looking at what is happening, in the last report of the Controller of Budget, it has been shown that majority of the counties are only spending 17 per cent of their budget on development, as opposed to the targeted 35 per cent. It means that the

additional resources from our development partners should complement our resources, so that we experience development in the rural areas. The issue of timing is critical.

The other critical issue is accountability, which I agree with my colleagues about. When these conditional grants are allocated to the counties, there is a huge gap in terms of accountability framework. The resources are implemented at the counties, but budgeting and appropriation are done at the headquarters. How do you account for them? The county assemblies cannot oversee them at that time. Because the national Government has released the resources, it does not oversee them. So, there is a gap. Monitoring and evaluation of these resources need to be discussed thoroughly, and we agree on the way forward. Otherwise, you will still leave room where the resources might be misdirected, misapplied, or lost through corruption. The money may not get to where it is expected. On this basis, as we think about the additional resources to the counties, it is important to put in place a clear monitoring, evaluation and accountability framework.

The Bill talks about CHPs. The county governments and the national Government are supposed to pay some money. Imagine a situation where the national Government releases money for the CHPs, but the counties do not have it. It means instead of getting Ksh5,000, they will get Ksh2,500 from the national Government and then the component of the county government might have to wait for one, two or three months. We live in these counties. They are in arrears, in terms of payment of salaries. This is a critical matter. The Government needs to think about this problem. If we are giving 50 per cent of the money, can we have a mechanism—at the beginning of the year—where 100 per cent of those resources are transferred to the counties so that they pay their salaries without any delay? Salaries are a sensitive matter.

The other matter, which is critical, is supporting the construction of the county headquarters. I have been a Member of the Budget and Appropriations Committee ever since I joined this Parliament. We allocate money to five counties every year for construction of headquarters. They did not have them when we started. Despite the money being in the Budget every year, there has been minimal implementation. We are now in the 10th year budgeting for these resources, but these five counties have never completed their headquarters. What challenges do we face? Resources are there. Can we come up with a way and get this matter behind us, so that resources are released and the counties are able to construct their headquarters? In that case, then we will help them. Otherwise, in a situation where we budget for money, but it is not given to the counties...

The Temporary Speaker (Hon. Omboko Milemba): Order, Hon. Makali.

What is the impediment? You began by saying you have been a Member of the Budget and Appropriations Committee ever since you came to the House, which is about 2013. Proceed.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Basically, Hon. Temporary Speaker, anytime you talk to them, they say they are unable to agree with the State Department for Public Works which designs and implements the projects. They always claim that there is that delay. I also suspect that the other element is the Exchequer releases. The Government is used to this idea of allocating money in the Budget, but when it comes to Exchequer release so that you have the cash in the bank to implement a project, the money is not given to the counties. Even as we blame the county governments, the national Government must also play its role in a timely manner, so that we do not delay implementation of the projects.

We need to make a decision on these county headquarters. If we want to complete them, then let us have a time frame in terms of implementation. As a country, we can agree that we will only do this for two years or one year. By the end of that time, we release the money and complete building the headquarters.

There is another important bit which has been mentioned by many of my colleagues. Just as we are explaining the problem of accountability at the county level, as a country, we seriously need to think about prudent use of public resources. When all is said and done, comparing where we are as a country, the challenges we are going through in our economy in regards to economic growth and revenue collection, we need to come up with a very clear priority list of what we should do and what we should not do. Even though some things might be in the Budget, in a situation where we have priorities and we go to an extent of borrowing, it is important to do it for priority projects in the country. These are the ones which will have maximum outcomes and impact in this country. Otherwise, we will continue digging that deep hole which we will never get out of.

The counties are with us, and Kenyans have said that the best thing that happened to them was devolution. I support anybody who says we should support devolution. We have a very clear legal framework, institutional framework, resource mobilisation framework and financial framework. We need to support devolution by allocating more resources. When this is done, we should ensure that we use them prudently. If we do this, within a short time, we will get ourselves out of this deep hole that we have dug for ourselves in terms of budget deficit. If we go that way, we will be helping this country. But, the county governments must also ensure that they use and apply the resources in the areas which support the Kenyans who are at the lowest level of the income pyramid.

[The Temporary Speaker (Hon. Omboko Milemba) left the Chair]

[The Temporary Speaker (Hon. Peter Kaluma) took the Chair]

In that case, I support the County Governments Additional Allocations Bill. I plead with my colleagues and the Senate to fast-track this Bill, so that it becomes an Act of Parliament and open the doors for utilisation of these resources.

I submit, Hon. Temporary Speaker. Thank you very much.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Makali Mulu. Hon. Benard Kitur.

Hon. Bernard Kitur (Nandi Hills, UDA): Thank you very much, Hon. Temporary Speaker, for giving me the opportunity to contribute to the County Governments Additional Allocations Bill, 2025. At the outset, we support the county governments and their functions. We support devolution so that county governments can render services to Kenyans which they need desperately.

