

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 12<sup>th</sup> June 2019

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

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

*(Quorum Bell was rung)*

Order, Hon. Members! Order, Hon. Wanjala! We now have the required quorum. Therefore, business will begin.

Under that Order, there are no statements. Therefore, we will go straight to Questions. To start us off is the Member for Tetu, Hon. James Gichuhi Mwangi.

### ORDINARY QUESTIONS

*Question No.240/2019*

#### OMISSION OF ELDERLY PERSONS FROM CASH TRANSFER PROGRAMME

**Hon. James Gichuhi** (Tetu, JP): Hon. Deputy Speaker, I beg to ask the Cabinet Secretary for Labour and Social Protection:

(i) whether he is aware that over 600 names and data of elderly persons in Tetu Constituency aged more than 70 years were omitted in the registration for the elderly persons under the Elderly Persons Cash Transfer Programme, and

(ii) what measures the Ministry has put in place to ensure that the said elderly persons in Tetu Constituency are registered and paid their dues.

**Hon. Deputy Speaker:** The Question will be replied to before the Departmental Committee on Labour and Social Welfare.

Next is the Member for Kisumu West, Hon. Olago Aluoch.

*Question No.241/2019*

#### MONEY OWED TO SUPPLIERS BY KISUMU, KIBOS,

## SIAYA AND ELDORET PRISONS

**Hon. Olago Aluoch** (Kisumu West, FORD-K): Hon. Deputy Speaker, I beg to ask the Cabinet Secretary for Interior and Coordination of National Government:

(i) whether he is aware that Kisumu, Kibos, Siaya and Eldoret prisons, and Shikusa Borstal Institution owe suppliers, mostly small local businesses sums amounting to over Kshs200 million for the period 2012 to 2018;

(ii) is he further aware that funds were allocated in the budget to the institutions to clear the said bills, but were not used for the same purpose; and,

(iii) what steps he is taking to ensure that these bills are paid.

Hon. Deputy Speaker, with your permission, I wish to bring to your attention that when I filed this Question, I included a three-page annexure with names of 200 suppliers with sums totaling Kshs206 million. This would help the CS in knowing who he owes. I have been informed by the Table Office that it is not customary to attach these details to Questions, but with your direction, the annexure would be submitted to the Cabinet Secretary when he is summoned to come.

**Hon. Deputy Speaker:** I do not understand why he would require that annexure because the Question you have asked is fairly general. I do not know whether you are asking specifically because if you did, you would have included it as part of the Question. I will have a look at it and see what we can do with it. I am sure there is likelihood that the person you are asking to come and reply will know how much the amount is and to whom it is owed. Let us wait and see what will come out of it. I will have a look at what you have and see what we can do.

**Hon. Olago Aluoch** (Kisumu West, FORD-K): Hon. Deputy Speaker, the annexure is in the Table Office. It was submitted together with the Question.

**Hon. Deputy Speaker:** This one will be replied to before the Departmental Committee on Administration and National Security.

Let us go to the next one by the Member for Funyula, Hon. Ojiambo Oundo.

*Question No.249/2019*

## SCHOLARSHIP OFFER BY FOUNDATION INSTITUTE OF AFRICA

**Hon. (Dr.) Wilberforce Oundo** (Funyula, ODM): Hon. Deputy Speaker, I rise to ask the Cabinet Secretary for Education:

(i) whether he is aware that Members of Parliament received letters of invitations requesting students to apply for full scholarship with the Kenya Youth Education Scholarship Fund vide a letter Ref No.FIA/R/MP/03/18, titled Full Sponsorship Training for Diploma, dated 22<sup>nd</sup> March 2018, signed by one Ms. Lilian Nyanki, on behalf of the Chief Executive Officer of the Foundation Institute of Africa;

(ii) is he further aware that each student who applied for an offer of a scholarship was expected to pay Kshs16,500; and,

(iii) could he confirm whether the said college is registered and accredited with the Ministry, what courses has it been approved to offer and train, and what action the Ministry is intending to take against the said college and its promoters, if found to be fraudulent.

**Hon. Deputy Speaker:** The Question will be replied to before the Departmental Committee on Education and Research.

There was another Question which was to be asked by the Member for Teso South, Hon. Omuse. He has requested that this matter be deferred to another date for convincing reasons. Therefore, I order that it be included in the Order Paper at the next available opportunity.

*Question No.252/2019*

GOVERNMENT PREPAREDNESS FOR NATIONAL CENSUS

*(Question deferred)*

Let us proceed to the next Order.

### PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF STANDING ORDER NO.40(3)

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, this House orders that the business appearing as Order No.9 in the Order Paper be exempted from the provisions of Standing Order No.40(3) being a Wednesday Morning, a day allocated for business not sponsored by the Majority or Minority Party or business sponsored by a committee.

As is the practice, Wednesday mornings are meant for debate of Private Members' Bills and their Motions. However, there is a need for this House to finalise debate for the 2019/2020 Budget Report, which was tabled by the Budget and Appropriations Committee and is being discussed. Today is the third and final allotted day because the Standing Orders provide that we must debate the Budget and Appropriations Committee Report on the estimates and revenue for three days.

Tomorrow, the Cabinet Secretary for the National Treasury is supposed to come and address the House in line with the other East Africa Community (EAC) member-countries. He will need this Report adopted and passed by the House to prepare his speech. It is important that we finalise it this morning and if possible, put the Question in the afternoon so that the Cabinet Secretary can have a copy of the decision of the House. The powers of the budget-making process lie with the National Assembly. That is why we decided to conclude Order No.9 so that we deal with the estimates for the national Government, Judiciary and Parliament.

