

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 3<sup>rd</sup> May 2018

The House met at 9.30 a.m.

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

### PRAYERS

### QUORUM

**Hon. Deputy Speaker:** Hon. Members, we do not seem to have the required quorum. Therefore, I order the Quorum Bell to be rung for 10 minutes.

*(The Quorum Bell was rung)*

Order, Hon. Members! We have the required quorum now. So, we can start business. Hon. Ngunjiri, take your seat.

### PETITION

#### LIFTING OF BAN ON LOGGING/HARVESTING OF MANGROVE TREES

**Hon. Deputy Speaker:** In that Order we have, almost as usual, Capt. Ruweida Mohamed Obo, Member for Lamu. There are too many petitions coming from you nowadays.

**Hon. (Ms.) Obo:** Hon. Deputy Speaker, that is why I am here; *kutetea watu wangu*.

**Hon. Deputy Speaker:** What are the rest of the Members doing? Okay, proceed.

**Hon. (Ms.) Obo:** I, the undersigned, on behalf of the residents of Lamu County, draw the attention of the House to the following:

THAT, mangrove trees are assemblage of salt tolerant trees and shrubs that grow in the inter-tidal regions of the tropical and subtropical coastlines;

THAT, mangrove trees grow luxuriantly in places where freshwater mixes with seawater and where sediment is composed of accumulated deposits of mud;

THAT, mangrove trees protect vulnerable coastlines from wave action because they hold the soil together and prevent coastal erosion;

THAT, mangrove forests provide homes for several species of plants and animals;

THAT, in Kenya, mangrove forests are largely located in Lamu County;

THAT, recently, the Government imposed a ban on logging and harvesting of trees in the country;

THAT, residents of Ndau, Kiwayu, Faza, Kizingitini, Pate, Siyu, Manda, Kizuke and Mkunumbi have since time immemorial entirely depended on logging of mangrove forests for their livelihood;

THAT, following the ban, more than 15,000 families been affected and are living in abject poverty;

THAT, loss of livelihood has caused rise of insecurity in Lamu County;

THAT, efforts to resolve this matter with the relevant Government agencies have been futile; and,

THAT, the matter presented in this Petition is not pending before any tribunal, court of law or independent body.

Therefore, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Environment and Natural Resources –

(i) Investigates and inquires into the matter with a view to causing the Government to lift the ban on harvesting of mangrove trees; and,

(ii) makes any other further order(s) or direction(s) that is deemed fit in the circumstances of the petitioners.

And your petitioners will forever pray.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** I will give two Members opportunity to comment on it and then we will proceed. Let us start with Hon. Opiyo Wandayi. I really do not know what it is with you and the mangroves.

**Hon. Wandayi:** Hon. Deputy Speaker, thank you very much for your consideration. This Petition is, obviously, very weighty. It is weighty in the sense that as we speak, we know there is a ban on logging and harvesting of trees or forests across the country, namely, forests on public and community lands. I am worried because if we start entertaining petitions that seek to have the ban on logging lifted in piecemeal, then we will land in a problem. So, my take would be that perhaps this Petition could have been brought here in the context of the ban generally on logging of forests and forest products.

I am aware that a taskforce was set up by the Government to look into this matter and the taskforce has since tabled a report. I am not sure what kind of a report it has tabled. It has since submitted a report to the Government. It will be important for this House to interrogate that report for it to be able to act out of proper information. Without really attempting to forestall the Petition by my colleague, I wish to suggest that that Petition be stood down until and unless we have looked at that report of the taskforce.

**Hon. Deputy Speaker:** Politics is fairly local, though, of course, this is not a House of politics. Hon. Ruweida has brought something that touches her people. Now if you really wanted to make it broader, you know you also have the right of doing the same. I am not saying that it should be ruled one way or the other because we will refer it to the Committee anyway. You will have an opportunity to go there and canvass your position. The Members who want to speak should use the intervention slot.

Coming first is Hon. Kipkosgei. I can see there is some interest. So, I will give the Floor to two more Members.

**Hon. Washiali:** On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is your point of order, Hon. Washiali? Hon. Kipkosgei has not even spoken.

**Hon. Kipkosgei:** Hon. Deputy Speaker, I have not even opened my mouth.

**Hon. Deputy Speaker:** Probably it is something to do with the previous speaker. You will have your time anyway.

**Hon. Washiali:** Thank you, Hon. Deputy Speaker, for this opportunity. I rise on a point of order to inform the House that the Departmental Committee on Environment and Natural Resources has a report that is ready to be tabled by Hon. Chachu Ganya. I think we should allow Hon. Chachu Ganya to table the report, so that Members do not start debating an issue that is already seized by the Committee. I think it will help this House than just raise issues that actually can be solved by the report, which is already with the Departmental Committee on Environmental and Natural Resources.

**Hon. Deputy Speaker:** Let me hear Hon. Kipkosgei first and then we will see how it goes. Of course, lastly, I will give the Floor to Hon. Ganya to confirm whether Hon. Ruweida's Petition is captured in his report.

**Hon. Rono:** Thank you, Hon. Deputy Speaker. Whereas I share the same sentiments with my colleagues, there has been a partial lift of the ban on logging particularly for private citizens who own forests. If anything, a precedent has been set and so, we can as well do the same for Lamu Forest, which depends on the particular mangrove trees.

I support the Petitioner.

**Hon. Deputy Speaker:** Let us hear from Hon. Chachu. Who is this Member who has put up his hand very vigorously?

**Hon. Ganya:** Thank you, Hon. Deputy Speaker. As the Departmental Committee on Environment and Natural Resources, we are fully seized of this matter. For the last one-and-a-half months, we have been conducting a serious investigation into these issues. I am just about to table a report on behalf of the Committee. While I do not want to anticipate debate according to our Standing Orders, I assure the Member for Lamu and others that we are seized of those issues. Some of the recommendations that the Committee will make are likely to address the critical issues that the Member and others have raised in this House. Once we are given an opportunity, we will table the report, debate it and ensure its implementation through the Committee on Implementation. We are fully seized of this matter as an organ of this House.

**Hon. Deputy Speaker:** Listening to that and the fact that the Committee is about to table a report, since it has not been tabled and Hon. Ruweida presented her Petition earlier than the tabling of the report, there is no harm in referring that Petition to the Committee. The Committee will discuss it anyway. If the issue in the Petition will have been captured by that specific report, Hon. Ruweida will be informed accordingly. That will be part of your report. We can proceed with it.

For Hon. Kipkosgei, the mangrove tree is not private. I am told it is not planted by human beings. It is natural. Let us give her an opportunity to canvas her position before the Committee like many Members have suggested.

Let us proceed to the next Order.

### PAPERS LAID

**Hon. Deputy Speaker:** I can see the Leader of the Majority Party has quite a handful on this. Proceed.

**Hon. A.B. Duale:** Hon. Deputy Speaker, I beg to lay the following Papers on the Table: The Address of His Excellency the President delivered on Wednesday, 2<sup>nd</sup> May 2018.

Report on Measures taken and Progress Achieved in the Realisation of National Values and Principles of Governance by His Excellency Hon. Uhuru Kenyatta, C.G.H, President of the Republic of Kenya and Commander-in-Chief of the Defence Forces.

Annual Report to Parliament on the State of National Security by His Excellency Hon. Uhuru Kenyatta, C.G.H, President of the Republic of Kenya and Commander-in-Chief of the Defence Forces.

Report to Parliament on Progress Made in Fulfilling the International Obligations of the Republic of Kenya by His Excellency Hon. Uhuru Kenyatta, C.G.H, President of the Republic of Kenya and Commander-in-Chief of the Defence Forces.

The Budget Summary for the Fiscal Year 2018/2019 and the Supporting Information from the National Treasury.

The 2018/2019 Estimates of Revenue Grants and Loans of the Government of Kenya for the year ending 30<sup>th</sup> June 2019.

The 2018/2019 Estimates of Recurrent Expenditure of the Government of Kenya for the year ending 30<sup>th</sup> June, 2019 – Volume I (Votes R1011 - R1162).

The 2018/2019 Estimates of Recurrent Expenditure of the Government of Kenya for the year ending 30<sup>th</sup> June 2019 – Volume II (Votes D1165 – D2151).

The 2018/2019 Estimates of Development Expenditure of the Government of Kenya for the year ending 30<sup>th</sup> June 2019 – Volume I (Votes D1011 - D1081).

The 2018/2019 Estimates of Development Expenditure of the Government of Kenya for the year ending 30<sup>th</sup> June 2019 – Volume II (Votes D1091 - D1096).

The 2018/2019 Estimates of Development Expenditure of the Government of Kenya for the year ending 30<sup>th</sup> June 2019 – Volume III (Votes D1107 – D2111).

The 2018/2019 Programme Based Budget of the Government of Kenya for the year ending 30<sup>th</sup> June 2019.

The 2018/2019 Annex of Estimates of Revenue and Expenditure for State Corporations of the Government of Kenya for the Financial Year ending 30<sup>th</sup> June 2019 from the National Treasury and Ministry of Planning.

The 2018/2019 List of Projects by Programmes of the Government of Kenya for the year ending 30<sup>th</sup> June 2019.

The Submission of the Statutory Six Months Preference and Reservation Report for the Period July to December, 2017 - (pursuant to Section 157(12) and (13) of the Public Procurement and Asset Disposal Act, 2015) - by the Public Procurement and Assets Disposal Authority.

**Hon. Ng'ongo:** On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is your point of order, Leader of the Minority Party?

**Hon. Ng'ongo:** Thank you, Hon. Deputy Speaker. I really appreciate the efforts of the Leader of the Majority Party to table the Budget Estimates for the 2018/2019 Financial Year.

I am aware that the Constitution talks about the Cabinet Secretary submitting those documents to Parliament at least two months before the end of the financial year. The spirit of the Constitution was that those Estimates need to be tabled in Parliament and the National Assembly before the end of April. Even though it is not explicitly stated that the House should be seized of the Budget Estimates, by placing the deadline for tabling on 30<sup>th</sup> April or at least two months before the end of the financial year, the spirit of the Constitution was that this House needs to be seized of those Estimates on or before 30<sup>th</sup> April every financial year.

I just wanted to get two clarifications from the Leader of the Majority Party. First, I would like to know whether the Cabinet Secretary met the deadline when he forwarded those Estimates to Parliament. The Leader of the Majority Party needs to communicate to the National Treasury that they need to bring those Estimates in good time so that they are tabled in Parliament before the end of April. Today is 3<sup>rd</sup> May 2018. Once those Estimates are submitted to Parliament by the Cabinet Secretary, the Leader of the Majority Party can decide to take a month with them. What safeguards are there to ensure that before the end of April, the Estimates are tabled in Parliament so that the House and the Budget and Appropriations Committee are seized of them? If you read the provisions of the Constitution, it says that immediately the Estimates are tabled, the Budget and Appropriations Committee is supposed to take charge and start looking at them. I just want to cure mischief where the Leader of the Majority Party may decide to stay with those documents - even for one-and-a-half months - and submit them to the House towards the end of June and we will not have time to interact with them.

**Hon. Deputy Speaker:** Unfortunately, the Constitution is interested in the submission. The tabling can be done later.

Let us hear what the Leader of the Majority Party wants to say. As far as we are concerned, the Report must have been tabled by 30<sup>th</sup>, which I can confirm it was done. You are aware that it could not have been tabled yesterday. The Leader of the Majority Party tabled it in the next available opportunity, which is this morning. Let us see what the Leader of the Majority Party wants to say.

**Hon. A.B. Duale:** Thank you, Hon. Deputy Speaker. Let me go on record that the CS for the National Treasury complied with the provisions of the Constitution which is to submit the Budget Estimates 60 days before the end of the financial year. I can confirm that he submitted them on Monday, 30<sup>th</sup> April 2018. Monday was not a parliamentary sitting day. Listen to me, Hon. Mbadi, because you know what we do in this House. We consult. Tuesday was a public holiday and Wednesday was a Special Sitting of both Houses. To make it clearer, Standing Order No.235 (3) says:

“The Estimates and related documents submitted under Paragraph (1) and (2) shall be tabled in the National Assembly within three days of submission.”

That makes my work very easy. I had the choice to bring it in the afternoon or tomorrow, if there was another sitting. I should table the Budget Estimates within three days from the day of sitting. Today is the first day, but because we are going on recess, I will table them. I want to tell Hon. Mbadi that he has issues with the National Treasury. Last time, they told us that they were not ready to bring the Budget Estimates at that time. They asked the Speaker and I whether they could bring them later. We told them that if they want to bring them later than 60 days, they need to amend the Constitution because it is the one that says so. Standing Order No. 235(3) provides so. The House is in order. We received the Budget Estimates on Monday. If you allow me, I can table them.

**Hon. Deputy Speaker:** Proceed and table them.

*Hon. A.B. Duale laid the Documents on the Table*

Let us go to the next Report by the Chairman of the Budget and Appropriations Committee.