Secondly, it is important to encourage both the Senate and National Assembly to fast-track some of these Bills, so that we do not deny Kenyans an opportunity. The county governments will also utilise these resources. I am cognisant of the international politics that are happening. Even as we pass this Bill that will unlock about Ksh42 billion as conditional additional allocations, it is important for us also to find ways and means that we can spur the growth of our economy and raise some of these resources on our own. We do not need to depend entirely on donors to support our very critical aspects of work that need to be done for our people.

It is critical for us to support this Bill because it will unlock support systems that are coming to primary healthcare in the devolved context. This will support the CHPs who play a very critical role in the social health. They make sure that we get the data of all Kenyans right down in the villages to know how they are doing regarding their health. They also support and advise them. Part of why I am supporting this Bill is because the conditional allocation will go to the CHPs to facilitate them and promote the health of Kenyans.

Hon. Temporary Speaker, secondly, I am supporting this Bill because of the functions that the CAIPs are supposed to do in spurring the economic development of regions. The CAIP that is being built in the county that I come from has stalled. If these funds will go down there to unlock the work, it needs to have been done like yesterday. Therefore, I support this Bill. There are several other counties that need to have these CAIPs that support the young people and the communities, especially those who are skilled in various aspects. This will promote the industrial parks within the counties.

Thirdly, this should have gone well when I was talking about the community health workers. These funds will pay the salary arrears of the healthcare workers. As I indicated before, we need to re-look at this so that we do not have to entirely rely on donor support, even in the payment of healthcare workers. There are various support systems that donors will support when we unlock Ksh42 billion. Some of it will go the KISIPs. We do not see the work that the county governments do. We only see some of these projects that are supported by donors. Even as we pass this Bill, I call upon the county governments to find a way to utilise these funds in a transparent manner.

I can see there is one of the KISIPs that is supported by African Development Bank (AfDB) and the World Bank which has improved the informal settlements. Even in my constituency, we have an informal settlement which will get support for the first time. This will go a long way in improving the lives of the many people who live there. However, we still want to see more transparency in these projects that are being done back in the counties.

I have also noted that unfortunately the Emergency Locust Response Programme still depends on development partners for support. I insist that we need to find a way to support some of these programmes in case some governments that have been supporting us decide, through new policies, to stop supporting them in future. I have seen this in the climate resilience investments, food systems and resilience projects. We must fund these very critical programmes, ensure there is transparency, and involve the young people in order to spur growth and improve the livelihoods of those back in the counties.

The Kenya Livestock Commercialisation Project is also worth noting. Funds need to be released to the counties, so that we can promote people living in dry areas who depend on livestock production. Unlocking these funds will support the pastoralist communities that rely on livestock in a big way. The Bill has both unconditional and conditional grants. I am touched by the 10 counties that have instituted ways that enable them to have the unconditional funds through the fines, which I can see contribute about Ksh16 million and which we are approving today.

I am impressed by Murang'a County by all means and standards. They have set up their structures that generated Ksh70 million. It is noteworthy to sometimes appreciate some of those counties that are doing pretty well. It calls now on the other counties to also have these internally generated revenues through the setting up of court systems, so that they can have additional revenue. It is a wake-up call to other county governments to look at ways of generating income for themselves. As I said, it is sad to only have 10 counties that are reported in this Bill.

It is also very important to note some of the stipulations the Bill brings. Any agreements that a county government and a development partner will enter into shall be tabled by the national Treasury in this House and the Senate before being included in the Budget Policy Statement (BPS). This is for transparency purposes. It is important for this House to know so that even as we pass the Bills, we are also aware of any agreements that the county governments have signed with development partners.

The Cabinet Secretary shall continue to publish, every 15th day of the subsequent month, a monthly report on all actual additional allocations to the county governments. This is very important for transparency purposes. This is another reason why I support this Bill.

Finally, many of my colleagues have raised their concerns on how the county governments are utilising their funds. We call upon the county governments to be transparent. We need to feel these funds that we release to them. We need to feel them being utilised on ground.

Hon. Members: Yes.

(Applause)

Hon. Bernard Kitur (Nandi Hills, UDA): It cannot be that we, as Members of Parliament, have little money from NG-CDF which is felt but not theirs. If we are constructing a road through KeRRA, we do it properly. We allocate a lot of these funds but we literally do not see any work being done by these counties. I call upon the governors, even as we look at the many reports that are always released, to be transparent. All Government agencies that are supposed to look at the utilisation of these funds...

The Temporary Speaker (Hon. Peter Kaluma): I thought you were going to request for more time. You were just beginning to contribute.

(Laughter)

(Hon. Bernard Kitur spoke off the record)

Okay. Hon. Dan Mwashako, Member for Wundanyi.