Next week, we will deal with the Vote on Account for every agency, department and ministry. I want my colleagues to help me exempt this business so that we can conclude the third day which is allotted for the debate on the Budget Report tabled by the Committee. I can only see Hon. Makali Mulu who was with me last night in the House Business Committee. I do not see the other Members. I will ask him to second due to his presence in the Committee last night.

**Hon. Makali Mulu** (Kitui Central, WDM-K): Thank you, Hon. Deputy Speaker. I rise to second the proposal.

We know that today is supposed to be for Private Members' Motions and Bills. This morning is the only time Members have the opportunity to debate their own Motions and Bills. As the Leader of the Majority Party has said, in addition to the Budget Estimates, there is also the Supplementary Budget which we are supposed to be concluding. This afternoon is planned

that we will be through with the Supplementary Budget Appropriations Act. We will debate that Bill and conclude it so that funds can be released in terms of financial matters.

I urge Hon. Members to support this Motion so that we can conclude the Budget Estimates this morning and then in the afternoon we can conclude the Supplementary Estimates. That will allow this country to move in terms of making sure that there are funds which will be spent for the remaining part of the year.

With those remarks, I beg to second.

**Hon. Deputy Speaker:** Very well. Before I propose the Question, let me recognise students from Precious Blood Riruta Secondary School, Dagoretti North Constituency, in Nairobi County who are seated in the Speaker's Gallery.

Thank you very much.

*(Question proposed)*

**Hon. Members:** Put the Question!

**Hon. Deputy Speaker:** Is Hon. Pukose in the House? I guess he is. That being the feeling in the House, I will put the Question.

*(Question put and agreed to)*

Next Order!

## MOTION

### REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON BUDGET ESTIMATES FOR 2019/2020

*(General Debate – 3<sup>rd</sup> Allotted Day)*

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Estimates for the National Executive, the Judiciary and Parliament for the Financial Year 2019/2020, laid on the Table of the House on Tuesday, 4<sup>th</sup> June 2019, and pursuant to the provisions of Article 221 of the Constitution of Kenya, Section 39 of the Public Finance Management Act, 2012 and Standing Orders Nos.235 and 239, approves the issuance of a sum of Kshs1,928,865,282,319 from the Consolidated Fund to meet the expenditure during the year ending 30<sup>th</sup> June 2020 in respect of the Votes contained in the First Schedule, and further makes the policy resolutions contained in the Second Schedule in the Order Paper.

*(Hon. Kimani Ichung'wah on 6.6.2019)*

*(Resumption of Debate interrupted on 11.6.2019)*

**Hon. Deputy Speaker:** Very well. We will start with the Member for Igembe Central.

**Hon. Kubai Iringo** (Igembe Central, JP): Thank you, Hon. Deputy Speaker, for giving me this opportunity to contribute to this important Motion. From the outset, I want to say this process is a national duty which we are performing today, so that we can please the country or give okay for the country to spend funds for development. The budget process was exclusively the domain of the National Treasury, but with the current constitutional dispensation, Parliament has been given the onerous task of participating in this important exercise.

We will do our mandate as Parliament and apportion funds to the ministries and the bodies which need to spend the money. This country is experiencing a lot of bottlenecks, especially when it comes to releasing funds to different projects and programmes. We passed the budget last year, but to date, most of the funds are lying in ministries because they have not been used.

On 30<sup>th</sup> June, some ministries will have absorbed 50 per cent, 60 per cent or even less than 50 per cent. That is very unfair for the citizens of this country because we cannot move forward with that sluggish way of doing things. If you look at the NG-CDF, you will find that very few constituencies, if any, have received 60 per cent of the allotment and yet we are closing the year. We have less than 20 days to go, but that money has not been released for projects which were earmarked to have been done as early as September last year.

Some ministries are unable to absorb the funds and the funds are taken back to the National Treasury. The accounting officers are so sluggish in doing the projects. I attribute this mostly to corruption where I even have some personal experience. Funds were allocated to a road in my constituency in the last Parliament. The money took three years to be disbursed to the project because some unscrupulous officers sat on the money until they got the contractor who gave them their 10 per cent, 5 per cent or whatever figure they wanted.

We talk of donor funds which are amounts bequeathed to the National Treasury and the money is there. However, you find that the programme does not take place because the people who are supposed to do the procurement exercise, evaluate and get contractors do not prioritise it. Before they do that, they sit down somewhere in a hotel to make sure that they get their cut so that the work can be done. That is very unfair to this country. We will pass this budget, but I urge the National Treasury, through the Cabinet Secretary, to see that if funds are apportioned for any work, the work is done. Projects have stalled even in the constituencies, especially the roads programme. Contractors are unable to do their work. The money is there and the Cabinet Secretary and the Principal Secretary are there. If you go to the Kenya Rural Roads Authority (KeRRA), the Kenya Urban Roads Authority (KURA) and the Kenya National Highways Authority (KeNHA), you will find that the money is there, but nothing is being done because somebody somewhere wants to benefit before that work is expedited. Therefore, we are working in futility.