**Hon. Ichung'wah:** Thank you, Hon. Deputy Speaker. Before I table my Paper, let me also take this opportunity to thank the Leader of the Minority Party for raising the point of order and the Leader of the Majority Party for giving a very good answer.

If you allow me, let me remind all chairpersons of committees that they have exactly 21 days from today to consider these Budget Estimates, meet with their MDAs and submit a report to the Budget and Appropriations Committee in the third week of May.

**Hon. Deputy Speaker:** Avoid using shorts terms like MDAs. You must tell them what exactly this is.

**Hon. Ichung'wah:** Sorry, Hon. Deputy Speaker. MDAs are ministries, departments and agencies. They should interact with them, consider the Estimates and table a report before the Budget and Appropriations Committee hopefully by 24<sup>th</sup> May.

I also want to take this opportunity to remind the Members that this long recess is for working to consider the Budget Estimates. Therefore, they may not have a lot of time to meet their constituents. I want to encourage them to hang around Nairobi and engage with their ministries, departments and agencies.

**Hon. Deputy Speaker:** Lay the Papers now, alumnus of Alliance High School.

**Hon. Ichung'wah:** Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Budget and Appropriations Committee on the Estimates of Revenue and Expenditure from the Equalisation Fund for the Financial Year 2017/2018.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Let us go to the next Member, Hon. Chachu, who will lay the Paper on behalf of the Departmental Committee on Environment and Natural Resources.

**Hon. Ganya:** Hon. Deputy Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Departmental Committee on Environment and Natural Resources on the inquiry into the forest resource management and logging activities in Kenya.

**Hon. Deputy Speaker:** Next Order.

## NOTICES OF MOTIONS

**Hon. Deputy Speaker:** Leader of the Majority Party.

**Hon. A.B. Duale:** I do not have a Notice of Motion.

**Hon. Deputy Speaker:** You do not have any. Let us have the Notice of Motion from the Budget and Appropriations Committee. There is also another one from the Leader of the Majority Party.

## ADOPTION OF REPORT ON ESTIMATES OF REVENUE AND EXPENDITURE FROM THE EQUALISATION FUND

**Hon. Ichung'wah:** Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Estimates of Revenue and Expenditure from the Equalisation Fund for the Financial Year 2017/2018, laid on the Table of the House on Thursday, 3<sup>rd</sup> May 2018, and pursuant to Article 204 of the Constitution and

Standing Order 235(5) approves the withdrawal of Kshs.11,977,764,688 from the Equalisation Fund that consists of:

- (i) Kshs428,162,930.40 for Recurrent Expenditure; and,
- (ii) Kshs11,549,601,757.60 for Development Expenditure.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Leader of the Majority Party.

#### THANKS FOR THE PRESIDENTIAL ADDRESS

**Hon. A.B. Duale:** Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Standing Order No.24 (6), the thanks of this House be recorded for the exposition of public policy contained in the Address of His Excellency the President delivered in Parliament on Wednesday, 2<sup>nd</sup> May 2018 and further notes the following Reports submitted by the President in the fulfilment of the provisions of Articles 132(1) (b) and 240 (7) of the Constitution, laid on the Table of the House on Thursday, 3<sup>rd</sup> May 2018:

(a) Report on the Measures Taken and Progress Achieved in the Realisation of National Values and Principles of Governance;

(b) Report on the Progress Made in Fulfilment of the International Obligations of the Republic; and,

(c) The Annual Report to Parliament on the State of National Security.

**Hon. Deputy Speaker:** Hon. Ganya.

#### REPORT ON INQUIRY INTO FOREST RESOURCE MANAGEMENT AND LOGGING ACTIVITIES

**Hon. Ganya:** Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Inquiry into the Forest Resource Management and Logging Activities in Kenya, laid on the Table of the House, today, Thursday, 3<sup>rd</sup> May 2018.

**Hon. Deputy Speaker:** Next Order. Before you proceed, Hon. Ichung'wah, let me recognise students from Chianda High School, Rarieda Constituency, Siaya County, who are seated in the Public Gallery. This is the constituency which is represented by Senior Counsel, Hon. Otiende Amollo.

Proceed Hon. Ichung'wah.

#### PROCEDURAL MOTION

##### REDUCTION OF PUBLICATION PERIOD A BILL

**Hon. Ichung'wah:** Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, notwithstanding the provisions of Standing Order No.120, this House resolves to reduce the publication period of the Supplementary

Appropriation (No.2) Bill (National Assembly Bill No.15 of 2018) from seven to three days.

I wish to call upon the Leader of the Majority Party to second the Procedural Motion.

**Hon. Deputy Speaker:** Leader of the Majority Party is a very senior Member. You could have picked someone else to second. Proceed, anyway.

**Hon. A.B. Duale:** Hon. Deputy Speaker, I totally agree with Hon. Pukose. He is saying that Hon. Ichung'wah is relegating me.

Hon. Deputy Speaker, I beg to second the Procedural Motion. It is a very simple Procedural Motion. We are going to deal with the Appropriation Bill in all the three stages. All we need to do is to reduce the publication period by getting the go ahead from the House to deal with the First Reading, Second Reading and the Third Reading.

This afternoon, I want Members, more so the pastoralists, to be present because we are going to deal with the Equalisation Fund. We also ask the House to reduce the publication period.

Every time we go on recess, we make sure that we deal with any pending business, so that nobody will follow the leadership of the House, namely, the Speaker and the Clerk.

I beg the House to agree with us to reduce the period of publication. I second.

*(Question proposed)*

*(Hon. Cheptumo stood on the gangway)*

*(Hon. ole Sankok spoke off record)*

**Hon. Deputy Speaker:** Order! I am not bothered about Hon. Cheptumo. I am more interested in Nominee 001. You are out of order. I might actually make you stand and walk out of the House. That is the last warning. By the way, Nominee 001, the Speaker stands and sits at his own pleasure and not at the pleasure of anybody.

*(Question put and agreed to)*

Next Order.

## MOTIONS

### RATIFICATION OF THE AFRICAN CONTINENTAL FREE TRADE AREA AND TRIPARTITE FREE TRADE AREA AGREEMENTS

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the consideration of the African Continental Free Trade Area (AFCFTA); and, the Tripartite Free Trade Area (TFTA) Agreements, laid on the Table of the House on 26<sup>th</sup> April 2018, and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, approves the ratification of the African Continental Free Trade Area (AFCFTA); and, the COMESA/EAC/SADC Tripartite Free Trade Area (TFTA) Agreements.



*(Hon. Onyiego on 26.4.2018)*

*(Debate concluded on 26.4.2018 – Afternoon Sitting)*

**Hon. Deputy Speaker:** I confirm that we have the required quorum.

*(Question put and agreed to)*

#### ESTABLISHMENT OF CIVIL REGISTRATION CENTRES IN EVERY CONSTITUENCY

THAT, aware that every birth in Kenya must be registered by the Department of Civil Registration Services and documented through a Birth Certificate; further aware that subsequent registration of citizens and acquisition of documentation such as identity cards and passports, school admissions, registration of exams, and access to opportunities such as employment depends and relies on birth certificates; deeply concerned that the Department of Civil Registration Services has over time experienced backlogs in the issuance of birth certificates as a result of among other factors, inadequate personnel, unwillingness to embrace Information Communication and Technology (ICT), inadequate funding, and inadequate materials used in registration of persons; further deeply concerned that registration services are not easily accessible to majority of Kenyans owing to the few registration centres in place, this House urges the Government to consider establishing civil registration centres in every constituency and ensure full implementation of the Kenya Citizens and Foreign Nationals Management Service Act, 2011.

*(Hon. (Ms.) Wanjira on 18.4.2016)*

*(Debate concluded on 25.4.2018 - Morning Sitting)*

**Hon. Deputy Speaker:** I confirm that we have quorum.

*(Question put and agreed to)*

#### CREATION OF RAIN WATER COLLECTION AND STORAGE MANAGEMENT SYSTEMS

THAT, aware that the Fourth Schedule of the Constitution provides for the protection of the environment and natural resources and in particular water protection, securing sufficient residual water among others by the national Government; further aware that the existence of abundant water during rainy seasons goes to waste uncollected; deeply concerned about the destructive nature of the said excess water on roads, buildings and other infrastructure including loss of lives in the cities and major towns; cognisant of the fact that during dry periods, there is always rationing of water due to low water levels in the reservoirs that serve the cities and major towns; this House urges the Government

to consider creating water collection and storage management systems in the cities and major towns in Kenya.

*(Hon. Macharia on 12.4.2016)*

*(Debate concluded on 25.4.2018 - Morning Sitting)*

*(A Member stood in the aisle)*

**Hon. Deputy Speaker:** Order Members! Stand where you are and freeze like in the fridge.

What remained of this Motion also was the Question to be put and I confirm that we have the required quorum.

*(Question put and agreed to)*

## CONSIDERATION OF REPORT AND THIRD READING

### PHYSICAL PLANNING BILL

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Physical Planning Bill (National Assembly Bill No. 34 of 2017)

*(Question put and agreed to)*

**Hon. Deputy Speaker:** I call the Mover to move Third Reading

**Hon. A.B. Duale:** Hon. Deputy Speaker, I beg to move that the Physical Planning Bill, National Assembly Bill No.34 of 2017 be now read a Third Time.

I ask Hon. Pukose, Member for Endebess, to second because I cannot see the Chair and the Vice-Chair of the Committee.

**Hon. Deputy Speaker:** Proceed and second.

**Hon. (Dr.) Pukose:** Hon. Deputy Speaker, I beg to the second.

*(Question proposed)*

**Hon. Deputy Speaker:** I confirm that we have quorum.

*(Question put and agreed to)*

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

**Hon. Deputy Speaker:** Next Order

## BILL

*First Reading*

## THE SUPPLEMENTARY APPROPRIATION (NO.2) BILL

*(Order for First Reading read - Read the First Time - Ordered to be read the Second Time today by leave of the House)*

*Second Reading*

## THE SUPPLEMENTARY APPROPRIATION (NO.2) BILL

**Hon. Ichung'wah:** Hon. Deputy Speaker, I beg to move that the Supplementary Appropriation (No.2) Bill (National Assembly Bill No.15 of 2018) be now read a Second Time.

I take this opportunity to thank all the Members, through their respective committees, for the immense work they put in within a very short time for us to be able to finish these reports and prepare this Bill. Without saying much, we tabled the Report before this House last week on Thursday and Members were gracious enough to pass the Bill in a record time of less than 15 minutes.

The Committee has observed that some of the expenditures as proposed in the Supplementary Appropriation Bill, 2018, do not meet the criteria of Article 223 of our Constitution. As we have pointed out in our Report, the Committee is deeply concerned with the application of this Article on areas that are not of emergency or unforeseen nature in any way. This is particularly with regard to land compensation for Ruaraka High School and Drive-Inn Primary School as well as allocation for purchase of CT Scanners in the Ministry of Health. It is worth noting that Article 223 of the Constitution explicitly provides for only emergency and unforeseen circumstances for the application of this Article. We have observed, with a lot of concern that the National Treasury continues to use this Article to cater for payments that are not of emergency or unforeseen nature in any manner.

Secondly, the Committee notes with concern that development spending is always compromised in every financial year and only a portion of the original budgeted sum actually ends up being utilised for development purposes. Although it is indicated that the development budget cuts are due to lower absorption, it is a fact that drastic and broad-based cuts on Development Expenditure is a recurring phenomenon in almost every budget year.

*[The Deputy Speaker (Hon. Cheboi)  
left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Tuya) took the Chair]*

This problem confirms emerging budget credibility weaknesses. Therefore, again, it should be on this House to implore the National Treasury and the ministries, departments and agencies (MDAs) to hasten the absorption of development funds so that we can implement development projects, especially with the President's call yesterday on this House to support his Big Four Agenda. It will be imperative that all MDAs ensure that where we allocate funds for

development, money is absorbed within the financial year that it has been allocated. Therefore, with these concerns, and given the investigations surrounding the payment of land for compensation for Ruaraka High School and Drive-Inn Primary School, the Committee has recommended that the Supplementary Appropriation Bill for 2017/2018 be amended so as to exclude Kshs1.5 billion for land compensation for Ruaraka High School and Drive-Inn Primary School.

Further, the Committee recommends that no future allocation shall be made towards this land until completion of the investigations being conducted by the relevant committees of this House, and by any other investigative agencies. We shall be bringing that amendment during the Third Reading this afternoon, hopefully, if Members agree with the Committee this morning.

I want to reiterate the words of His Excellency the President yesterday: That we must get to a situation in this country where issues pertaining corruption or misappropriation of public funds are dealt with decisively. Therefore, without naming anybody, it was the feeling of my Committee that since the matter of Ruaraka High School and Drive-Inn Primary School is under investigation, not just by a committee of this House but also by a committee of the other House, we allow those committees to conclude their work before we approve the payment notwithstanding the concerns we have noted on the application of Article 223. You would ask yourself what it is that was so urgent for land to be paid for using Article 223 while the same would have been brought under the Annual Estimates, which were just months away. We are talking about less than two months away. Therefore, if this payment was done in January this year, there was time for the Ministry concerned and the National Land Commission (NLC) to allow those who oversee public funds in the Committee of Lands to interrogate that payment.