Hon. Danson Mwashako (Wundanyi, WDM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to support the County Governments Additional Allocations Bill which is important.

As it has been pointed out earlier, this Bill came into this House and we passed it with amendments. It was taken to Senate, but they did not agree with us. It was subjected to mediation which did not result in any positive fruits. Therefore, it expired because there was no agreement at the mediation stage. Therefore, this Bill has come a bit late in the financial year. We only have another three months to the end of it. Therefore, the faster we process this Bill, the better for this country, so that funds can be taken to the counties or grassroots. The projects that are envisaged are supposed to be implemented.

Having said that, I have gone through the schedule. Counties need to get out there and inform the public that they receive money from the national Government, the equitable share. They also receive money under conditional grants and unconditional grants. Most counties do not exercise the public financial management principle of transparency to the public. They insist that the only money they receive from the national Government is from the divisional share. They insist that they receive equitable share of specific billions, but they do not tell the public that many of the projects that they see are funded by the conditional and unconditional grants.

A quick summary, I might say: I just picked three or four counties receiving money under the Bill. I have seen that Nakuru County will receive Ksh1.5 billion as conditional grants. That is additional revenue. Nyamira County will receive a total of Ksh410 million and Tharaka-Nithi County a total of Ksh593 million. Taita/Taveta County, where I come from, will receive Ksh1.3 billion in additional revenue. That is a substantial amount of money.

That said, it is exciting that Parliament is appropriating this money back to counties to touch very specific areas that have perennially been troublesome. We are also giving conditional grants to pay the CHPs that have had long outstanding issues with counties. We know that the national Government has been trying very hard to pay their part of the bargain, the Ksh2,500 per CHP. However, many county governments have not been paying their part.

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Today, wherever all CHPs are in this country, they need to know that the National Assembly has already done its part. We are allocating money to pay CHPs. There should be no excuse for not paying them. County governments should ensure they pay them in good time.

The other money factored in this Bill is going to pay arrears on basic salaries for health workers. We know that some health workers are on strike. The money we are appropriating and passing today will also go into paying arrears on basic salaries of the health workers.

Allow me to also speak a little about monies allocated to Taita/Taveta County whose one constituency I represent in this House. I am excited to see that we are appropriating a whopping Ksh850 million towards water and sanitation development in the County of Taita/Taveta. I am excited about this and it is one of the reasons I am supporting the Bill. We have very many issues around water and sanitation in my county. I am excited as I sit here today to look at the Bill allocating Ksh850 million to Taita/Taveta. If used prudently, I know this money will sort out the perennial water shortage issues in our county.

In addition, we are appropriating money to the National Agricultural Value Chain Development Programme (NAVCDP). The World Bank funds that new programme. The project is critical to agriculture-based counties. It is critical to see our people supported in their subsistence farming. I see that we are appropriating Ksh151 million for NAVCDP in Taita/Taveta County. Counties have been running up and down trying to get money for programmes that are not devolved. All programmes to which this Bill is allocating money are devolved. Counties need to prioritise the programmes even with their equitable share.

You will wonder to realise that counties have been fighting this National Assembly over the RMLF instead of putting their best foot forward to ensure value for the money we allocate them. They are struggling for Fuel Levy from which they will get very little money. For instance, the county I hail from will get about Ksh150 million. Counties are fighting Members of Parliament and the national Government to get little money compared even to the money we are giving them as conditional grants. Why is a county receiving Ksh1 billion in conditional grants or Ksh7 to Ksh10 billion in equitable share so sticky towards little money like the Fuel Levy? That is a small fraction compared to the monies they receive!

It is a pity that much of the money the National Assembly appropriates to counties is misappropriated, wasted, or stolen. We will see this country develop if we deal with the theft, graft, and mismanagement of our funds in counties and ensure that those who pilfer public finances are taken to court and charged. Then, the 5 per cent GDP growth that our country is always proud of can easily rise to two digits of economic growth. We call upon our Governors across the country to exercise prudent use of resources as we support this Bill. They must call their staff who are stealing to order. I want to believe that the governors are not stealing. Their days are numbered if they are. We must call them to order.

I can tell you that governors are surrounded by people who are stealing more than the governors are. They are building maisonettes, buying apartments, and doing so much across the country. Sometimes you wonder whether governors have eyes or they are part and parcel of that kind of theft of public resources. As we do all this and oversee the national Government, it is important and a must that the Senate does its work. Many times, Senators wake up and start bashing Members of the National Assembly on very flimsy reasons. We will have a problem if the Senate does not wake up and do oversight to curb the pilferage in counties in a manner that this country will find the value of the Senate. They call themselves an upper House. There is no way... They are only overseeing Ksh480 billion or Ksh400 billion in division of revenue yet much of that money is lost. This National Assembly is overseeing over Ksh2 trillion. If you look at the Ksh400 billion Senate oversights versus the Ksh2.5 trillion, then, of course, the National Assembly should be the upper House. However, I do not want to get to that debate. Senate must do its job. It should stop assuming the role of the National Assembly by inviting Cabinet Secretaries. Senators are doing public relations.