We considered the Supplementary Budget yesterday which should have come much earlier. We are doing it in the 11<sup>th</sup> hour together with the next financial year's budget because somebody somewhere is not fast-tracking it. When you go to the electorate, they blame the Members of Parliament because everybody finds them at fault, but they do not see the rot which is in our ministries. Therefore, in as much as we are talking of expediting the budget process, the committees which oversee the various ministries should oversee them critically. We should look into this matter so that if we release funds, they go to their designated programmes as early as possible, but not in the 11<sup>th</sup> hour.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** I have noticed that the Leader of the Majority Party has not contributed and the Standing Orders are very clear. Whenever he has an interest and has not contributed, he takes priority. You are the ones who voted on the Motion successfully. So, the Leader of the Majority Party will speak, and Hon. Baya Yaa should prepare on this other side.

**Hon. Aden Duale** (Garissa Township, JP): Thank you, Hon. Deputy Speaker. First, I would like to express my gratitude to the Budget and Appropriations Committee and all Departmental Committees for working diligently to come up with the Report of the Budget Estimates for the Financial Year 2019/2020 in line with Article 221 of the Constitution, Section 39 of the Public Finance Management (PFM) Act and Standing Order No.235. The Budget Report Estimates of the Financial Year 2019/2020 are legally in this House.

I also want to congratulate and thank the National Treasury for submitting for the first time detailed Budget Estimates for the Financial Year 2019/2020, unlike the previous years where we, as a House, had a problem since they were not giving us detailed Budget Estimates. However, they favoured and respected our Parliamentary Budget Office this year unlike before, and provided them with soft copies. They used to bring hard copies only and I used to table them here. However, they brought soft copies this year. Again, for the first time, they have uploaded the Budget Estimates on their website, because these are public documents and Kenyans can look at and analyse them. The National Treasury has also helped the country in line with the Constitution 2010.

This went a long way in making the various departmental committees scrutinise the Budget Estimates faster as well as look at the accountability and transparency aspect of the budget-making process. This is the time when you can tell the difference between the Senate and the National Assembly. The budget-making process function is given to this House. That tells us that it is the upper House. Hon. Otiende Amollo, who was part of the people who drafted the new Constitution, should talk to our colleagues that there is no way they can be the upper House if they do not have the powers given by the Constitution. Those in the Senate, if they want such powers, should come to the National Assembly.

Transparency and accountability are key in considering and approving the Budget Estimates. This, again, has been actualised this year through the comprehensive analysis of the Budget Estimates in Parliament. In a span of five years, for the first time, the Budget has moved from a line item budget to a programme-based budget. Before, we never used to deal with the projects the Government wanted to invest in. So, we are happy that in five years, we have moved from a line item budget to a programme-based budget.

This is what this House and its committees have been demanding for in the last five years. This is a milestone that has never existed since 2002. The budget was just a block figure then and you would not tell what was in it. They say that the devil is in the detail and we now have the details. Each Member is in a position to tell what we are giving the Government. When we go to the Committee of Supply where the House appropriates the money given to the three arms of the Government and the county government, we will have an opportunity to oversee.

I retaliate that we have become an envy of many parliamentary jurisdictions. There are many Parliaments that come here to learn how we control, as people's representatives, the budget-making process. That is why we have a number of delegations from the various countries coming to learn from us.

The economy was growing well at 6.3 per cent in 2018. This was mainly driven by improved performance in the agricultural sector unlike what we are going to face this year. In 2018, we got enough rains and the agricultural sector did very well. But in 2019, with the impending drought, we hope other sectors such as the manufacturing and the financial sectors will help us to maintain or increase the economic growth rate of 6.3 per cent that we achieved in 2018.

The rate of inflation remained stable at 4.7 per cent in 2018 and is now 5.5 per cent. If you look at the inflation rate of our counterparts whose economies we compete with, for example, South Africa, Nigeria and Egypt, you will find that we are still at a lower level. According to the Kenya Bureau of Statistics (KEBS), it is estimated that we created over 841,000 jobs in 2018 with 84 per cent of them created in the informal sector. That means most of the jobs were created by Kenyans doing small-scale businesses in the *Jua Kali* sector. So, we really need to support the informal sector.

The implementation of the Budget Estimates for 2019/2020 is set to actualise the economic growth of 6.2 per cent. So, the projection for 2019 is 6.2 per cent. Last year, it was 6.3 per cent while it is projected to be 6.2 this year. It has gone down by 0.1 per cent. I am sure that is because of the challenges the agricultural sector will face.

Let me say without any fear of contradiction that the Big Four Agenda of President Uhuru Kenyatta has received a substantial amount of resources in this Budget unlike last year. In the Budget Estimates of 2019/2020, approximately 15 per cent of the Budget, which is about Kshs450 billion has been allocated for the implementation of projects and programmes which are in line with the Big Four Agenda. So, the line ministries, whether it is universal healthcare, manufacturing, housing or food security, have no reason not to implement the Big Four Agenda. About 15 per cent of the 2019/2020 Financial Year Budget, which is equivalent to Kshs450 billion has been allocated to the Big Four Agenda of President Uhuru Kenyatta. The resources will be adequate in continuing the implementation plan for the Financial Year 2019/2020 since most of the projects are new and were already ongoing before the formulation of the Agenda. They are in food security, Universal Health Care and support for manufacturing sector.