Therefore, we do not want, as the Budget and Appropriations Committee, to be seen to be allowing the Government to appropriate funds outside the constitutional framework as provided under Article 223. We have observed and recommended to this House that we hold on the approval of that payment. The question that begs is what happens since this money has already been expended. We have deliberated, as a Committee, on that issue since the money has already been expended and we came to the conclusion that as much as it has been paid, as a Committee, we do not know until the other committees finish their investigations. We consider the payments illegitimate until the other committees conclude their investigations. Should that payment be seen to be okay, in the wisdom of the other committees that are investigating the matter, then the National Treasury, the Ministry of Education, Science and Technology and the NLC will be at liberty to bring back the same appropriation for approval. Our Committee will be more than willing when all is well. We do not want to be the ones to jeopardise the ongoing investigations.

It is also instructive that this House must not only act in unison, but to borrow President Uhuru's words, in unanimity. The right hand of this House, being the Budget and Appropriations Committee, must know what the left hand is doing. Therefore, because we must work in unison, it is only befitting that we accord the other committees investigating this matter the respect they deserve by according them an opportunity to interrogate all these payments. We do that in the spirit of what His Excellency the President said before this House during his State of the Nation Address that even as Members of Parliament, as the people who oversee Government, we must take charge to ensure that we safeguard public interest and public resources.

With those remarks, I beg to move and ask my Vice-Chair, Hon. Musa Lessonet, to second.

**Hon. Lessonet:** Thank you, Hon. Temporary Deputy Speaker, for this opportunity. I want to correct my Chair that my name is Moses. Musa was in the Old Testament and we are now in the new things.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): I thought Moses and Musa can be used interchangeably.

**Hon. Lessonet:** For the purpose of reference to me, it is better when we just use the one I have alluded to.

I thank the Members of the Budget and Appropriations Committee for rising to the occasion and putting their foot down on the matter of the Kshs1.5 billion that was paid out in respect of some land in Ruaraka. As a Committee, we did not see any emergency in that payment. There was no eviction order made to the schools, and nobody had gone to court to attempt to evict those schools. There was nothing to warrant that payment in breach of the provisions of Article 223 of the Constitution. Article 223 can only be used if the House is not sitting. When the payments were made, the House was sitting. The Cabinet Secretary could have easily brought that request to this House for approval. It also requires that even in case the House is not sitting, the CS should bring it within two months for our approval. That was not done.

The two months' period has lapsed. That is why the Budget and Appropriations Committee is seeking the support of this House to stop that payment until all committees which are investigating, including the Auditor-General (AG), give us their opinion. Then, this House can make a good decision at that time.

Hon. Temporary Deputy Speaker, we also want to speak to other committees. When you look at the Departmental Committee on Lands, they have already okayed that payment. They have already brought it into the budget. While interrogating the Supplementary Appropriation (No.2) Bill (National Assembly Bill No.15 of 2018), the Departmental Committee on Lands indicates that it is good to pay. We also want the Departmental Committee on Health to go further and look at a payment which, although the Budget Office has approved in the Supplementary Budget, we want further investigations on purported acquisition of 37 scanners for 37 hospitals in Kenya where provisions of Article 223 of the Constitution have been used. We also do not see the urgency for the use of that Article 223. While we have used Article 223 to make a payment of Kshs1.7 billion to some Chinese company, it is possible the scanners will not have arrived in Kenya by the end of this year. I say that because when you look at history, we still have several containers stuck in Mombasa for so many years. We do not know when the containers that were paid for will arrive or whether Article 223 was used.

As I finish, we also want to let the National Treasury know that there is a big component of the budget which does not come to this House. It only comes to this House when it is a mandatory payment. If we are doing a project using loans or donor money, we do not sit in this House. We only sit at the tail end when it is payment of that loan or payment of interest in respect of that loan. During the process of agreeing that the project needs to be done, we are not involved. That is why the BAC will be proposing amendments to the Public Finance Management (PFM) Act to require that donor funded projects, projects which are funded through loans and all the ones we see in newspapers designed as 'financed and built by...' need to come to this House beforehand so that we can exercise our mandate in budget making.

With those remarks, I beg to second the Bill. Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Order, Members.

*(Question proposed)*

I have quite a number of requests. I am not sure whether they apply to this Bill or the next business. Hon. Leader of the Majority Party.

**Hon. A. B. Duale:** Thank you, Hon. Temporary Deputy Speaker. I beg to support this Bill on the Second Reading of the Supplementary Estimates II for Financial Year 2018.

We were told the essence of this supplementary was to address emerging challenges in the implementation of the budget process that had occurred in the course of the financial year. This was occasioned by the shortfalls in revenue collection by the Kenya Revenue Authority (KRA) and shortfalls in salaries following job evaluation in the Civil Service. There was also the need to honour the Collective Bargaining Agreements in the health and education sectors and, of course, it is to create some little more resources for security related expenditure. Other reasons that were given for the Supplementary Estimates II included the provisions for maize and fertiliser subsidy support to the manufacturing sector and provisions to certain critical infrastructure.

The way the CS is using Article 223 on unforeseen expenditures, I hope he uses that to help the many millions of Kenyans who are suffering from floods and infrastructure which has been destroyed. He does not need to come back to Parliament. He can use Article 223 to allocate resources to flood victims in every part of our country. That is better than allocating Kshs1.5 billion to Ruaraka's ghost and fictitious accounts.

This House is under obligation to amend the PFM Act and give provisions under it on how a CS can use provisions of that Article in the Constitution. In my opinion, it is being abused.

I really want to thank the Chairman of the BAC and the Committee where the Leader of the Minority Party sits. Nobody should use this House to sanitise illegal and fictitious payments. We can, at least, protect the image and integrity of this House. The Departmental Committee on Lands should conclude that investigation. The Senate is dealing with a matter which is already being done by the National Assembly. We are wasting public resources. We do not want to sanitise that Kshs1.5 billion. Let it be in the records of the House, through the BAC, that until we go to the bottom of that matter, no further payment will be made. That Kshs1.5 billion is hanging in the balance. I have said we need to amend the PFM Act and give provisions on how a CS can use that Article 223. The Chairman must have received the list of projects that were paid for under Article 223 before this House approved it.

The other thing the House and the Committee needs to look at - I do not know whether they have put it in their Report - is variations. The Constitution and the PFM Act are very clear on how a CS can vary support to a project. But we have seen variations as large as 185 per cent. That is unacceptable. It is not right. The budget making process was given to the National Assembly and not the Senate. We must guard that constitutional powers given to this House.

I hope the CS will at times also use Article 223 to give resources to the National Government Constituencies Development Fund (NG-CDF). This provision is only used for certain dark payments which are done in the middle of the night. We do not have a problem if these payments are done for building a road in our constituencies. Why does one want to use Article 223 to pay Kshs1.5 billion? I told the Chairman of the BAC that, going forward, for the budget that we table today and supplementary budgets that will come, Members of Parliament should scrutinise these documents and know what we are passing and not passing.

Where I come from, we use torches to get the footprints of livestock when they are lost at night. We need a torch to look at these documents, so that we do not make fictitious payments

such as Goldenberg. I really want to thank the Chair of the Departmental Committee on Lands and ask them to be firm and not be compromised. The President gave his word yesterday. He said that the war on corruption will not spare anybody including Parliament in these five years. If we want to be remembered as legislators, let us take the war on corruption even within the corridors of Parliament, stand and protect the Constitution and the Report that comes through the House.

Finally, I would like to highlight the key figures. The Supplementary Budget has a net decrease of Kshs17.6 billion. These are mostly cuts from the development budget which in the Report tabled by the Chair, had a net decrease of Kshs40.8 billion. When you cut the development budget, you are actually reducing development projects in our constituencies. The Cabinet Secretary must also explain to the Committee and this House, the projects, the constituencies and counties that have become victims of these development cuts. If they are projects in Garissa Township Constituency, I will stand in this House and oppose the Report. The cut is Kshs 40.6 billion an equivalent of 6.6 per cent decrease. But I really want the Chair of Budget and Appropriations Committee and other Members to let the House and the country know the projects that are being affected by the decrease in as far Development Expenditure is concerned.

On the other hand, the recurrent budget has a net increase of Kshs23.2 billion, an equivalent of 2.2 per cent. This is an increase that has contributed to the Recurrent Expenditure arising beyond the initial budget levels. Another highlight is that the Consolidated Fund Services has also increased by Kshs27.6 billion due to the high interest rates and the debt redemptions that we face. We want to thank the Chair and Members of Budget and Appropriations Committee for making sure they comply with the timelines. Timelines are given in the Standing Orders. That is why the Chair said that as we table the Budget Estimates for 2018/2019, we really need to ask our colleagues in the various departmental committees that as they interrogate this Budget, they should make sure that they look at each and every item so that they represent the people of Kenya and ensure that their taxes and public resources are used where they are intended and for the purpose of the people of Kenya.

I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Leader of the Minority Party.

**Hon. Ng'ongo:** Thank you, Hon. Temporary Deputy Speaker. In contributing to this Motion on Supplementary Budget Estimates II, I want to start by saying that it is now becoming a tradition by the Treasury to always prepare two supplementary budgets every financial year. This practice begun in 2015/2016 and we thought it was a one off thing. But now, this is the third year and it has become a tradition. It is important to remind the Treasury that a lot of changes to our Budget is disorganising economic stability of this country and it is not very good going forward, for our economic planning. What is the essence of Article 223 of the Constitution? The people of Kenya made a provision to allow the Government through the National Treasury but with the authority from the National Treasury to spend money and seek Parliament's approval after spending within two months.

This House will recall that before the Constitution 2010, Supplementary Budget used to be prepared to allow for additional funding to Government ministries and departments but with this Constitution, the whole budget-making process changed. Now the ministries can spend some specific amounts where the amount provided for that purpose under the Appropriations Act is not sufficient, or a need has arisen for the expenditure for a purpose for which no amount has been

appropriated by the Act. So now, as a Government, you are allowed to spend money and seek Parliament's approval later and within two months. As agencies, departments and ministries spend, they must seek the authority of the National Treasury. The Cabinet Secretary in charge of National Treasury must give authority even though the authority from Parliament comes later. The question is: What did the people of Kenya have in mind when they were allowing Cabinet Secretary this excess powers and this latitude to allow Government ministries and department to spend money which is not appropriated? It was believed that the Treasury would exercise professionalism and caution. It is becoming apparent that as the Leader of the Majority said, the Treasury is misusing the powers that they are given by the Constitution which they were given in trust by the people of Kenya. Therefore, Parliament must rein in on the Treasury to control and check the amounts that are spent under Article 223.

I do not want to belabor the point that the Mover of the Motion, the Leader of the Majority Party and the Seconder, Hon. Lessonet have spoken about. We are being asked as a House to approve Kshs1.5 billion to pay for this land in Ruaraka. This is just partial payment. It is money that has been paid already for your information, but we are being asked to sanitise it through this Supplementary Budget but there is a further Kshs1.7 billion awaiting to be paid. That is Kshs3.2 billion for a 13.5 acre piece of land in Ruaraka. I saw the land values released just the other day and I did not see Ruaraka being categorised as one of the areas where land would go for Kshs250 million per acre. What is of concern is when we were interrogating this matter; we were told that this amount was released under Article 223. Article 223 provides that this amount be only paid for matters that are emergency in nature or so critical to this country that they cannot wait for parliamentary approval.

But the National Treasury allowed this money to be paid and when you ask the Ministry of Education, Science and Technology under whose vote this money has been released, they tell you point-blank that, "As a Ministry, we were a conduit." A conduit for who? That is what the people of Kenya want to know. When you ask the Ministry of Lands, they look confused and yet they are the same ones who are investigating this matter. In fact, we interrogated the Chairperson of the Departmental Committee on Lands and it was not coming out clearly why they have brought a report with that amount in it and they have not questioned it. I am happy this is in the spirit of the President's speech yesterday: that we must help the Executive fight corruption.

One of the benefits of the handshake is going to help this House to rein in on the Executive. In fact, the casualties will be people like the National Treasury who still think that this House will be divided by partisan political interests and we would not interrogate this matter. In fact, those who are saying that there will be no opposition in this House and that now there will be no accountability and oversight of Government, will be shocked. This is because now we are going to oversee the Government without any partisan thinking. We are now going to work as a Parliament and look at these figures and interrogate the Budget and expenditure with objectivity and without any subjectivity. Therefore, it is a warning to the Executive that those who have been cutting corners, your time is up.