The Senate of this country has been inviting Cabinet Secretaries and trying to ask very hard questions yet Senators know all they are doing is playing to the public gallery. Nothing comes out of that. Their work is to deal with governors and county governments. They should do their job well so that mwananchi in every corner of this country can see the fruits of devolution.

Time is not on my side. I want to end by saying that the National Assembly will do its part. I call upon the Senate to do its job of overseeing governors and county government so that we can find value.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Andrew Okuome, the Member of Parliament for Karachuonyo.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you for this opportunity to contribute to this Bill.

First, I support the Bill. My support is with some questions and concerns that I would like governors to address. I know they are doing a good job for us. Devolution is excellent and the whole country supported it. However, I must say to our Governors that we are yet to see the expected impact. For example, in hospitals, you often hear about strikes, health workers laid off, some are not paid and so forth. This is the case and yet there is no time they have not got their shareable revenue. They get that all the time. Something is amiss with their management.

Kenya is an agricultural country and has been so for ages. I hoped that with devolution we would see this in reality, but we have not. Counties are not doing the expectations we have on agriculture. If governors were doing their job as expected, no one among us or even out there, the people of Kenya, would criticise them. They are causing the criticism we hear now and again. They have major sources of revenue, the shareable ones and their self-revenue. I know they have some grants – let me not go to those. What we hear all the time is that we have huge and growing pending bills. I would have liked an analyst to tell us the amount of revenue collected in counties compared to what the old county councils were collecting. Which one is higher? If what they are collecting is less, and I am told it is, then we remain with a very strong question that county governors must answer. As of now, they are governments. Those, were just councils. They cannot compare themselves to a council. That also leaves a big question, and something must be wrong. Perhaps, money is collected but it does not reach the county treasuries. Or it may be that it reaches the county treasuries, but does not perform the duties it is collected for.

Counties have two types of expenditures – development and recurrent. If you look at the records, recurrent expenditure is extremely high. Though it is supposed to be not more than 70 per cent, it is quite high compared to development expenditure. Development expenditure should be in the region of 30 per cent but from what we have been seeing, a number of counties reach nothing near it. It is development expenditure that leaves the trail of what the country gains. A country spending more on development expenditure gains in development. If you are heavy on recurrent expenditure, you are like somebody who gets a salary and eats it all. In the end, he has nothing to remind him that he had some money or earned some income because there is nothing it did. Recurrent expenditure does not leave a trail.

There are a lot of inadequacies at the county level. They need to pull up. As I speak, I am not sure counties can tell us what they have achieved in a manner we, the Members of Parliament, can say we have done with the National Government Constituencies Development Fund (NG-CDF). The money we have got for NG-CDF is used in such a manner that all the time, even without you as a Member of Parliament being there, whatever you do is conspicuous. People see it and can explain the benefits they get from NG-CDF. I am not sure whether people can also take it upon themselves to explain what devolution is doing.

Devolution is a wonderful structure but governors are making it just one of those institutions with very little impact and yet, what we want is a big impact. I know our governors can use this money in such a manner that even after five years we can say, yes, there is a change devolution has brought for us.

We are giving a good example, as I have just said, of the impact of what we do as Members of Parliament on what is given to us. I challenge the governors to use that example so that Kenya can develop.

Thanks for giving me the time to contribute.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Andrew Okuome, you sit on the Departmental Committee on Finance and National Planning?

Hon. Adipo Okuome (Karachuonyo, ODM): Yes.

The Temporary Speaker (Hon. Peter Kaluma): I thought in terms of Clause 6 here, you needed first and foremost, to provide that Kenya Revenue Authority shall establish revenue collection systems for all counties before you say, it may be a collecting agent for the counties. For purposes of collection, we have a single system across the country determining the amount to be collected, what items are taxable and to what extent; this is so that the money being collected down there, does not go into people's drawers but comes to the National Treasury to be divided later. What do you think about that?

Hon. Adipo Okuome (Karachuonyo, ODM): Well, I would support it because I see it as a big improvement on what is currently going on. The system should be implemented from the very first step, that is the person collecting the money.

The Temporary Speaker (Hon. Peter Kaluma): Thank you.

Hon. Adipo Okuome (Karachuonyo, ODM): Then it is picked up for onward transactions.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Hon. Canon Naomi Waqo, proceed.

Hon. Naomi Waqo (Marsabit County, UDA): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to add my voice to this Bill that is very timely – the County Governments Additional Allocation Bill (National Assembly Bill No.2 of 2025).

I have gone through it, and it is what we need as a country now, so that the necessary growth and development that we expect to happen in different counties can take place. It is slightly over ten years since devolution began. For sure, devolution has brought a lot of development in different counties. If it were not for it, my County Marsabit, one of the remotest parts of this country, would not be where it is today. Devolution has created job opportunities for young people, brought infrastructure development and improved education.