I also commend the recent directive by the President on the clearance of pending bills. This will enable continued growth of the Small and Medium Enterprises (SMEs) especially by the youth and the completion of stalled projects. As a House, we need to amend the procurement law so that if you provide services and goods to the Government at any level, whether to the county or the national Government, to Parliament or the Judiciary, like in private sector, there must be a timeline for payment. You either pay say within 30 days, 60 days or 90 days. You cannot keep people's money for two, three or even ten years when people are paying interest on the loans they may have taken from banks. This trend must change.

The Government is provided with goods and services, but it is not known when it will pay the suppliers. I am happy the President saw that SMEs, the drivers of our economy, were collapsing. That is why our economy is resilient to international shocks, the weather and other

economic shocks. If we kill SMEs by holding their money for too long, then, we will affect the general wellbeing of our economy.

We must pay pending bills so that stalled projects are completed. If you go to our constituencies, you will see stalled projects. When you ask the contractors what the reason is, they say that they have not been paid. It is good we pay the pending bills for roads, water and healthcare projects so that they do not stall.

In this regard, I support the Budget and Appropriations Committee in their recommendation in the Report. They have asked the National Treasury to come up with a policy framework for completion of stalled projects by 1<sup>st</sup> October 2019. When we reach that date, we expect the Cabinet Secretary for the National Treasury to present to this House a policy framework on how he will deal with the completion of stalled projects. I welcome that proposal to amend the Public Finance Management Act to provide for penalties for failure to settle pending bills. This is where we should go.

The Chair of the Budget and Appropriations Committee is seated behind me. He has put that in his recommendations that we need to amend the Public Finance Management Act and provide for penalties for failure to settle pending bills. If the Government cannot settle pending bills over a certain period, there must be penalties. If money borrowed from banks is not paid, one has to pay penalties.

The bulk of the recurrent expenditure, which is approximately (*technical hitch*) for all the MDAs, is mainly under the State Department of Interior and Coordination of National Government and the Ministry of Defence and State Department for Early Learning. There is a problem of recurrent expenditure in county governments. Between 60 and 65 per cent of the money that we send to county governments is used for paying salaries, not of important professions like doctors and nurses, but for paying relatives and friends of governors who call themselves advisors and get fake degrees from River Road. We cannot allow this. The essence of devolution was to take development to our people. The essence of devolution was to build more hospitals, do more roads and improve agriculture and livestock. If devolution is going to be as we are seeing, paying salaries...

Today, if a young man posts something on Facebook, the next morning he is given a letter by a governor to become the youth advisor in county executive committee's office. The Public Service Commission (PSC) must do an audit and rationalisation. You cannot have a country where all the taxes are used to pay salaries. This applies to the national Government.

The bulk of the capital spending in this Budget, which is approximately 45 per cent of the total MDAs capital budget, is accounted mainly for under the Ministry of Transport, Infrastructure, Housing and Urban Development, the programme of road transport. Infrastructure is getting a huge budget. The Department of Transport, the Ministry of Water and Sanitation, the State Department of Energy and the State Department of Housing and Urban development... With this budget, we want more Kenyans to be connected to electricity. We want this story of having generator sets in Wajir and Mandera to stop. You can use the sun. There is a lot of sun in northern Kenya. You can put serious solar projects in Wajir that can give 10 to 15 megawatts.

When I became a Member of Parliament for a constituency called Dujis in 2007, I was a victim of those engines. But through the help of President Uhuru Kenyatta, Garissa, my



constituency, is now connected to the national grid. That is one of the reasons they have elected me three times. Why should Wajir, Lamu and Mandera be under generator sets since Independence? That is not acceptable. We need more roads because we have given the Ministry of Roads more money. We want these roads to be the same. The Member for Baringo Central is saying yes. He has produced a President for 24 years. I cannot imagine that he has no roads. Some of us have not produced a President or a Prime Minister. You had President Moi for 24 years. If he never did roads, my friend, wait. Those of us who have not produced a president must get roads first. I should expect the Member for Mumias or Kilifi North to talk.

**Hon. (Ms.) Gladwell Cheruiyot** (Baringo CWR, KANU): On a point of order, Hon. Deputy Speaker.

**Hon. Aden Duale** (Garissa Township, JP): No! Just because I have mentioned Moi? I will then mention Uhuru. I said Moi in reference to a president. In your point of order, do you want to say Moi was not a President? Already, there is a referendum question to remove women representatives.

**Hon. Deputy Speaker:** Leader of the Majority Party, proceed and contribute. I am the one in charge.

**Hon. Aden Duale** (Garissa Township, JP): The Woman Representative for Baringo County is shouting. She should be very much concerned. She will go home.

**Hon. Deputy Speaker:** Hon. Member for Baringo, what is your point of order?

**Hon. (Ms.) Gladwell Cheruiyot** (Baringo CWR, KANU): Hon. Deputy Speaker, I get concerned when the Leader of the Majority Party says Moi was a President of Kenya for 24 years. He was not the President for Baringo. He only came from Baringo but he was serving Kenya. It is unfortunate that he can fix him. He did not do all the roads. We still have roads that need to be done. You cannot say that because Moi was a President, you oppress us.

**Hon. Deputy Speaker:** I have a problem with picking what is out of order. What the Leader of the Majority Party said is that the President came from Baringo and most likely most of the roads would have been made at that point. You have said that he was the President of Kenya, and Baringo is part of Kenya.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, to help her, before 2003, President Moi was a Member of Parliament for Baringo Central. That is if she does not know. He was a Member of Parliament for Baringo Central the way I am a Member. Today, I can tell you, just because I am the Leader of the Majority Party, there is a lot of development going on in my constituency. Even the national grid has reached Garissa. So, if your guys slept on the job, do not blame anyone.