*(Applause)*

Remember this Kshs1.5 billion we are giving to these people I can call crooks—because in the papers over the weekend you could see the kind of evidence that that man is giving, even if he has cooked them, he must be very good—is coming from the budget for roads, for example. I wanted to just answer the Leader of the Majority Party. The Ministry in charge of roads was



losing about Kshs34 billion to pay someone who is conning us in Ruaraka! Money that should develop our roads and then you claim we do not have money in this country. We have money, but we have many thieves who steal this money to the extent that money cannot be enough to develop this country. That is what we must fight. I am happy that the Departmental Committee on Lands is investigating this matter. I want to speak to the Committee as part of the leadership of this House. This is a matter that you must approach for the best interest of this country. Please do not allow any other thinking to cloud your minds.

Before I conclude, I want you to allow me to respond to some attack that was directed at me by my very good friend, someone I have never disagreed with, the Chairman of County Public Investments and Accounts Committee in the Senate, Moses Otieno Kajwang'. He attacked me somewhere that I questioned why the Senate is involved in the same matter that a committee of the National Assembly is involved in. With honesty—and this is not fighting the Senate in any way; I have no interest in fighting the Senate at all—if a matter is seized of by a National Assembly committee, it is a waste of public resources and confusing to again have it dealt with at the Senate. I am saying this because I know counties are wasting money; the Senate has a lot of work on their plate—to make sure that they look at all the accounts of counties. The Auditor-General has done his work. There are audit queries in all the 47 counties. The expenditure of money sent to the counties cannot be explained. I think the Senate has enough on their plate to the extent that I do not see why a matter that has not been devolved, like education because this money was voted to education, should concern the Senate. I asked with a clear mind. I could be wrong; I am not an angel, but it is not a reason for anybody to attack me as if I had issues with the Senate in general. I just had issue with that matter.

There is also some money that, although we have approved it, should also be looked at: the Kshs1.7 billion that we have allocated for buying scanners for some specific counties. The question we want to ask is why the national Government is obsessed with buying this medical equipment without clear explanation. One of the items in the Big Four Agenda is universal healthcare, but if we are not careful, my concern with these flagship projects is the moment the Government makes a policy pronouncement on a major item, there are already people waiting somewhere and scheming how to use that good agenda of Government to take money to enrich themselves.

Therefore, we will look at this matter again. I want to thank my Chairperson for moving that amendment in the afternoon on the Ruaraka land. We will relook at these areas of buying and leasing. Now it has moved from leasing to purchasing medical equipment. We were leasing the other time. Before even clear explanation is given on that, now we are buying. We need to understand whether there is value for money. There are people who think we are spending so much money beyond the ordinary or reasonable price for those equipment.

I want to end there because I know many of my colleagues would also want to add their voices on this Bill. I support and I support the amendment, even before it is moved by the chairman of my committee. I have spoken a lot because I realised that I hold a record in this country as the only Member of Parliament who has been in the Budget and Appropriations Committee ever since it was born. The Committee was born in 2008 and I have been in it all this time. I am happy that this time the membership that we have is very objective in their assessment and very enthusiastic in their understanding of the Budget Estimates.

Thank you, Hon. Temporary Deputy Speaker. I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Cecily Mbarire.

**Hon. (Ms.) Mbarire:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to add my voice to that of my colleagues' in support of this Bill. Let me begin by thanking the BAC under the able leadership of the Chairman, Hon. Ichung'wah, and the entire membership for a job well done.

We have been told that the reason the Supplementary Budget is coming this time is to take care of the shortfall that has been occasioned by low revenue collection by KRA. We also have issues of Collective Bargaining Agreements (CBAs). We have had job evaluations in the Civil Service and, therefore, there will be need to add the money. My only concern is the rationale behind this money being spent. I would be happier if I was reading that this money is being spent on development. My reading of Article 223 of the Constitution is that money spent under this particular provision should be money of a real felt need, of an emergency nature or unforeseen nature, but more importantly one being used on Development Expenditure. If we were here today being told the reason we are passing this particular Budget is to pass monies meant to take care of the floods that we are witnessing all over the country, of the food challenges due to these floods and the long drought that we had before the rains, I would be happier.

However, when the Chairman of BAC, and I want to really thank the Committee, tells us that it is money to pay for school land—Kshs1.5 billion already paid out without evidence of the real owners of that land—I feel that this House must say no to that kind of spending. We cannot be used to sanitise an illegality that has already taken place. So, I urge the Committee on Lands, led by Hon. Rachel Nyamai, to do a proper job in ensuring that they probe this particular issue and give us a report as soon as possible.

Hon. Temporary Deputy Speaker, I hope that the Departmental Committee on Lands will ensure that they are not used in any way to sanitise this payment and that they will do that which is right that the Budget and Appropriations Committee has done because we know the truth. As the President said yesterday, we must live it. Every Kenyan must know it is no longer business as usual and people will be held accountable for the things they do.

We want to get to the bottom of this issue. Even as we do that, may I urge the Departmental Committee on Lands in the Senate not to spend precious time duplicating the efforts of this House. They have more work to do with what is happening in counties across the country. There are 47 counties that need to be looked into, their spending and land issues need to be looked into instead of focusing on a matter that is already before the National Assembly. They should not dwell on a matter that is with the Departmental Committee on Lands. We should spend taxpayers' money and precious time doing what we ought to be doing and not duplicating each other's efforts. So, I hope the Senate is hearing us today and they will do what is right.

Another issue that has concerned me is that the Committee has ably noted that development spending is always compromised in every financial year. At the end of the financial year, only a small portion of what was originally allocated for development is used. The excuse is that they have absorption challenges. We all know that year in, year out, every ministry and Government agency signs a performance contract to confirm that they will meet certain targets in their ministry. These targets are hinged on the development agenda and budget of that particular ministry or agency. The question is: Are we signing performance contracts for the sake of it or are we signing them so that we can meet the targets? What happens to those officials and ministries that do not meet the targets for the year?

Other than naming who performed best in terms of performance contracting, what else happens to the ones who perform poorest? How come it is always the development budget that is

compromised but we are ready to spend a lot of money on Recurrent Expenditure? We have seen this weakness not just at the national Government but also at the county government where you find a lot of the money is going towards Recurrent Expenditure. Kenyans want to see more development. Right now, many roads are totally destroyed because of the heavy rains. We need more money for roads so that we take care of all these infrastructural challenges that have been occasioned by the heavy rains.

So, I hope, going forward, that we will see real efforts in terms of ensuring that the absorption rates of our Development Expenditure is high enough. That we are talking about at least on the minimum, 80 per cent absorption rate and not 40, 30 or 50 per cent. Otherwise, there is no reason why we should keep coming here year in, year out, passing budgets that are not followed.

With those few remarks, I urge this House to support the Report of the Budget and Appropriations Committee. I urge the Budget and Appropriations Committee to continue doing the good work they are doing to ensure that everything that comes before it is looked at keenly to ensure we do the right thing.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya: Hon. Makali Mulu

**Hon. Mulu:** Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to also add my voice to this debate on the Supplementary Budget. I join my colleagues in appreciating the work which has been done by the Budget and Appropriations Committee in terms of looking at this important budget.

Supplementary budgets are anchored in Article 223 of the Constitution. When you look at that Article, it says clearly that it will only take care of emergencies. There is also a provision which Members are not mentioning but which is also critical and it is the issue of regularising expenditures which were not foreseen but might require additional resources. It also caters for situations where you had planned to spend money but you are unable to spend because of unforeseen circumstances, you need to regularise that amount so that it does not appear like it was not spent.

So, looking at that, this Supplementary Budget, in addition to what Members are saying, has some positive aspect of it and it is important to highlight it. In this Supplementary Budget, there is money for hiring additional teachers. We have challenges of teachers in this country. What is important is to see a situation where efforts are being made that we make provisions for hiring additional teachers.

In the same budget, there is money to address some of the Collective Bargaining Agreements which have been done between workers and the Government. This country is having a lot of strikes as a result of workers complaining that their interests are not being taken care of. There is some provision that these strikes can be addressed by providing resources so that the Government can honour some of those agreements.

Having said that, there are issues we must deal with as a House. I am very happy that it seems the mood of the 12<sup>th</sup> Parliament is changing towards proper budget-making, what I would call effective budget-making process. I am very happy when I see what Members are saying. Let me pick on the issue of reducing the development budget which has been mentioned by my colleagues. It is very unfortunate. The National Treasury will go ahead and tell us they have reduced a certain amount of billions in the development budget but nobody tells us the consequences of what they are doing in terms of economic growth because when you reduce the development budget, it will impact on economic growth, on interest rates and employment.

The National Treasury ought to go an extra mile and tell Kenyans the implications of reducing the development budget and how it affects the development growth. They assume it will remain the same. I am imagining by the time we were doing the budgeting, there were assumptions but which could not remain constant when there are reductions in the development budget.

As said earlier, the law requires clearly that when you do a Supplementary Budget, you do not change any of the programmes in terms of budget by more than 10 per cent. When it goes beyond 10 per cent, this House needs an explanation to approve that change. When you look at this budget you realise there are some programmes where changes have been done beyond 10 per cent but I do not think an effort has been made to explain to this House why those changes have been made. To me, this is another area we need to pick as a House and ensure that where changes are being done, there is proper explanation when more than 10 per cent of what had been budgeted for so that we approve what we know.

The President yesterday talked about the Big Four Agenda. I thought because it came after we had done the Annual Estimates, this would be the time for those who do budgets in the Governments to start orienting the budget towards the Big Four Agenda. This was an opportunity to see more resources targeted towards the Big Four Agenda. But, when you look at this budget, instead of having more resources channeled towards the Big Four Agenda, we are reducing. What was very hurting was the issue of reducing money for roads when rains have caused such havoc to our roads. This budget has proposed that we reduce money for roads. These are some of the issues, as the Budget and Appropriations Committee we need to think about as we move forward. Unless proper explanation is given as to why this money should be reduced, we should be in a position to say no. We should push that those who implement can use this money because when they said they wanted this money in July last year, they had assessed their capacity to use the money. Are they telling us that their capacity has disappeared or what has happened for us to reduce this budget?

The issue of abusing Article 223 has been well explained by my colleagues. I do not want to add anything on the land issue but the National Treasury ought to note that Members are more alert and will not allow expenditures to go through this House which are just being paid for yet they are not emergency in nature. This should be a lesson to the National Treasury, that before they pay, they must make sure whatever payments they make fit very well within Article 223 of the Constitution, which makes provision for the Supplementary Budget. You will realise in this budget there was an attempt to reduce the county governments' allocation and I am happy it did not go through.

The Division of Revenue Bill which we passed here last year was very clear. During revenue collection when we do not achieve the targeted figures, we should not change the county governments' allocation. The only amounts we can change are those of the national Government. That attempt was very unconstitutional and should not happen in future. Once the Division of Revenue Bill is passed by this House, the figures for the county governments' allocation should remain as they are not unless they are being increased. That is what the law says and we need to adhere to it.

As I support the Supplementary Appropriation Bill, I want to talk about the CT scanners which have been mentioned by Hon. Mbadi. The Ministry of Health is proposing to get Kshs.1.7 billion to pay for the CT scanners. I want to repeat and emphasis what has been said before, Supplementary Budgets are not given for additional development programmes to only address emergencies. So, a situation like the big CT scanners project will cost about Kshs.8.2 billion. We

are being asked to provide Kshs.1.7 million and, to me, this is poor planning. In this situation we are not aligning our plans with the budget and implementation.

If we are to get it right, as a House we must be very strict and ensure that the Executive aligns its plans with the budget for implementation. That way Kenyans will get value for money and the economy will grow. As we talk about national unity, this can only be achieved by Kenyans getting better services. If there is poor service delivery, I do not think you can tell a guy who has slept hungry about unity. This can only happen after his stomach is full. We should enlarge the national cake and grow the economy to 10 per cent which is our target. That way, there will be enough resources for this country to take care of basic needs and development. Unless we do this, we will not go far. This can only be achieved if we do budget properly and target programmes so that Kenyans get value for money. Corruption must be addressed and I want to join my colleagues in saying that we must be on the front line in fighting corruption.

With those remarks, I support. Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Member for Othaya, Hon. Gichuki.

**Hon. Mugambi:** Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to support this important Bill. I want to thank our able Chair for leading us well and considering our inputs to the Supplementary Appropriations Bill, which will ensure Kenyans get value for money.

The Budget and Appropriations Committee spent a lot of time on the Bill before us. As my colleagues have said, we must ensure that Kenyans get value for money. I am concerned because the other day, the Government adopted a policy of leasing health equipment. However, when it comes to the Supplementary Budget we have seen huge figures for purchase of equipment. As we pass the amount for the CT scanners, we should ask ourselves if the Government wants to lease the equipment or purchase them. When the issue of leasing was floated we were given advantages including not incurring obsolescence costs because it would be carried by the leaser. However, today, we are seeing a huge amount for purchase of CT scanners.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Order Members! Order! Just a minute, Member for Othaya. Kindly, let us consult in low tones. Handshakes should also be silent. Go on Member for Othaya.