However, at the same time, when we look at devolution, which has the potential to grow this country, there is a lot of wastage. There is no accountability, and corruption is high in many counties. Forget about governors and their executive, even the people at the bottom, want to practice corruption. There are many things that are happening that are not that good.

It is very sad that some staff working in counties have not received their salaries. Contractors and suppliers have not been paid. Pending bills is a big issue in this country. In fact, instead of capacity building our people and helping them grow their wealth, many have become poor just because of working with county governments. Why? The resources are there, but they do not get to the right people. Today, I encourage sitting governors to be accountable enough and see how they can solve the issue of pending bills. Our people have become poorer, have no money in their pockets and yet they have done some work. Others borrowed loans but they cannot pay them back because they have not been paid. Counties need to give priority to the people so that they can build themselves, grow their own wealth and be empowered, financially.

When I looked at the County Governments Additional Allocations Bill, 2025 which was published on 6th February 2025, I told myself I must support it. This Bill was first tabled on 14th for processing and approval. It was consequently, read a First Time on Tuesday, 18th February 2025, and committed to the Liaison Committee. Today, this honourable House is debating it.

The Bill provides for the transfer of conditional and unconditional allocation from the national Government's share of revenue and from development partners to the county governments for the Financial Year 2024/2025.

Many counties have not been receiving their allocation of funds on time. Today, I challenge the National Treasury that if money is allocated to counties, the money should be released on time. We blame county governments, but they also blame the National Treasury, simply because Treasury does not release funds on time. As we approve and support this, it is high time our National Treasury put measures in place so that funds can be released on time for counties to be effective and functional.

Additional allocation to counties is provided for under Article 202(2) of the Constitution, which stipulates that county governments may be given additional allocation from the national Government's share of the revenue, either conditionally or unconditionally.

Further, Article 190 of the Constitution contemplates additional support to county governments to enable them to perform their functions adequately.

In the past, counties have not been receiving their funds. Sometimes, they even stay for eight months. When they do not receive the funds, imagine the number of families that suffer because members of staff are not able to receive their salaries. In addition, those who have worked with the county government are not able to receive their money and therefore, the impact which is not positive is very huge. For those reasons, we should make sure that the National Treasury releases funds on time so that counties can function.

Hon. Temporary Speaker, I was looking at the analysis of the County Governments Additional Allocations Bill, 2025 and I realised that the First Schedule shows conditional allocation to county governments from the national Government revenue. This comes from the national Government out of the resources that we collect on a daily basis. That is why we should demand that the money for counties be disbursed on time.

The Second Schedule shows unconditional allocations to county governments from the national Government for court fines for the Financial Year 2024/2025 collected by the Judiciary from the contravention of county government legislation. The Third Schedule contains conditional allocations from proceeds of loans or grants from development partners.

These are three different and very important categories. As I was going through, I again realised that not all the counties benefit from all this. The allocation in the First Schedule contains allocation for the following expenditure: county aggregation of industrial park. The county aggregation of industrial parks initiative is a priority programme under the Bottom-Up Economic Transformation Agenda (BETA). I remember very well during the campaign time, as United Democratic Alliance (UDA) people, we used BETA to drive our campaign. Everybody believed in us, and we said things will be different. Our approach was bottom-up and we wanted to empower people, ensure that citizens will do business, have affordable life and also, have enough money in their pockets. However, today, when I go to the ground, people challenge me because we used to say, "*pesa mfukoni*" while they say, their pockets are now empty. That is why we need to make sure that we go back to that Agenda and empower our people so that they can create their own wealth.

I also want to encourage every county, because as I said, not every county has benefited from all this. We should make sure that all counties can benefit and do what other counties have done so that they can get these grants. We know very well that there are different ways that different counties use on the sharing of cost for Community Health Promoters. Once this

Bill is passed, Ksh3.2 billion will be shared among counties. We shall also benefit from that, but counties have a lot to do because they also need to give their share so that the count...

Thank you, Hon. Temporary Speaker. The idea of cost sharing is a good. I encourage county governments and the national Government to honour their promises so that Community Health Promoters will not suffer anymore. I have already said that we must give priority to salary arrears to make sure that families will not continue suffering under this Government.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Eve Obara.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much.

(Hon. Eve Obara spoke off the record)

The Temporary Speaker (Hon. Peter Kaluma): There appears to be a problem with your microphone.

Hon. Eve Obara (Kabondo Kasipul, ODM): Thank you very much, Hon. Temporary Speaker. My colleague here is begging me to talk for a very short time so that he can also get a chance.