Another issue is that there is a referendum coming to scrap the office of the Woman Representative.

*(Laughter)*

This morning, they should be worried.

*(Loud consultations)*

Hon. Deputy Speaker, please protect me.

**Hon. Deputy Speaker:** I do not want Members who are shouting from their seats.

**Hon. Aden Duale** (Garissa Township, JP): I agree with Hon. Rehema. She says she is going for the seat of Member of Parliament for a constituency because women representatives, according to the signatures being verified, are endangered species.

**Hon. William Chepkut** (Ainabkoi, Independent): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is it, Hon. Chepkut?

*(Loud consultations)*

Order, Hon. Members! We are in a different dispensation. You do not shout from your seats. There are gadgets here and I am giving the opportunity to somebody who has pressed that gadget. What is it, Hon. Chepkut?

**Hon. William Chepkut** (Ainabkoi, Independent): The Leader of the Majority Party, I want you to withdraw with speed.

*(Laughter)*

President Moi was a great statesman of this country. We must respect him because he did great things in this nation. He even appointed your own...

**Hon. Deputy Speaker:** Hon. Chepkut, you have a very good point. The problem is that you have used that particular point that I have given you, which you indicated is a point of order, to contribute and make a statement. Now, the statement might be correct, but the formula you have used is wrong because you have gone into a speech. You are not telling me where the Leader of the Majority Party is out of order. Hon. Chepkut, you have made your statement. It is on record.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, he is my good friend, only that if I have to withdraw, I do not know who will measure the speed.

Hon. Chepkut is a total man. He is a reincarnation of a total man. So, he is still giving instructions. He is telling me to withdraw with speed. He thinks we are in the 1980s and 90s. This is a House of free thought.

**Hon. Deputy Speaker:** Please, wind up because your time is over.

**Hon. Aden Duale** (Garissa Township, JP): I was winding up before the Woman Representative interrupted. There is a referendum coming even to scrap the Senate. What is the big deal? I was happy last night.

**Hon. Deputy Speaker:** As you wind up.

**Hon. Aden Duale** (Garissa Township, JP): Let me go back to the Budget. Give me two minutes and I will finish.

**Hon. Deputy Speaker:** One minute.

**Hon. Aden Duale** (Garissa Township, JP): Two minutes, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** One minute, Leader of the Majority Party.

**Hon. Aden Duale** (Garissa Township, JP): Okay, two minutes. It is also projected that the revenue in the Financial Year 2019/2020 will stand at Kshs2.12 trillion. However, this will not be enough to fully finance the budget deficit and will require external and domestic borrowing.

I thank the Chair of the Budget and Appropriations Committee and departmental committees. For the first time, we have reduced the deficit.

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** What is it Hon. Lesuuda?

**Hon. Aden Duale** (Garissa Township, JP): Why are you allowing these ladies to harass me?

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): Thank you, Hon. Deputy Speaker. Although it has been overtaken by time, the question I wanted to ask is whether the Leader of the Majority Party is in order to pre-empt an issue to do with the referendum which is not before this House, and to say that the seat of the Woman Representative is already gone.

**Hon. Aden Duale** (Garissa Township, JP): I did not say that.

**Hon. Deputy Speaker:** I realise there is a lot of sensitivity to that. Having heard the Leader of the Majority Party very keenly, he did not say that it has been scrapped. He said there is a possibility that it is going to be scrapped. You will have to look at the records. I would not encourage Members to shout from where they are.

**Hon. Aden Duale** (Garissa Township, JP): Hon. Deputy Speaker, I want to repeat. I have lived here for 13 years. This is where you exercise free thought as a legislator. Nobody can stop you. Signatures are being verified. I have a copy of the referendum questions. We are only waiting for the signatures to be verified. Whether you like it or not, I am talking in proverbs. You should be worried today if those signatures are verified. The Bill will be sent to the counties to be approved. It will be brought here. I am sure there will be a majority vote here. So, you better prepare.

I have only one minute. As a House, we expect the Budget will be implemented as approved and any Supplementary Budget will only be the unforeseen expenditures and emergency issues. It is a Wednesday morning. So, the House must be very active. It is, therefore, my pleasant duty and privilege to support the Report on the Budget Estimates for the Financial Year 2019/2020.

I recommend to the House that we adopt it this morning and allow the Cabinet Secretary for the National Treasury, who will come to this House, to implement it. There will be no joint sitting on this one.

**Hon. Deputy Speaker:** Honourable lady Members, that matter is water under the bridge. I see the Member for Lamu is also jittery. What is it?

**Hon. (Ms.) Ruweida Obo** (Lamu CWR, JP): Mhe. Naibu Spika, je ni haki kwa Kiongozi wa Walio Wengi kutumia nafasi yake, siku zote hapa kwa Bunge, kutishia akina mama? Siku zote anatishia maisha ya akina mama. Kila kitu kinachofanywa, anatishia wanawake. Akisema “*it is indigenous species*”, yeye kama Kiongozi wa Walio Wengi, anafanya nini? Ikiwa kuna *indigenous species*, tunajua Serikali huchukua hatua kuwalinda, sio kuwatishia. Yeye anafanya nini? Amezoea. Wakati nilipoenda na Atwoli, alinitishia; saa hii anatumishia. Mara anatumishia *flower girls*. Ni haki hiyo? *Is it fair?*

**Hon. Deputy Speaker:** Leader of the Majority Party, you now have exactly 45 seconds to finalise.

**Hon. Aden Duale** (Garissa Township, JP): I never said ‘flower girls’, but if you are a flower girl, you are that. *Sijamtishia mtu yeyote*. But if you feel threatened, that is your problem.