**Hon. Mugambi:** Thank you, Hon. Temporary Deputy Speaker, for your intervention. We are calling for consistency in the use of public funds. Another issue concerns what Members have raised about the Ruaraka land and this is a major concern to the Committee. The new Constitution transferred the budget-making process to this House because we are the representatives of the people who are taxpayers. Therefore, it is our duty to make sure money is used in the right manner.

We were concerned when we saw that Kshs.3.2 billion will be paid to a group of people who sat somewhere in a corner and manufactured papers of land they owned somewhere. Now, they want to sell it back to the public and are being paid in a hurry. I can assure you, if that payment goes through, we will open a Pandora's box in this country. There are many people who sold land to the Government at low prices in the past. They will all go back to boardrooms and manufacture papers to show they were paid little money and now they want big money because they have heard that there is big money somewhere.

Our Committee, ably lead by our Chairman has said it will keep an open eye and will not allow public money to be spent in ways which do not benefit *Wanjiku*. We know our President has a strong and focused vision of the Big Four Agenda and we will ensure that money is aligned to that Agenda but not on unnecessary items. It would have made us happier if our budget put more money in health, housing, food security and areas which affect our people. Our roads have deteriorated due to rains and we have not seen money being directed to repair them or to control floods which are killing our people. Next time, we will be keen to see that supplementary budgets are directed to the right areas and appropriated properly.

I beg to support. Thank you.

**Hon. Murungi:** On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): What is your point of order, Hon. Kathuri.

**Hon. Murungi:** On a point of order, Hon. Temporary Deputy Speaker. I rise under Standing Order No.95 (1). Reading the mood of the House and with the spirit of the handshake, I think most of us are very eager to debate the Presidential Speech which was delivered yesterday. Therefore, I move that the Mover be called upon to reply.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Order Members! I think I will put the Question on this one, so that we agree one way or the other.

*(Question, that the Mover be called upon to reply, put and agreed to)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Let us have the Mover.

**Hon. Ichung'wah:** Thank you, Hon. Temporary Deputy Speaker. Hon. Atandi has just walked in. Since he is my very good friend...

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Unfortunately, you have no leeway to donate any minute.

**Hon. Ichung'wah:** I have no leeway to donate a minute or two to him?

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Unfortunately, no. Go on, Mover.

**Hon. Ichung'wah:** Hon. Temporary Deputy Speaker, I wanted to seek your indulgence to donate two minutes to him but with your guidance, I will just reply.

I take this opportunity to thank the Members who have contributed very well to this Motion, particularly in view of the proposed amendment that will come this afternoon. I reiterate what I had said earlier and what many of the speakers, including the Leader of the Majority Party, the Leader of the Minority Party, Hon. Makali Mulu, Hon. Moses Lessonet, who is the Vice Chair, and all the other Members who have contributed to this Bill have said. As a House, we have been called upon by His Excellency the President. Besides what His Excellency the President has asked of this House in terms of helping him to tackle the cancer of corruption in this country, we have a duty, as leaders, to ensure that we safeguard public assets or funds. If we fail on this momentous task that the people of this great Republic have bestowed on us, we will have, in a big way, failed them. Kenyans have elected us and charged us with the responsibility of not just representing them in this House but more importantly, to oversee how public funds are utilised.

It is also important to mention because the Leader of the Minority Party, Hon. Mbadi did mention, the question of CT scanners when we were having a handshake with my good friend and doctor here. We were just discussing the same issues.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Did you say doctor?

**Hon. Ichung'wah:** I said my handshake with Hon. (Dr.) Nyikal and I was just consulting on the question of the CT scanners and the health equipment programme that this Government started.

Hon. Temporary Deputy Speaker, you remember it started from motor vehicles. In the last Parliament, we started leasing motor vehicles instead of buying them. Again, we have been leasing medical equipment. I was saying that to answer the Leader of the Minority Party because he is a member of the Committee, and he is aware. Those who read our Report on the Budget Policy Statement earlier this year must have noted that we made that indication. When we proceed to do public participation later, we will visit a number of health centres that are under the managed equipment programme to see for ourselves and verify how this programme is working. This is because there have been reports that there are instances where consumables are not provided. Machines are there in hospitals but they are not being utilised. Therefore, I assure this House and the people of this great Republic that even as we consider the issue of purchase of CT scanners, we will also be relooking into the issue of the managed equipment programme.

With those few remarks, I thank the Members who have contributed to this Motion and encourage them to be present this afternoon as we consider the amendments that may come up during the Committee of the whole House. We will also be dealing with the appropriation for the Equalisation Fund later this afternoon.

With those remarks, I beg to reply.

**The Temporary Deputy Speaker** (Hon. (Ms.) Tuya): Hon. Members, we shall defer putting of the Question on this Motion to a later date, when the Motion shall be slotted again by the House Business Committee (HBC).

Next Order.

## MOTION

### THANKS FOR THE PRESIDENTIAL ADDRESS

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, I beg to move the following Motion:

**Hon. A.B. Duale:** Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Standing Order No.24 (6), the thanks of this House be recorded for the exposition of public policy contained in the Address of His Excellency the President delivered in Parliament on Wednesday, 2<sup>nd</sup> May 2018 and further notes the following Reports submitted by the President in the fulfilment of the provisions of Articles 132(1) (b) and 240 (7) of the Constitution, laid on the Table of the House on Thursday, 3<sup>rd</sup> May 2018:

- (a) Report on the Measures Taken and Progress Achieved in the Realisation of National Values and Principles of Governance;
- (b) Report on the Progress Made in Fulfilment of the International Obligations of the Republic; and,
- (c) The Annual Report to Parliament on the State of National Security.

Hon. Temporary Deputy Speaker, it is my profound privilege to move a Motion on the discussion on the State of the Nation Address by His Excellency the President on 2<sup>nd</sup> May 2018. Before I begin, I beg the indulgence of both the Speaker and Hon. Members that we may pose for a brief moment to contemplate on the titan of Kenyan politics, the late Hon. Kenneth Matiba, who departed this world on 15<sup>th</sup> April 2018, leaving behind a legacy of public service, patriotism and sacrifice that contributed much to the liberties, democracy and prosperity that Kenyans enjoy today.

His Excellency the President delivered his State of the Nation Address as the Head of State and Government. It was the first time he was giving such an Address in his second term in office, and the fifth since he was first elected President. More significantly, it was the first State of the Nation Address to the 12<sup>th</sup> Parliament. As such, the Head of State was right to reflect on the undeniable successes recorded between 2013 and 2017, which was his first term and the foundation stone for lasting legacy of positive transformation of this blessed land through his visionary Big Four Agenda for his second term. As outlined by the President, the state of the nation is strong. The Kenya of today is one of significant enhanced liberties, equity, prosperity, cohesion and integration. The 11<sup>th</sup> Parliament's role was to lay the foundation for delivering these agenda. It is now time for the 12<sup>th</sup> Parliament to take the baton from our predecessors and run this race with even greater vigour and commitment.

While the President's Address touched on so many seminal points, I believe that as this august House sits today, and sits again after the long recess, to discuss the President's Address, our discussion will revolve around the following legacy shaping points articulated by the Head of State and Government in his Address: First, his administration's unshakable and steadfast commitment to the fight against corruption with the clarion call to all Kenyans of goodwill to play their part in this noble fight. The President made it very clear that players in public sector, the private sector, ordinary citizens and the leadership of this country, including Members of Parliament at both levels of Government, must adhere to his call of goodwill on their part in the noble fight against corruption. The Government of Kenya, which he leads, has unquestioned commitment to the Constitution of Kenya 2010 and its vision for devolution. That the system of governance was ushered in by the 2010 Constitution and has been well steered by His Excellency the President from its inception in 2013. Second, that despite these times of budget cuts and reductions, this august House has found a way to adequately fund the grassroots growth and development as envisaged in the Constitution.

This has become a reality. That is why since the inception of devolution in 2013, when this House allocated Kshs210 billion to the county governments, today we can proudly say that in the 2018/2019 Financial Year, we have allocated Kshs370 billion to the county governments. Those resources need to be felt by our citizens.

Third, the Government's Big Four Agenda, built on the undeniable and self-evident success of the President's first term and the 11<sup>th</sup> Parliament, enjoys support across the political divide. We stand with the President in shaping up his four legacy projects. The Head of State and Government cited this as the most important social, political and economic project of recent times – a plan of action that would ensure a tremendous increase in manufacturing by increasing our manufacturing sector by about 15 per cent of the Gross Domestic Product (GDP), the provision of universal healthcare, affordable housing and guaranteeing food security to all citizens are realised within the next five years. The President challenged this august House - the 12<sup>th</sup> Parliament - that he expects us to provide him with the necessary legislation and budgetary allocation for him to realise the four key legacy projects in the next five years.



Fourth, our democracy and constitutional institutions are strong, vibrant and capable of addressing all the challenges that may arise. The President in particular challenged the Judiciary and the leadership of this country to play a bigger role in making sure that all of us protect public resources.

In discussing the President's Address, Members will no doubt share in the spirit of the reconciliation "handshake" that has shown the strength of our democracy, the maturity of our politics, the patriotism of our leaders across the political divide, the unity and shared identity of all the people of Kenya. We have shown Africa and the entire world that our nation is one and united in our single belief in our Constitution, our national values and the Kenyan dream. The President has called upon all of us to realise that despite our cultural diversity, the different faith-based religions that we subscribe to and the regions we come from, Kenya is bigger and more important than our individual interests. Never again will Kenyans die because of political competition. Never again will citizens' property be lost because of an election or political competition. All of us must bury the curse of ethnicity and build politics that are based on our nation. Never again will we be in political parties that are anchored and based on ethnic foundations.

If the first State of the Nation Address of the President's second term was to be summed up in one sentence, it would be: May we dwell in unity, peace and liberty; plenty be found within our borders. That is a summary, in one sentence, of the hallmark of the Speech of the President.

The Speech of the President - within the reading of the Standing Orders - will be debated by the House in the next four consecutive sittings.

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Tuya) left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. Mariru) took the Chair]*

Madam Speaker, I beg to move and ask Hon. 001, the guy who is dressed in the colours of the Kenyan flag, Hon. Sankok, to second.

**The Temporary Deputy Speaker** (Hon. Mariru): Leader of the Majority Party, it is no longer Madam Speaker; it is Mr. Speaker.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, I need to go on record in the HANSARD that as I was looking at the great lady of Nairobi County, I forgot to look at who has occupied the Chair. I do not look at the back. The Chair of the Budget and Appropriations Committee wants me to look at the back. I ask for your indulgence. I had no bad intentions.

I beg to move and ask Hon. Sankok to second.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Sankok, you have the Floor.

**Hon. ole Sankok:** Thank you very much, Hon. Temporary Deputy Speaker and the Mover of the Motion, His Excellency, Aden Duale.

The President's Speech yesterday touched on various issues, among them the issue of the Big Four Agenda which I am sure, from all indications, he is ready to implement and make sure that service delivery to the common *mwananchi* is achieved. What touched my heart most was the humility of our President. The apology that the President offered to the country yesterday is not just an apology from any other Tom, Dick or Harry; it is an apology from the Head of State, the Commander-in-Chief of all our armed forces and the Head of Government. He decided to

humble himself, apologise and shake hands with every Kenyan, even those who called him *mtoto wa mbwa*. He is a humble President. He is a President who aspires to see a country that is united, peaceful and full of love, of one people, one nation and one God and has the same destiny.

When I listened to the President's Speech and compared it to the speech that I heard during Labour Day, I realised that as a country, we are lucky to have this President. During Labour Day celebrations, we had some elders becoming demi-gods and forgiving – it is only God who can forgive – Safaricom, Brookside and other institutions yet our President was asking for forgiveness from Kenyans for anything he might have done or said without his knowledge that may have caused some division in our country. It was a Speech of a statesman and a Head of State who loves his country and adores his people. In that spirit of seeking forgiveness, as nominee 001, I would also like to ask for forgiveness from those whom I might have wronged in one way or another. I know I might have used some very strong words like “*tinga bila mafuta*” and “*CJ bonoko*” that may have caused some discomfort to some people. Hon. Ng'eno, I have asked for forgiveness.

It may have caused some discomfort to some people and the families of those we crossed their lines. I used very strong words like wearing a helmet to go and fight with a rat in reference to some people. I sincerely apologise for that. I also apologise to Members from the Jubilee side whom I may have wronged. Hon. Keter's life span as the Chairman of the Departmental Committee on Labour and Social Welfare was synonymous with the life span of one, Mr. Simon Makonde, of seven days. He was born on Monday, named on Tuesday, baptised on Wednesday, married on Thursday, taken ill on Friday, died on Saturday and buried on Sunday. That was the life span of Hon. Keter while he was the Chairman of the Departmental Committee on Labour and Social welfare. Courtesy of me, his life span was as short as that one of Mr. Simon Makonde. I apologise to those I might have wronged.