At the outset, let me add my voice to support the Bill. The Bill seeks to provide a legal framework for the disbursement of additional funds to county governments in Kenya. We know that these funds go beyond the equitable share as stipulated in the Constitution. These funds are supposed to go to specific projects or programmes that aim to enhance service delivery at the county level. We have given the money, but the biggest question is, where is the weakest link?

We have a problem in some counties. Previously, municipalities raised their funds, paid their employees and ran programmes. We now have counties that are mirrored along the lines of the national Government. Where is the weakest link? It is the implementation of all the active programmes. We need to strengthen our control mechanism. There is a lot of wastage in most of the counties. The control mechanism seems not to be there, yet we have the Auditor-General and the Controller of Budget who should make sure that resources are prudently utilised.

Why do we have pending bills? Why do we have pending bills on programmes that have been budgeted for, and monies released or disbursed by the National Treasury? We are aware that the release of funds usually comes late and probably, that is why by the end of a financial year, we find that only less than 30 per cent has been used on development. That is not their problem. But when the money is finally released, what happens? Why then do we have those pending bills? Why can the governors not pay the suppliers for services rendered against the monies that they are given? We are not going to get into many details, but it is about time sanctions were put in place. Where a governor does not pay a supplier or pay for a service that has been rendered against a budget that was approved and money disbursed, the governor must be held to account and charged. This is why we have a lot of problems. People have been impoverished in counties and suppliers have died because they took loans against their properties that have been sold because of monies that were not paid for a service that was given. These are questions we must answer and think about as Legislators. We cannot continue giving monies that are not put into proper use.

Thank you very much. Once again, I support, but with those conditions. We must look at the things that affect service delivery after monies have been released to counties. Thank you very much.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Joshua Kimilu.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you Hon. Temporary Speaker for giving me this opportunity.

I want to thank my colleague for being nice to me. I also do not want to take a lot of time because I know more Members want to contribute to this Bill.

I support this Bill on Additional Allocation to the Counties. As we add counties money, we know very well that there is a lot of corruption in our country, and in some of the counties. When we go through the Auditor-General's report, there are a lot of irregularities in our counties. We want to warn the governors as we fight for them to get additional allocation. We also need to have accountability in our counties and this needs a lot of oversight by our Senators. This is the time we want to tell our Senators to wake up. A lot has been happening in our counties, and it seems there is not enough oversight in place.

Corruption causes a lot of problems in this country. As a Member of Wiper Democratic Movement, we are now the official opposition. Before, we were together with the Orange Democratic Party (ODM) but it is now in bed with the Government. So, I know, the oversight role...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Joshua Kimilu, order. Under which Article of the Constitution is this thing called official opposition created?

Hon. Joshua Kimilu (Kaiti, WDM): I cannot say it is in the Constitution, but if you look at the way things are...

The Temporary Speaker (Hon. Peter Kaluma): Let us speak about anything that is not within the law outside the gate of this law-making institution. Proceed.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Temporary Speaker.

If we go to constituencies, we can count the projects done by the NG-CDF because they are visible. But when it comes to counties, the wage bill is too high such that we do not have any development in some of the counties. This is why we are saying that as we support this Bill, a lot has to be done by these counties because we do not want wastage of the resources in our country. We need to see our people get services, and this will also help this country move forward.

There is a big problem of Early Childhood Development (ECD) classes, a function that is under the counties, and is a mandate of the governors. As we add allocation to them, we also need to see work done.

There was an outcry when we talked about bursaries. If we add allocation to counties, we can come together with the governors and give bursaries to our students. This can help the society. So, I support this Bill.

Some counties in arid and semi-arid areas need a lot of development in water and roads. I went to Wajir County and I was shocked to see that there is no electricity and there is a problem of water. The additional allocation can be used for these projects to benefit our people, uplift them and alleviate poverty level in our counties.

I came up with a Social Workers Professional Bill, which will soon become law. I want to thank this House for supporting my Bill very well. I am an excited man. We see how social workers in our counties suffer by getting peanuts. Once this Bill becomes law, I will be in the front-line campaigning for them to be paid well. They do a lot of work in our hospitals, health centres, and even in our villages. They go around helping people. These are the people who need to be well paid and given good allowances to do the job.

Let me say something about collection of taxes in our counties. I do not know what the problem is. Some of the counties collect a lot of money, but there are some loopholes which need to be sealed. This is serious. I talk about good oversight because I know how our people are suffering in the villages. We have devolution which we need to see work in our areas.

We also see how some contractors cry in the streets. When I was in the village, on my way, I met a contractor who worked in a certain county. It is now ten years, but he is yet to be paid. These are things we do not want to hear. When we allocate more money, we also need accountability from the counties. They need to give priority to some of these things.

Once passed, this Bill will help our community, and also support our people. With good oversight and the governors being accountable, we will help this country.

Thank you, Hon. Temporary Speaker. I support.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omanyo, Member of Parliament for Busia County.

Hon. Catherine Omanyo (Busia County, ODM): Thank you, Hon. Temporary Speaker.