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Order, Member for Murang’a! You do not have a card. Therefore, I am not going to give you an opportunity because it is not enough to raise a point of order and the card is not indicating here.

**Hon. Aden Duale** (Garissa Township, JP): The problem this morning is the referendum issue. I beg to support and ask Members to approve the Budget and allow the Cabinet Secretary to come tomorrow. As I said, there are two important days in the Calendar of the National Assembly, namely, the State of the Nation Address by His Excellency the President and the reading of the Budget highlights by the Cabinet Secretary for the National Treasury. It is an exclusive domain of the National Assembly.

Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** That is okay. We will go to Hon. Baya Yaa. I am not going to entertain any other points of orders. Hon. Ichung’wah, I am not going to. You are out of order.

**Hon. Owen Baya** (Kilifi North, ODM): Hon. Deputy Speaker, can I be heard in silence?

*(Laughter)*

I start by saying that...

**Hon. Deputy Speaker:** Did I hear you correctly? What did you say?

**Hon. Owen Baya** (Kilifi North, ODM): I said: Could I be heard in silence?

**Hon. Deputy Speaker:** That is a reasonable request. You will be heard in silence.

**Hon. Owen Baya** (Kilifi North, ODM): Thank you, Hon. Deputy Speaker.

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Order, Member for Murang’a! You know you are a fairly senior Member of this House. You do not have a card. Therefore, you are not going to speak. It is out of order! Any approaches will not be accepted.

Proceed, Hon. Yaa.

**Hon. Owen Baya** (Kilifi North, ODM): I hope they will keep my time so that I can start now.

I would like to support the Budget and thank the Budget and Appropriations Committee for a good job. However, I would like to say that when the budget process starts, every Kenyan is hopeful that the budget will transform their lives. I am sure if properly implemented and the reasoning that went into it is implemented as expected, this Budget can transform this country. There are many sectors that have benefitted in this Budget. We have huge allocations in education. The education sector is one of the biggest beneficiaries. We would like to see this Budget transform the education sector.

I would like to draw your attention to the fact that there are usually infrastructure funds. The Infrastructure Fund has been created within the education budget for primary schools, secondary schools and universities, but we still have schools that can be called “schools of shame”. The money that is allocated is not spent. The absorption rate is not as expected. I want

to draw your attention to examples in Kilifi County. We have always had the problem of what is called “schools of shame”, where we still have mud walls and kids sitting on the ground yet basic education is a function of the national Government.

I urge the Cabinet Secretary for the National Treasury and the Cabinet Secretary in charge of education to ensure that there is fair distribution of funds as put in the Budget. I realise that funds are set aside in the budget for the education docket, but it is the Cabinet Secretary or the Principal Secretary to decide where the money goes. We would like to see fairness and equity this time round, so that we do not take money where there is already very good development and deny areas that are really suffering.

We have seen money for recruitment of teachers in the Budget. We would like to have more teachers recruited, especially in areas that are lacking teachers. In the past, we have had teachers recruited in areas which are overflowing with teachers. Others have deficits yet those deficits continue. I point out that my county has a huge deficit of teachers. As the recruitment comes, I hope it will take care of issues of equity. I hope areas that have not had teacher recruitment to reach the thresholds that are expected will be given opportunity to reach those thresholds. So, as the TSC gets its money for teacher recruitment, it should consider giving priority to those areas.

I have seen funds for university education. Lots of funds meant for university education do not reach the universities.

**Hon. Deputy Speaker:** Order! Now that you have placed your card, the Member for Murang’a, what is your point of order? Do you still insist you have a point of order? Who is out of order now that we are with Hon. Yaa?

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): Thank you, Hon. Deputy Speaker. One, I wanted to advise the Member that only the President has authority to be heard in silence in this House.

**Hon. Deputy Speaker:** Are you sure you want to pursue that line? Now, that is not a problem. Just before we proceed on that one, as someone had said before, this is a House of debate. Can you, please, specifically tell us which Standing Order says it is only the President who will be heard in silence? I am struggling to pin point it.

*(Laughter)*

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): It is there. I will read it for you. It is when we listen to the State of the Nation Address. I will be assisted. Once I get the relevant Standing Order, I will read it. In the meantime, allow me to proceed. I just wanted to address the Leader of the Majority Party.

**Hon. Deputy Speaker:** No, that is not right! The Leader of the Majority Party has finalised his debate.

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): Allow me. Because he is the Leader of the Majority Party, he leads a majority of us - myself included.

**Hon. Deputy Speaker:** It is not going to be allowed.

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): There is a problem here. Allow me to express myself.

**Hon. Deputy Speaker:** That problem will be resolved in a different forum. The Leader of the Majority Party has finalised. I thought it was a point of order against Hon. Yaa.

**Hon. (Ms.) Sabina Chege** (Murang’a CWR, JP): I have already mentioned about it.

**Hon. Deputy Speaker:** Rest if you have finished.

**Hon. (Ms.) Sabina Chege** (Murang'a CWR, JP): I have not finished, Hon. Deputy Speaker. As I proceed, I want to say that I respect my leader. I know he has a small problem because he does not have girls.