Hon. Temporary Deputy Speaker, the President's Speech mentioned and warned Kenyans against foreign interference. He mentioned countries that have been interfered with by foreigners for their own benefit, so that they can capitalise on the underground resources that are found in those particular countries. He mentioned the instability that is in Somalia, Sudan and other African countries that foreigners have intentionally interfered with or destabilised so that they can benefit from those resources of that country. The President told Kenyans to love their country, stand for its benefit, be united and reject any international interference just like what we said when our brothers and sisters were taken to the International Criminal Court (ICC). The intention of ICC and other foreign masters was to use our civil societies, who in other times turn to be evil societies, to try and destabilise our State simply because we have oil in Turkana. Let us all stand united and reject any division that may come either within or outside.

The President also mentioned something about the cash transfer, especially to the vulnerable during the recent drought. He mentioned that money was transferred to them so that we can restore their dignity. A long time ago, Kenyans were made to line up in long queues under the scorching sun and heavy rain, so that they can be given one or two *gorogoros* of maize. They are being given money now, so that they can have the purchasing power and decide on what to buy and what food is good for them. In that spirit, I also want to call upon other cash transfer programmes like the one for the elderly, severely disabled, orphans and vulnerable children to transfer money through mobile money. We should not pay them manually because we destroy their dignity. They may be poor but they have some pride. When we make them to line up in the scorching sun, rain or under very hard conditions during specific paying days, we

destroy their dignity. If we transfer the money through mobile money transfer, they will have purchasing power of whatever they may need at that particular time.

The President also mentioned about the universal health care which we have been struggling with as a country. I want to call upon the county governments to embrace this because health services were devolved. The governors must come in and assist us to achieve the Big Four Agenda of the President.

Hon. Temporary Deputy Speaker, I thank you very much. I beg to second this Motion.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Members, I will be guided by the rota here on how people registered their interests. Hon. Ichung'wah, you are on a point of order. What is it?

**Hon. Ichung'wah:** *(Off record)*

**The Temporary Deputy Speaker** (Hon. Mariru): Order Hon. Ichung'wah. You will get a chance to contribute. I will be guided by the rota. We will first have Hon. Mwirigi Paul, Member for Igembe South.

**Hon. Members:** He is not in the House.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Hulufu Oda, Member for Isiolo North.

**Hon. Hulufu:** Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to the debate on the President's Speech.

I would like to start by commending His Excellency the President for his good Speech. It is a clear demonstration that our President, who is a very humble man, is a statesman. I would like to appreciate a few things which I was able to note down as we listened to him yesterday.

First, we have not had many occasions, especially in our continent, where sitting Presidents recognise the role played by other gallant sons in democratising a given country. The President's appreciation of the role played by the late Hon. Kenneth Njindo Matiba stood out as something which we need to thank him for. We need to know that the democratic space which we are enjoying currently could not have been realised without sacrifices of men like the late Hon. Matiba.

Secondly, it is also important that His Excellency the President appreciated the role played by our predecessors who are the Members of 11<sup>th</sup> Parliament. They were elected three years after promulgation of the Constitution 2010. They had the honour of facilitating the operationalisation of devolution through coming up with enabling legislation. They did a marvelous job. It is good that His Excellency the President appreciated that. We also have lessons drawn from their efforts. Some of the amendments to some pieces of legislation which are passed as a result of testing the laws were to facilitate operationalisation of legislation.

Hon. Temporary Deputy Speaker, another very important point which His Excellency the President the President raised is the fact that in the first years of his leadership, he was able to allocate, with the support of Parliament, more than 15 per cent of our national income to counties. In fact, the amount of money allocated in the first five years is 56 per cent more than the minimum required by the Constitution. What we expect, which of course has happened in some of the counties, is for that additional funding to translate into improved service delivery to *wananchi*. There are a number of areas we have had challenges as a country. For example, His Excellency the President noted that vaccination coverage has fallen from 90 per cent to 70 per

cent. This could be attributed to the full devolution of the critical function of providing healthcare. We know that vaccination is very crucial in disease prevention. When we see vaccination coverage dropping, as legislators, we need to take that seriously. Our role is not just to pass the Bill which enables the national Government to allocate resources to county governments, but also to ensure that whatever resources that are allocated enable county governments to provide the required quality services.

He appreciated that corruption is the single most stumbling block to our economic progress. He also said that some recovery of assets was done. To be specific, Kshs500 million worth of assets was recovered by the Ethic and Anti-Corruption Commission (EACC) which is commendable and an additional Kshs5 billion is in the process of being recovered.

He also called upon the Judiciary to avoid a situation where they are used by criminals to defeat justice. That is also very important. Fortunately, our Chief Justice was seated in the Speaker's Gallery listening. We hope that...

**The Temporary Deputy Speaker** (Hon. Mariru): Let us have Hon. Wetangula Wanyonyi.

**Hon. Wetangula:** Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to raise my support for the President's Speech delivered yesterday. I sat here very attentively listening to him. He spoke like a statesman and a President of a united country.

This is after the President and the Rt. Hon. Raila Odinga met and shook hands. Since then, we have seen that the President is at ease. He addressed a united Parliament. Members were here in numbers and after the Address, the President joined Members out there. It showed national unity.

I believe that we should all embrace the road that has been paved by the two leaders. Yesterday the President spoke well about the support the Government is giving to devolution, including the increase of resources allocated to devolved governments. He also expressed his fears about corruption eating into the resources given to county governments. We are experiencing teething problems as a House because we participate in the allocation of revenue to the counties. We want to make sure that the resources reach the level they are supposed to, including the smallest parts of villages. Let the people in the village feel that, at least, the Government is down there with the people. Let them experience the national cake that has been devolved to the smallest unit of government and feel that, indeed, they are enjoying the sweat of their work. We want devolved functions to succeed and the national Government to keep on releasing funds to county governments in time so that they can also plan and make sure the funds are appropriately used.

Corruption is a key subject that the President addressed. It has been said quite often that we moved corruption from the centre to the devolved units. But, as citizens, we need to re-examine our values and look at ourselves inside out. Why do we have corruption? It is not a one way thing, but two-way traffic. There is the giver and the recipient. We must always ask why we sometimes have to look the other side when a wrong is being committed.

We have come from a very volatile situation after elections in our country. We realise that most of those things that happened were the fall backs of corruption. We realise sometimes that we have seen many of the beneficiaries of corruption are thriving and end up in Government. So, we must look at these things holistically so that we do not just talk about them and do nothing.

I applaud His Excellency the President because he pledged that the handshake was not just about him and the Rt. Hon. Raila Odinga, but about Kenya and about the unity of this

country. We urge the two leaders and those having jitters about it that this was meant for the country and for the benefit of all Kenyans. I have run out of time.

Thank you for giving me the opportunity and I support and encourage everybody to look at the Speech properly.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. Mariru): On my left, Hon. Kimilu Joshua, Member for Kaiti.

**Hon. Kimilu:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to the important Speech of the President. The humbleness of the President yesterday when giving his good speech was commendable. It was not just a normal speech. It was a good one.

His Excellency the President talked more about reconciliation and forgiveness. As Members of Parliament and leaders, it is high time we followed suit on forgiveness and reconciliation because we need to see our country move forward. We need to support forgiveness because for our economy to grow, we need each other.

I remember last year after the elections, there was a lot of hatred and businesses went down. Safaricom Company which feeds more than one million families has more than 150,000 M-pesa agents and has employed more than 6,000 Kenyans. Most people lost their jobs due to election violence. I now request all leaders, private sector and these companies to recall their staff because the President was very clear and directed us to forgive each other and to come together and work.

The President also mentioned service delivery to our society. He was clear about security. It reminded me of my constituency, Kaiti. There is a small village called Mitini where there is a lot of insecurity. The Speech encouraged me because I now know that my people will get services from the Government. It is also important for us elected leaders to support the President's delivery of services.

In the field of health, in my county of Makueni, my Governor, Mr. Kivutha Kibwana, rolled out a universal healthcare programme. I was happy yesterday to see the President supporting the universal healthcare, which is very important. As a country, we need to adopt these health services because our people need to get services.

Two weeks ago, in my constituency, there was a woman who fell into a pit latrine. After the neighbours rescued her, they brought her to my home. I reminded them about the universal healthcare and they told me that they had the cards. I directed them to a health centre in my constituency and they got the services. Within three hours, they were served without a single cent. I am happy and I support this Speech.

What I expected to hear from the President – which I did not get, clearly – was about the floods that have caused a lot of havoc across the country. People have lost their lives and property. I expected the President to talk about it. Because of the goodwill of the President, I know people will get services and this issue will be addressed well by the Government.

Thank you.

**The Temporary Deputy Speaker** (Hon. Mariru): Yes, Member for Kikuyu. You look quite unsettled.

**Hon. Ichung'wah:** Hon. Temporary Deputy Speaker, I was unsettled because I have a meeting I am going to chair. I am told Members are waiting. Therefore, I will take a very short time. One, is to commend His Excellency the President, this being his first State of the Nation Address in his second term as the fifth President of the Republic of Kenya.

It comes in the backdrop of what was called the conciliatory handshake, not the golden handshake. I wish to join other Members who have thanked His Excellency the President for being magnanimous enough to apologise to those he may have hurt during electioneering campaigns. It is important. I hope and pray that even the former Prime Minister, Hon. Kalonzo Musyoka, Hon. Moses Wetangula, Hon. Musalia Mudavadi and all the other NASA leaders, including the indomitable “CJ”, Hon. T.J. Kajwang’, will also take this opportunity to apologise not just to the President, but also to his supporters, who may have been injured during the electioneering campaigns and the subsequent days that preceded the botched swearing-in that was conducted by Hon. T.J. Kajwang’.

Therefore, I hope that in that spirit others will take cue and also apologise. I also join my colleague, Hon. Sankok, in apologising to those we may have hurt. I also apologise to Hon. T.J. Kajwang’ for referring to him as a fake CJ. I apologise to him, NASA supporters, and any other supporter because these things happened. It is important to say that this handshake also symbolises the maturity of our democracy as a nation.

In all other civilised countries, after elections, people come together as a nation and focus on what is important to them as leaders. Therefore, it is also incumbent upon us as leaders in this nation to now focus on the task of nation building and put all our energies and our focus on the Big Four Agenda because that agenda speaks to things that affect the ordinary *mwana* – things that members of the public spoke to us irrespective of their side of the political divide.

When we went to constituencies around the country to campaign, people spoke about healthcare, food security and jobs for the youth. Therefore, it is important that we address and refocus all our energies to the Big Four Agenda. With the State of the Nation Address and affirmation by His Excellency the President that, indeed, the state of our nation is strong, it is incumbent upon leaders, and more so upon us as Members of Parliament, to make the state of the nation even stronger by refocusing our energies not on the things that will divide us as a nation, but on the things that will unite us as a nation. One of the ways to unite ourselves is to refocus our energies to the rebuilding of our economy. The only reason people tend to fight or disagree is the way resources are shared. If we are able to generate adequate resources and distribute them across the country, we will have fewer reasons to fight.

I encourage all of us to embrace the spirit of what the President said yesterday; that indeed, even our unity does not necessarily symbolise unanimity. We may not unanimously agree on each and every aspect of our lives, but we must deliberately focus on uniting our people around the issues that affect the great people of this Republic. For those who have been making calls for a referendum, these are issues that are debatable. Let us refocus our energies not on things like referendums – which will be more divisive than uniting – but rather those things that will unite us in the coming days.

With those remarks, I support the Motion and the words of His Excellency the President that unity is not necessarily unanimity.

**The Temporary Deputy Speaker** (Hon. Mariru): Obviously, I have to be gender sensitive. I will be checking on that because it is important. Before then, Hon. Mutunga.

**Hon. Mutunga:** Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Motion.

**Hon. Members :** *(Inaudible)*.

**Hon. Mutunga:** Hon. Temporary Deputy Speaker, protect me from some Members. I will join others in supporting the Motion on the discussion of the President’s Speech. It was an impressive Speech which came at the right time. It was timely because of the four fundamental

factors: One, because it came before the end of the first year in Parliament, following the last general elections. If it came later than now, it would not have had the same impact it has right now. The Speech came after the historic handshake, and hon. Members have already had their own private handshakes. The communities in Kenya have already shaken hands. People have already taken time to discuss and look at the implications of the handshake. It, therefore, came at the right time.

The handshake has permeated the countryside and people are happy. This one has effects of the rains, when people ponder over what to do and what can give them hope. This is a time when people need to be encouraged and assured that their problems will be looked into. The President's Speech has given a ray of hope to Kenyans. It was a good time for the President to say sorry because it was already in the air that people had already forgiven each other. It was a time we needed a trigger to shake hands. We have always been looking for an opportunity to say sorry. I would like to join my colleagues who have said sorry. To anyone I have wronged, I would like to say sorry so that we move on as nation.