I support this Bill. It is long overdue. The counties are suffocating with so much baggage. I cannot even start counting. If they are given additional funds, I just pray that this time round, anything that is budgeted and programmed is done exactly how the budget intended. I fail to understand why we have pending bills, yet there was a budget for it, that was approved. If the money comes even after delays, then every detail on the budget should be ticked. I wonder why we have pending bills. It has become the excuse for all counties on why things are at a snail's speed. We need to strengthen our control mechanisms and accountability. We should also look into eliminating wastage. It is just too much.

In Busia County, once these funds are allocated, we will no longer have the problems of water shortages in places like Teso North where women and children move to Bungoma County to seek for this commodity. They walk miles, far away searching for a river. We have a hard pan on the northern side of Teso North. Even if you drill a borehole, you will not get water. We have Malakisi River that has enough water and this money can be used to pipe water into homes. It is possible. How do developed nations come into play when it comes to things like these? It is by piping water. Water from Malakisi and across the sub-county, including the nearest sub-counties should be treated and piped. If we started piping bit by bit into homes, by the end of five years, all homes in my county will be receiving clean and safe water.

We have CHVs who have been doing a lot including assisting doctors and nurses. Places that doctors have not reached, these CHVs have. They understand every home that needs attention, be it in terms of health or other counselling issues. They step in to help where the doctors cannot. We have few doctors in the county. You can find that one psychiatrist is handling over 400 cases. We cannot lie to ourselves that one psychiatrist can handle all those cases. These CHVs need to be supported. They are demoralised by not being supported. They are not even remunerated.

I am praying that when this money hits the accounts in the counties, those who have been there volunteering, will benefit. I see most of them carrying books because they do not have phones or laptops and are not trained on how to keep data. They register a name physically, the way class teachers used to do before the era of computers. They know well those who need attention with their challenges, both physically and mentally. I hope when these funds hit the accounts, volunteers who have been there will not be left aside, just because money has surfaced; that other people who have no clue, will get it. All the CHVs know each other and know their own caucus across the county. Those are the people who ought to be the beneficiaries. If you motivate such people, a lot of gaps will be filled. Just as I mentioned, not all doctors and nurses will get into remote areas to help out with medication and counselling.

Besides the CHVs and water, there is the health sector. Just the other day, we had a terrible accident. Kolanya Boys, a school that is well known, was involved in an accident. Students were rushed to a small hospital called Kocholia Sub-County Hospital and unfortunately, there were no beds and medicine. The basic equipment that a normal hospital has, was lacking. The boys were thrown on the floor like logs. When this money is added, all the dispensaries however small from the sub-counties to the referral hospitals in the counties, must be well equipped.

Doctors, nurses, clinical officers and anyone in the medical field should be paid on time. If you delay remuneration for anybody, be it the president or the village elder, you have

slowed work. They also have needs. They are parents and guardians taking care of many other people. For anybody to give their services adequately, they need to be paid on time all the time.

We also have the court fines under the pending bills. It is crazy. You can get one county that has such bills running into billions. The lawyers are fatter than the workers in the counties. They get more money than the real workers in the counties. Go to any county now and ask the workers when they last received their salaries. It is frustrating that a man wakes up every day to go to work. He has a good wife and children who see him in a suit, leaving for work each day, yet, they are unable to pay school fees. The children have even been chased from school because their fathers, who purport to be working, have nothing to show that they earn a salary.

The counties need support. We should not kill devolution. Accountability is paramount. We want our counties to look like cities. The President is one for the country, but in the counties, our 'president' is the governor. We should reach a town and note the difference. If you come to my town, Busia, after 6.00 p.m., you will find that even the streetlights are not working, and when you move out of the town, you find that most of the roads are not tarmacked. Whenever there is rain, it is a tall order to make it home safely. That is why we have too many accidents every now and then.

I support this Bill, hoping that when we finally have more money allocated to the counties, we will cajole our governors to spend every dime accountably.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Joseph Kahangara.

Hon. Kahangara Mburu (Lari, UDA): Thank you, Hon. Temporary Speaker for giving me an opportunity to also add my voice to the County Governments Additional Allocations Bill.

From the outset, I am in support of this Bill. Devolution was brought about so that it can bring funds closer to the people. That way, people do not have to come to Nairobi, the central government, looking for funding. On this particular one of the additional funds, I am in support of the CAIPs. When we were campaigning, this was one of the agenda items; that we are going to have industrial parks in every county which are meant to help on issues of value addition. That whatever we are producing in our farms, we are able to add value and they will now get into the market, probably stay longer and we can reach out to more markets. Therefore, I am in support.

On the CHPs, they were also supposed to be paid by the county governments. Remember CHPs are visiting our homes and offering services which our people would actually not reach other than when they go to hospitals or dispensaries. Now that half of their pay has been coming from the national and county governments, the national Government has been remitting their money but county governments are not paying them. Because of the kind of work they are doing, and I know that these people have been suffering while offering very good services to people right in our homesteads, I support the County Governments Additional Allocations Bill.