**Hon. Deputy Speaker:** I am not going to allow that! Those are personal matters. Let us proceed, Hon. Yaa. The issue of whether the Leader of the Majority Party has daughters does not arise.

**Hon. Owen Baya** (Kilifi North, ODM): Thank you, Hon. Deputy Speaker. I was addressing the issue of university education in this country. I would like to plead to the State Department for Education especially on university education, that when they are disbursing funds, they should consider young universities. I have in mind a university like Pwani in my constituency.

Pwani University suffers capitation problems because there is very little disbursement from the Ex-chequer to give the university an opportunity to grow. They have a good development and master plan, but you realise that the funds that are going into the young universities are minimal. Reasonable amounts are put in the budget, but the way the money is disbursed slowly to the universities... At the end of the day, only 30 per cent of the funds are disbursed. So, we should see an improvement as we implement this budget.

I have looked at the Budget especially in the area of land. Hon. Deputy Speaker, I would like to ask for more time.

**Hon. Deputy Speaker:** No! I will not allow you more time. Wind up, please.

**Hon. Owen Baya** (Kilifi North, ODM): We would like to see more funds being used in the settlements of squatters, an issue which is affecting areas in Kilifi. We have very many squatters in that area, but this budget does not reflect that. I hope as we move forward, we will have more money to ensure that squatters are settled.

I would like to speak about tourism. About Kshs9 billion has been set aside for product development in the budget. We have areas that are traditionally a bastion of tourism especially Malindi, which is a dying town. As this town dies, we would like to see the Minister for Tourism giving attention to marketing of these towns so that the economy of the areas can continue to grow.

I would like to finally talk about fishing. Money has been set aside for fisheries. A lot of the money set for fisheries does not develop the sector. We would like to have more money for fishermen so that they are given fishing gear to ensure that they are able to fish, get money and help their families.

I beg to support this Motion. I wish I had my time.

**Hon. Deputy Speaker:** Do not worry. Next time you will have more time. Let us hear the Member for Juja.

**Hon. Francis Waititu** (Juja, JP): Thank you, Hon. Deputy Speaker. I had requested our Leader of the Majority Party to come...

**Hon. Deputy Speaker:** The Member for Juja, I know there was something you were supposed to raise and pursue. The reason I have given you an opportunity is to contribute to the Budget. If you want to do whatever else, then I should allow you later. I know you had actually made a request, the only thing is that I cannot bring it in now. I thought you were interested in the Budget. Is that the one you are contributing to or the other one we agreed on?

**Hon. Francis Waititu** (Juja, JP): It is the other one. Two hospitals...

**Hon. Deputy Speaker:** Please, resume your seat. I am going to consult and see the best time to slot you in. I thought you wanted to contribute on this one and then consult on the other one. So, I will consult quickly and see how quickly I can resolve your issue.

Let us have the Member for Wajir South.

**Hon. Mohamed Mohamud** (Wajir South, JP): Thank you, Hon. Deputy Speaker. I rise to support the Budget for 2019/2020. While I support, I have considerable amount of reservations on the budgets, particularly the way they have been established. There are a number of critical things that this Budget does not reflect on. One is about allocation of considerable amounts of funds for water and health. That is one of the things that I really hope to see.

This year's national budget reflects on the reality of where we want to see our country.

**Hon. Deputy Speaker:** Just so that Members to my left are comfortable, when the Member for Wajir finishes, I will give a chance to about two Members to my left to contribute.

**Hon. Mohamed Mohamud** (Wajir South, JP): This year's national budget reflects on the reality of where we want to see our country in future and how we want our communities to benefit. Albeit I see the challenges coming in terms of the scrutiny that the budget deserves, this one has values that are going to make a change to multiple areas in our communities. There is a general feeling that the Budget and Appropriations Committee overlooks a number of things. Some of them include recommendations of the Departmental Committee on Health.

As a Member of the Departmental Committee on Health, I support the amendments of the Committee for the budget of the Ministry of Health. Any diversion is not fair. It is not right. The decision on the health budget that we brought forward must be maintained and looked into. I have been in the health field for the last 28 years and my understanding of the needs of this country is quite diverse and huge. Because of that a number of issues have been raised by the Departmental Committee on Health and that really needs to be looked into.

Our recommendations and our decisions are pegged on the reality on the ground. Rural health has been overlooked for many years. While universal healthcare will be a complement, it must be opened up. That means that the actual aspects of the universal healthcare must be pegged on what need to be funded.

It has become apparent that the Departmental Committee on Health extensive examination of our budget decision cannot be questioned without looking at the reality. The role of the National Assembly is obvious. No committee can ignore what another committee has looked at and recommended.

Our oversight role of the Ministry of Health has had us look at the budgets in the past, how they were expended and the audits that came back. Therefore, our decision is reflecting on that. The sorry state of the health system in this country is what drives our decision in budgeting. Due diligence is one of the critical gears to shift for the implementation of the Constitution. Unless we stand forth to safeguard this, then this House and its committees would not have fulfilled the role and the wishes of Kenyans.