When you look at the context of the Speech of the President yesterday, he recognises history by the mere fact that history informs the future. He looked at the performance of the last Parliament. The 11<sup>th</sup> Parliament was a difficult one. It is the one which saw the initial implementation of the Constitution of Kenya. This is the Parliament that recognised the need to have two levels of government without any form of discrimination. It is the Parliament that saw need to have laws that will help Kenyans resolve their problems and also settle down at the county level as 48 governments with one major Government at the national level and 47 devolved units.

The Speech recognised the walking through the murky times of coming up with new legislations. It also recognised the progress made in constitutional implementation, the support for devolution in terms of the percentages that were set up and also by passing the limits. It looked at the process of resourcing.

Hon. Temporary Deputy Speaker, the President's Speech looked at the unity of the State called Kenya as one indivisible State which cannot be broken into pieces. The Speech dwelt on the fact that we need to listen to each other; talk to each other and be able to mend fences. We need to promote reconciliation and not competition; that we need to be a lot more complementary than compete.

The Speech was very rich in bringing Kenyans together in looking at how we move as a country. If it had left out the issue of the economy, it would not have been complete. Therefore, it brought out very serious focus on the economy like the success of the Standard Gauge Railway (SGR) which shows that we can as a country do major projects and be able to run the economy as it were. The fact that we have done so many kilometres of the SGR without shaking the economy shows that the Kenyan economy is strong. All we need is to organise ourselves and put our priorities right.

It talks about electrification. It is evident that the country is properly electrified. We have power reaching many people and, there is a law that has been done.

Before my time ends, I want to allude on just one particular factor: the international relations. Basically, the President clearly highlighted on the need to support Somalia as a country and our neighbours so that we can move together; the opportunities for Kenya coming from the African Free Trade Area and our recognition by the United Nations (UN) Service Centre.

Thank you, Hon. Temporary Deputy Speaker. I support this Motion.

**The Temporary Deputy Speaker** (Hon. Mariru): Yes. I have to do good my earlier threat. Before I go to Prof. Oundo who is on my left, there is a commitment I had made earlier of giving a chance to a lady Member who is at the top of my requests list here; Hon. Wamaua, then we go to Prof. Oundo.

**Hon. (Ms.) Njoroge:** Thank you so much Hon. Temporary Deputy Speaker for giving me a chance to support and commend yesterday's State of the Nation Address by His Excellency the President of the Republic of Kenya.

The State of the Nation Address was really timely. It contained very many pleas along national healing and cohesion. As much as we appreciate the President's humility in requesting for forgiveness, it behooves us to emulate the same spirit so that we create peace and unity for this country. As many of my colleagues have alluded, all of us may have erred in one way or another. That is why the famous "handshake" is important. All of us were yesterday asked by the President to shake hands.

Let me also say that we really have the need to team up to support the Big Four Agenda of the Government: Food, Security, Universal Health Care, Housing and Manufacturing. These are very paramount, especially food security, universal healthcare and manufacturing. The moment we support them, they will create a lot of job opportunities which the Government is promising our youth who are out there jobless. Hopelessness has caught up with them. That is why most of our youth drink illicit brews. The more we appreciate manufacturing, the better. We have so many areas where we can have factories. We will have many of them.

Let me also talk about the issue of corruption. Our President really came out in the open to tell everyone of us leaders and even the citizens that we really need to fight corruption. Corruption cannot only be fought by the leaders and by our President. It is all of us to join hands and see to it that we have fought it. It is not only the work of the Public Investments Committee (PIC) and Public Accounts Committee (PAC) to oversee the Government nationally and also in the counties. We are seeing corruption deals taking place everywhere. A lot of the money meant to offer development to our people so that they enjoy is lost. Therefore, it is our time to embrace the fight against corruption so that we support the Government. I also call upon our colleagues in the Senate to do the same.

A lot has happened in terms of corruption, especially in the counties. I am not saying it is not happening at the national level. We really want Senators to support us in fighting corruption in the counties as this House fights it at the national level. We want our citizens to get value for their money. As we look at the various Reports, especially those of the PIC and the PAC, we find this to be a monster. If we are not joining hands, we may not be able to deliver a lot of the promises we told our people.

As much as we support and embrace what was contained in our President's Speech yesterday, I am urging all of us to try to walk the talk so that when all of us get to our constituencies and counties by the end of this term, our people will see the much we would have done.

Thank you, Hon. Temporary Deputy Speaker for giving me the chance. I support yesterday's State of the Nation Address.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Oundo, I must add "Professor", you have the Floor.

**Hon. (Dr.) Oundo:** Thank you Hon. Temporary Deputy Speaker for this opportunity to contribute to the Motion at hand which is on the Presidential Address or the State of the Nation



Address that was presented to this House yesterday by His Excellency the President of the Republic of Kenya.

I also take this opportunity to congratulate him for his sober-minded Speech. On behalf of the people of Funyula Constituency, Busia County, I wish that what was contained in the Speech be truly implemented for the betterment of this country.

There are a few highlights from the Speech that are worth mentioning or commenting on. The first one was the public apology in respect of the outbursts, comments, activities, actions and omissions that occurred during the campaigns. After the campaigns and, probably, all the way to the famous “handshake”; it was humbling. It was trend setting. It was an example to be emulated by all of us by forgiving and literally forgetting the harsh words we used during the last campaigns. That, probably, takes us back to the issue he raised that election periods and campaigns in this country are turning out to be unnecessarily too emotive. They are turning to be a little more antagonistic. They have a chance of destroying this country.

We have taken 50 years quarrelling and unable to fulfil the expectations of our founding fathers. It would be a tragedy to take another 50 years having not achieved the basics of this country. It is time we refocus. What can we do to lower the temperatures and the heated moments that characterises the election campaigns in this country? It is time that the 14 men advisory committee that was formed last week, sits down and literally examines this issue in details, and ensures that the next campaigns are not characterised by heated debates and do not leave over half of the country disfranchised, feeling left out, abandoned and literally disconnected from the country. It is time we built permanent bridges that will set the course for a better country in the coming years. The question of corruption in this country has remained a cancer that has defied all the chemotherapy and any named treatment. It is time we go for radical surgery to solve the issue of corruption.

This is a country endowed with a massive amount of resources but corruption has literally retarded its growth and development. It is time the President of the Republic of Kenya, being the Chief Executive, walks the talk and whips everybody to line. It is also high time, as my colleague has said, the Senate and the county assemblies got out of their comfort zone and offered incisive oversight on the county governments, to use and utilise the resources devolved to them for the benefit of the people. County governments were never formed to be a cash cow but they were literally prompted to help develop this country. It is sad that the reports coming from the Auditor-General and various oversight authorities continuously indicate endless and shameless plunder of public resources. We need Senate to move up and pull up their sleeves and oversee the county governments.

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

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Gitonga.

**Hon. Murugara:** Thank you, Hon. Temporary Deputy Speaker. I rise to give my remarks on the State of the Nation Address by His Excellency the President, yesterday afternoon, when he visited the House of Parliament.

In his Speech, His Excellency the President extolled the achievements of the country in the last six years. He emphasised on the pillars of development especially based on the Big Four Agenda of the country, which we are all eager and looking forward to realise, so that our country can actually achieve its development agenda.

May I commend on one agenda which I felt needs some emphasis, the manufacturing sector of the country. It is one of the four big plans of the country. We are all eager to see our country move to the next level in development, industrialisation and in manufacturing.

Therefore, this is another area that has to be emphasised so that we are able to attract investors into the country, both local and external. We must, therefore, devise a taxation system that is appealable to those who wish to invest in our country so that when they come to invest, they are certain of getting their returns and continue to invest more for the betterment of the country. Therefore, we have to look at policies like less taxation but efficient system of collecting taxes such that the Government also benefits from it.

I also wish to commend on the handshake which has turned our country into another direction. This is a handshake which we should term magical. It is a laudable effort to unite our country because when this country is united, we move in one direction, in togetherness and in realising the goals of development. When the country is divided, we realise we see very little of the potential we have, as a result of which we are drawn backwards in development. I, therefore, laud His Excellency the President and the Rt. Hon. Former Prime Minister, Hon. Raila Odinga, for shaking their hands and to symbolically show that the country is now united. We actually emulated that yesterday by shaking our hands, exchanging good words and also by embracing the President's call to forgive one another. We are just from a campaign where we may have uttered words that were not good to one another; it is high time we apologised to the other side.

As I conclude, as we realise the Big Four Agenda for the country, we seek that this extends to rural constituencies. Rural constituencies include my own constituency of Tharaka, where we would want to see more of food security, good health, better infrastructure and the extension of the manufacturing sector into those areas.

Thank you, Hon. Temporary Deputy Speaker. I support His Excellency the President's State of the Nation Address.

**The Temporary Deputy Speaker** (Hon. Mariru): Before getting to my left, Hon. Ng'eno.

**Hon. Kipyegon:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to discuss and expound the issues which in his Speech, the President made to this House. I must first congratulate the President for the bold move he made especially the Speech he gave to the nation. It was a Speech full of reconciliations and reconciliatory terms, full of humility and had a serious balance between what is going on now and what has been going on previously. Being the first Speech to this House on his assumption to office that was a Speech that I thought was worth congratulating, supporting and moving a step higher and making that dream come true. The President talked about several things. Other than the reconciliations, he also talked about the agenda he has for this nation.

One thing I must appreciate is the health sector. Our country is ailing. When you look at the state of hospitals and the much people are spending on private hospitals, you will be shocked. I am happy the President touched on it and I believe that he will ensure that all that is implemented. His Cabinet Secretaries and county governments should implement that agenda and save our people from this plight. There is a cancer disaster in this country and those are the issues we need to be looking at.

I would also want to congratulate the President on the issue of food security. Currently as we speak, there is a lot of rain in this country, but there is nothing being done. There is totally nothing the Government is doing to ensure that the water that we have from the rains is tapped so that it can be used for irrigation in other areas. We know that after the rainy season there will be a very serious drought and unless we have water, we will go back to the problems we had before.

Lastly, I would wish to congratulate the President on the issue of reconciliation and the handshake. Just like everybody else says, we want to forgive those who have always crossed our

paths and we would also wish them to forgive us. I do not know whether the President was saying this because it is his last term, but I believe he said it in good faith and he would want everybody else to follow suit. I also want to congratulate *Mheshimiwa* Raila Amolo Odinga. I have always been his fan and supporter in many occasions. He did the right thing by shaking hands with the President, and former presidents Daniel Moi and Mwai Kibaki. The handshake continues. I am also expecting to have a handshake with him and those friends who have always been at cross-paths with me.

I have also taken this opportunity to forgive all my enemies wherever they are, whether nationally, or in the villages in the counties. I would want to have handshakes with friends and people I have had problems with. Let us embrace this idea of reconciliation. We must work together as a country. Nobody says we must have opposition there and the government here. We can all belong to one government. We can all belong to the same side of politics and make this country move forward. The only reason we normally have opposition is to check the government, but nobody says they cannot belong to the government. So I urge every Kenyan that let us work together: Raila Amolo Odinga to work with the President; the Deputy President to also work with his counterparts like Kalonzo Musyoka and the rest, so that we can have a united country and move forward. Our brothers in Parliament let us also work to achieve what we were sent here to do. I have forgiven my friends, including Sankok, Kimani Ichung'wah and even the Deputy President who fought me so badly. I have forgiven all of you. God is with you. Also forgive me for the things which I did wrong.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Mariru): The Deputy Leader of the Minority Party took a seat that is not ordinarily his. You have the Floor.

**Hon. Mbui:** Thank you, Hon. Temporary Deputy Speaker, for the opportunity. I found the front seats empty and I did not want to be lonely sitting there alone, so I had to join my colleagues.

I want to take this opportunity to join my colleagues in thanking the President for a very elaborate Speech given to this House. Listening to him keenly yesterday, I realised that he really does have what it takes to lead this nation. I spent the last five years being one of the biggest critics, of course, because I was in the Coalition for Reforms and Democracy (CORD) party and lately in the National Super Alliance (NASA) party, but after the handshake I have taken time to listen to the other side and suddenly I realise there is quite a bit of substance that is with this gentleman who is our President.

Yesterday, the President came to fulfil his mandate to the nation. He had to discuss with us national values and principles of governance, also our progress in meeting international obligations and, of course, the state of national security. Within his Speech, I picked a few points that I thought are of importance. The first one was that he did talk about the fight against corruption. He said that he would like to see a situation where we fight, as a country, those big fish that keep getting away with our money. I was happy to note that the Government has actually recovered Kshs0.5 billion from proceeds that had been gained by corrupt cartels in the country. But I was taken aback because we do know that the amount of money we lose as a nation is too much. So, the Kshs0.5 billion seems like a small drop.

The Ministry of Health alone in the last financial year lost Kshs5 billion. It was in the public domain. That time I was in the Departmental Committee on Health. We tried to investigate the scandal. It is shocking that even as we talk now, the clinics that were bought at Kshs1 billion are still lying at the port of Mombasa. They have not been supplied. There is no

benefit to the general public. That is a huge scandal. All of that money should have been recovered. There is goodwill, but I think there is a lot more effort that needs to be put in so that we can actually try and fight this vice.