However, Hon. Temporary Speaker, as I said, devolution was to bring funds closer to the people, I would also say that we have a problem with our counties, governors and usage of the funds that are given to our counties. You will find that the county government workers are staying for months without getting their salaries. We have very many pending bills. In the last ten years that we have had devolution, there are pending bills. Some people have died while others have had their properties auctioned by banks simply because they work for county governments and they have not been able to pay them up to date. This shows that the kind of work the county governments are doing by giving contracts when they do not have funds, is something that we might call out governors, and tell them that it must come to an end.

Remember in devolution, we have the functions which are shared between the national Government and the county governments. Among them is the provision of water in our areas.

For example, in my area and Kiambu County for that matter, you will find that for ten years, there is no single water project that has been done by the county government and yet it is getting money for this particular project. In Kiambu, we have very many roads which are under the county government, but today you will find the governor distributing chicks, piglets and very many other things. Our people can afford to buy chicks for themselves. We are supposed to fix the roads so that they are able to get their produce to the market, but this is not happening.

We want to call out the governors and tell them that there is work that is cut out for them, and it is exactly what we expect them to do. The Government brought in subsidised fertiliser. Initially, it was under the National Cereals and Produce Board (NCPB). Again, it has been taken to the county governments. Today, my people are going to Naivasha to get fertiliser because the county government is unable to get it to them. But the governor is going round giving people handouts, and not really, looking at the issues that concern the citizens. We do not have medicine in our dispensaries that were put up using NG-CDF. Today, our people have to go to private hospitals and chemists to buy medicines because we do not have them in our hospitals.

As I wind up, because I can see that time is running out, let me also say that we have seen the kind of work that has been done in our constituencies since NG-CDF was introduced in this country. I will give an example of Kiambu County, where the 12 constituencies in total, are getting about Ksh2 billion per year. Our county government is getting Ksh15 billion from the central kitty. If you go to every village, there is a project of NG-CDF. You can go to some places where there is no project that has been done in the whole ward for the last two years. If you look at some wards, you will find that nothing has been done by these counties for the last ten years. We, therefore, must tell the governors that we are giving them the money but it should be used prudently.

As a country, moving forward, we have to look at the way funds are being used in our counties and whatever money they are collecting themselves. Of course, the county councils used to do better than what is being done today for the simple reason that there is money that is going to people's pockets and not really working for the people. As a country, we need to stop this pilferage where money is being siphoned. We should even call upon Ethics and Anti-Corruption Commission (EACC) to look into these counties and see what is happening to the money that has been given from the central kitty and whatever is being collected from the counties.

Hon. Temporary Speaker, thank you very much. I am in support of the Bill.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Timothy Toroitich.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you, Hon. Temporary Speaker.

I rise to support the County Governments Additional Allocations Bill (National Assembly Bill No.2 of 2025). This is a very important piece of legislation because it allocates resources beyond the equitable share that we normally have. I have checked the schedule and this Bill allocates money that accrues out of court fines, grants, and loans from development partners and other international bodies.

Of importance, if you look at Clause 3 of the Bill, it says that The National Treasury shall facilitate any agreement between a county government and a development partner, and shall table agreements in the National Assembly and Senate, before inclusion in this Bill. Therefore, this parameter of checking where the National Assembly approves this Bill, is very important. It will ensure that county governments do not enter into agreements with development partners without the National Assembly's approval. I think that is a very important provision under the Public Finance Management (PFM) Act and also under this Bill. Any agreement entered into by the county government and other partners is subject to approval before this House. That is a very progressive legislation or provision of law that

was put to limit county governments from engaging partners without the approval of this House.

Hon. Temporary Speaker, I have heard Members here lamenting that there is a lot of pilferage and wastage by county governments. In my opinion, the problem goes to the design and the architecture of the Constitution of this country. We gave ourselves our Constitution without thinking deeply on how it will affect us as a country. The wastage we are talking about in the county government, is brought about by the design and architecture of our Constitution. We need to ask ourselves the role of the county assemblies in this country. The primary oversight of the county government is the county assemblies. We have a problem with adhering to the Constitution even in this House. We have county assemblies that do not have the minority groups. Performing oversight role becomes very difficult in a county assembly where 100 per cent of the members are elected from the party on which the governor is elected.

We have to re-look at...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Timothy Toroitich, you will have seven minutes the next time the House convenes to deliberate on this particular Bill.

Let us be upstanding, Hon. Members.

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, the time being 7.03 p.m., this House stands adjourned until Wednesday, 12th March 2025 at 9.30 a.m.

The House rose at 7.03 p.m.

*Published by
Clerk of the National Assembly
Parliament Buildings
Nairobi*