I was also happy that the President did mention that our connectivity to power from the national grid has increased tremendously from 27 per cent to the current 72 per cent, from the figures that he gave us. But I have reservation on that. Yes, it is true that connections have improved, but the price of power is now almost unreachable for most of our people. So, on one hand we are giving power to the people, but on the other hand we are charging too much for the same. I do support the connectivity, but I wish that the President could consider finding ways by which he can not only allow more people to be connected but also for them to have affordable power. That is the most important and critical thing that we require as a country.

On the Big Four Agenda, the President says one of the main agenda of his Government is universal healthcare. I am happy because I know that universal healthcare is going to go a long way in ensuring that Kenyans get affordable healthcare. But if you look at the arrangement under the NHIF currently, in 2013 people who do not work were paying Kshs60 a month. Currently they are paying Kshs500. When I was elected in 2013, we managed to convince a lot of our people to join the National Hospital Insurance Fund (NHIF) and they were paying the contributions because it was affordable. The minute it more than tripled and went to Kshs500, a lot of our people could not and still cannot afford that figure any more. So, we are trying to get universal healthcare but still the basic cost is higher than most of our people can afford. I would urge that if possible, NHIF should structure their charges so that people who do not work, the people back home, those that we represent, those voters, are charged something like Kshs200. That will be fair. Those of us that are working can pay more to cover the cost for those that cannot afford it.

I want to, finally, talk about the golden handshake. I am happy that this is one of the things that the President talked about. I want to thank my party leader...

**The Temporary Deputy Speaker** (Hon. Mariru): I am afraid, your time is gone.

Hon. Members, before we continue, I wish to recognise the Ambassador of the Royal Danish Embassy in Kenya, Her Excellency Mette Knudsen, seated in the Speaker's Gallery. On my behalf and that of the House, I welcome her to the National Assembly.

Thank you.

Hon. Members, we must have a lady Member now. Top on the list is Hon. Mwangaza.

**Hon. (Ms.) Mwangaza:** Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to say something about yesterday's Speech by our President. Indeed, when he was talking I remembered of a man who was healed by Jesus Christ and the teachers of the law and the Pharisees started complaining. The man was blind and he wanted to see. He ignored the complaints from the teachers and the Pharisees and said the importance of his seeing was more than any other thing.

Our President yesterday said that people came out to vote because they wanted to see something. There is a difference between seeing and hearing. He said that the people of Kenya want to see. What do they want to see? What they voted us to do. One thing we need to realise is that the cost of living is so high. People from our counties want to see the policies we as leaders are putting in place to ensure that the cost of living is lower. They want to see the jobless people getting jobs and how to empower them to be in business or many other things that will empower their lives. Our President said that people want to see what we leaders are able to do. Where we

come from, people are suffering and have nothing to do for a living. What is important about the President's Speech is that it shows what people want to see.

Many people are suffering. We want to see what can be done to improve our agriculture, have our youth employed and our roads in good condition. Our people must see the measures taken by us leaders to enhance security and hence promote trade in our counties. The Speech made me differentiate between hearing and seeing. People want to see development and projects. People want to see our girls in schools. People want to see our ladies doing business and prospering. Seeing is important than hearing. Let us concentrate on making our people see the development we are going to bring.

Thank you.

**The Temporary Deputy Speaker** (Hon. Mariru): I can tell that part facing me is getting jittery but before I come there, let us have the Member for Lurambi.

**Hon. Mukhwana:** Thank you, Hon. Temporary Deputy Speaker. This is a very wonderful time for me especially when dealing with forgiveness, unifying the country and preaching reconciliation. I support the President's Speech. The President spoke about forgiveness. His speech was unifying. One of the major problems we have had in this country is exclusion: The feeling may be that other people are not part of the system. I will quote Apostle Paul in Ephesians 4:32.

“Be kind to one another, tenderhearted, forgiving one another...”

As a country irrespective of our tribe, religious affiliation and political inclinations, we are one as Kenyans. Our tribe is one as Kenya and there comes a time when our country is more important than personal interests. So, the President has set an example for all of us leaders that this handshake between him and the Right Hon. Raila Odinga should not just end on the steps of Harambee House. We should go into the villages, preach forgiveness and bring our people together irrespective of our political differences. We may sit on one side of the House and other Members on the other side, but it does not mean that this Parliament is divided. We are here to be in Government. We are here to provide oversight. We are here for checks and balances. We are the one serving Kenyans.

The President spoke about the Judiciary and I am happy to note that he wants to see the independence of the Judiciary. I also echo his sentiments that the Judiciary should not hold the country at ransom. The Judiciary should help fight corruption and impunity where people involve themselves in corruption and damage the economy of this country. The Judiciary should help us, as a country, to make sure that even the big fish, who think are very high, are prosecuted. Whatever public resources and utilities they have taken should be reverted back to the State.

The President spoke and I could see a man who is ready to live behind a legacy. He should not be held to ransom. He should now focus on Kenya. He should not be held to ransom by anyone. He does not owe me anything as a person. He just owes me service delivery. He should leave behind a rich legacy, by leaving behind a country that is united.

In Lurambi, Kakamega, where I come from, I can feel the handshake is working. There were times I could go to the county commissioner's office or the police station and they would just look at me as a National Super Alliance (NASA) fellow who has just come in to disrupt their work. But, after the handshake they are saluting me. So, this handshake is good and I support it. Let us shake hands. Let us support our President and his agenda.

In my conclusion, it should not just be a public relations' speech. The President should go ahead and ensure that he puts a road map in place where we can have a long-term dialogue.

Thank you. I support.

**The Temporary Deputy Speaker** (Hon. Mariru): Who is this called Hon. Judah?

**Hon. Katoo:** Thank you, Hon. Temporary Deputy Speaker. I rise to support the President's Speech. Let me start by appreciating what he said about the 11<sup>th</sup> Parliament that worked around the clock for five years making laws that implemented the Constitution. It is through those laws that we can now account for the achievement of the first term of President Uhuru Kenyatta and his second term which has just started.

If you look at the achievement of the Jubilee Government in the first term 2013 /2017, just to enumerate a few that the President highlighted, one of them is the issue of devolution. This was the key factor of the new Constitution. Some thought it would not work. Others thought that the Jubilee administration would not support devolution but, as clearly put by His Excellency the President yesterday, the money that has gone to devolution from 2013 to 2017 has increased by 56 per cent.

There was no single time during the financial years that the Jubilee administration released the minimum required by the Constitution of 15 per cent. All the while it has been above 15 per cent. By the financial year 2017/2018, there was an increment of 56 per cent in terms of the funds that went to support devolution. That signifies the fact that His Excellency supports devolution. Though I hear some of my colleagues say it is a costly exercise, the National Hospital Insurance Fund (NHIF) from 2013-2017 as said by the President, there was an increment of 89.4 per cent of the enrolment from 3.8 to 7.2 million people who have enrolled in the NHIF. That signifies the need for one of the Big Four Agenda in terms of affordable healthcare through the NHIF. That tells you it was a great achievement and that is one of the reasons why the President was reelected.

On Gross Domestic Product (GDP), especially in the current financial year where we had a General Election, the global growth of GDP stood at 3.6 per cent. For the Sub-Saharan Africa, it was 2.9 per cent, but the Kenyan GDP still remained resilient at 4.9 per cent. That shows that the Jubilee administration was having sound macro financial management in terms of the economy. Of surprise to all is the position that had been taken by the tourism sector standing at 20 per cent growth in a financial year that had a lot of electioneering processes including unprecedented two presidential elections. Tourism is one of the most fragile sectors in the country, but it remained very strong.

Therefore, as I sum up, this says that Kenyans are resilient, strong and the international confidence level for this country is very high. On the Big Four Agenda, a lot has been said but the President gave justification for it. He had focused so much on devolution, infrastructure, security and education during his first term. Now, the Big Four Agenda has become the driving factor but the rest will still remain as enabling factors.

Finally, because of time, reconciliation and forgiveness results to stability and peace in the nation. This will result to economic growth and job and wealth creation for this country. Already, there are signs because the projection of our Gross Domestic Product (GDP) this financial year has gone up to about 5.8 per cent from 4.9 per cent. This is because of the reconciliation and forgiveness process.

I support.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Mandera North.

**Hon. Abdullahi:** Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity. I want to thank His Excellency the President for his wonderful Speech which was

his first one after the protracted electioneering period. I will not dwell so much on it, but speak on some aspects of it.

First on the handshake, as mentioned, it signifies unity of Kenyans. However, to me it came a bit late and should have come much earlier for us to reap more benefits from it. The economy had taken a beating and we had destruction of lives and properties. All these could have been avoided if the handshake came much earlier. Nevertheless, it came on time and I support it because it has unified this country. Going forward, we want every corner of this country to copy the example of this handshake and spread it.

Another aspect which His Excellency the President talked about is the Big Four Agenda. These are key sectors which the Jubilee Government wants to undertake. Where I come from this will have an impact especially on infrastructure. The floods have washed away all the roads in northern Kenya. In the Big Four Agenda infrastructure is one of the key items and this will solve the infrastructure problems in northern Kenya. My belief and prayer is that, by the end of this term of Parliament the road network from Garissa to Mandera will benefit. Therefore, next time when there are floods the roads will remain intact and people will receive goods and services. Right now, there are certain centres and towns which have been cut-off and cannot receive food supplies because of lack of infrastructure. I support the Big Four Agenda because it has come at the right time.

Another aspect is the boldness and courage of His Excellency the President. He apologised for failing to unify the country. I think it takes a bold and courageous person to say so. Being apologetic does not mean he is weak, in fact he is strong. As a country we accept his apology and move on. Several people have said their sentiments on the apology by His Excellency the President. This has paved way for others down the line to also apologise and forgive one another. This is very good and part of the healing process of this country.

Another aspect concerns allocation of money to counties and every year they get an increment. There is an increment of about 56 per cent and in his financial year a lot of money has been allocated to the counties. We want the counties to utilise this money for the benefit of the people. We already have marginalisation within these counties. The money does not trickle down to certain parts of the counties. There are certain areas that are more favoured than others. The money that is received from the national Government goes to the counties as a whole. We ask the counties across the country that they must utilise these funds properly for the benefit and needs of the country.

Lastly, it is important that as a country we move forward and restore sanity and cohesiveness in our country. Our economy has been a hit since the last general election and the repeat presidential election, but we are happy that the handshake has brought these kinds of things. The economy is now growing. We are extremely happy about it. Therefore, I laud and support the Speech of His Excellency the President in as far as unity and cohesion is concerned.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Mwirigi.

**Hon. Mwirigi:** Thank you, Hon. Temporary Deputy Speaker. I rise to congratulate my dear father, His Excellency President Uhuru Kenyatta, for his Address. I understand yesterday was the day which each and every Kenyan realised that Kenya is bigger than anyone. That is why my father decided to ask for forgiveness. That means even if you are great or you hold that rank, you are ready to ask for forgiveness in order for the things that are not moving well to move. I understand there are many Kenyans out there who have a grudge against others. This is an indication that he is ready to unite all of us. He has welcomed any person who feels left out.

Secondly, I would like say “thank you” for the progress the Government is making towards realisation of the Big Four Agenda, which will benefit young people across the country. Why do I say this? The ones who are going to benefit from the value addition programme are young people. A large number of young people are unemployed. They are the ones who are seeing employment. That means the Government is ready to cater for the needs of young people in Kenya. That is why I ask that this programme should be implemented faster for the benefit of young people in Kenya.

Thirdly, I would like to comment on the issue pertaining to security. Security is an international issue which concerns our people. For example, in the area I come from, namely, Igembe South Constituency; this is something we are trying to fight. The President spearheaded this yesterday. It means security personnel will start doing their work as it was directed. I understand that most of the security personnel normally relax but as the President said yesterday, each and every person will be accountable for what he is doing. There is nobody who will be charged with somebody else’s job in the stations where they are working.

The fourth point I want make is about agriculture. I remember His Excellency the President emphasising on this issue. Food security in our Republic is something we cannot keep behind. This is the mother of everything we do in the Republic of Kenya. As we work, we are supposed to ensure that we have sustainable food within our country.

I would like to support yesterday’s Speech by the President and urge each and every Kenyan to forgive each other in emulation of the “handshake” of 9<sup>th</sup> March 2018, so that we can progress the Republic and not argue or fight with anybody. Kenya will continue being well-governed by His Excellency the President, my dear dad, Uhuru Muigai Kenyatta.

**The Temporary Deputy Speaker** (Hon. Mariru): Very well, Hon. Mwirigi. There are quite a number of Members who have registered their interest to speak to this. If you look at the tentative business for this afternoon, this Order is on the Order Paper. The Members who have registered interest and any other Member who would like to contribute still have a chance to do so in the afternoon.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Mariru): The time being 1.00 p.m., this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.