The amount being reallocated from health is about Kshs4.6 billion and is informed by the pilot report which is not done by the Ministry on time. Until we get that, we feel that the reallocation to the other aspect of health is what we want to pronounce louder. Any diversion from the plans of the Committee on Health in terms of discussions and decisions is actually a mockery and not acceptable. Therefore, we really need to see that that is looked into. Our conscience is clear and the sorry state of referral hospitals is an example that we have looked at. Therefore, we want to see that it is clear...

**Hon. Deputy Speaker:** We will now have Hon. Maanzo Kitonga who is top on the list from this side.

**Hon. Daniel Maanzo** (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me a chance to comment and support this important Motion on budgetary allocation. I want to thank the Budget and Appropriations Committee and its Chairperson, Hon. Ichung'wah for a job well done. I am aware that they have moved around the country to do public participation and they collected ideas from the people. So, these provisions they are presenting are good.

First, I want to comment on the Departmental Committee on Trade, Industry and Cooperatives that I serve. I have seen allocations on Kenya Industrial Research and Development Institute (KIRDI). This is important for incubation of Small and Medium Enterprises (SMEs). SMEs in this country can be incubated to spur investments and encourage young people to go into businesses. There is a building in South B Estate and in Industrial Area that I have seen money allocated to. I believe this money will be sufficient and if there will be a shortfall, it can be considered in the supplementary appropriations. There is also a base in Kisumu that is ready. It only needs polishing up then it can be launched. If KIRDI is supported – I have seen this Budget has supported it further – we can have many small businesses coming up. As a committee, before we made proposals to Hon. Ichung'wah-led Committee, we visited many areas and realised that many young people are interested in starting their own businesses other than looking for employment. The Budget needs to encourage this so that the country goes into manufacturing. Currently, from the goods that are coming in via the SGR, we are importing a lot of tonnes from other countries and exporting few tones for sale abroad. Therefore, once we encourage KIRDI to incubate SMEs we will manufacture products that will sell outside the country and develop our economy.

Secondly, I will talk about roads. The way the appropriations have been made is general. You cannot narrow down to specific projects. I believe the way they have been grouped is good. In Makueni, there is a road that links counties and countries. From Tanzania, it is linked through Emali to a place called Ukia. Also, it links through Machakos and Embu. Some sections of the road in Makueni Constituency, between Emali and Ukia are not yet tarmacked. However, there is tarmacking that was started years ago which is ongoing in some parts of Mbooni. I believe if some funds can be allocated – I have communicated several times to the Ministry in writing on the same – such a road can link countries. You can travel from Tanzania to Ethiopia using that particular road; it is a shortcut. That will spur development. The road is closer to Kalamba area where there is a lot of fruit growing. It will be easier for the produce to be transported to the market.

I Support this Budget Estimates and I urge Members to also support it when it will be read tomorrow. It will move this country to the next level economic-wise. It is good that Members are able to criticise and it will be good that whatever criticism that comes in is taken, so that we improve this Report before it is finally read tomorrow.

I have also looked at irrigation. Some parts of this country are dry. However, we have big rivers like, Tana River and Athi River that flow through Makueni Constituency where Thwake Dam is undergoing construction despite the challenges it had when its construction began. If we can budget more for irrigation, we will have smaller dams taking irrigation to the people and that will be better because we will have many other areas that can grow food and feed the country.

I beg to support, thank you.

**Hon. Deputy Speaker:** Let us have Hon. Dr. Otiende Amollo.



**Hon. (Dr.) Otiende Amollo** (Rarieda, ODM): Thank you, Deputy Speaker. As I contribute to this Motion, I want to note the sentiments of the Leader of the Majority Party. A debate arose as to whether Members should be listened to in silence. The Member who had sought to know would have known that the specific Standing Order is No. 24(4) which says: “When delivering an address to the House, the President shall be heard in silence and the address shall not be followed by any comment or question.” However, under Standing Order No. 78, we ought to listen to every Member in silence. So, the Hon. Baya was right to request that he be listened to in silence.

I generally applaud this Motion and the efforts that have been made lately. There has been a lot of positive movement. I want to make three points. First, we consciously, as a country and as the team that wrote the Constitution, moved the power to determine the Budget from the Executive to Parliament which is the representative body of the People. We, as Parliament, must fully seize that. All elements that appear to still retain the larger say on the Budget in the Treasury must be resisted. I, therefore, think that we need to carefully examine the process of budgeting from the way it moves from the Treasury to the Budget and Appropriations Committee, then to this House, so that we are sure that the ultimate product is a product of this House and not of the Treasury. I am not fully satisfied that we are there yet. The Treasury has, through devious means, retained fundamental say in the ultimate Budget. Therefore, that is something that we need to look at carefully.

Secondly, we ought to caution and ensure we exercise our powers to avoid the Treasury sabotaging a Budget that has been passed by Parliament. In the ultimate, you will find that we pass a Budget, but over 50 per cent of it is not allocated. As we speak today, each Member is entitled to the National Government Constituencies Development Fund (NG-CDF) of about Kshs109 million. To date, all of us have received barely between Kshs50 and Kshs53 million. That means that, essentially by Executive fiat, the Executive has halved what Parliament allocated to NG-CDF. This occurrence is not unique to Members of Parliament alone. Basically, that means that the Budget we pass is a mere recommendation, but the Executive then determines what the actual Budget should be. That should not be.

Thirdly, it is a practice by the Executive of slashing budgets that are allocated by Parliament at whims by different percentages. This means that by that process, the Treasury is assuming the powers of Parliament in making the Budget and, therefore, determining which body should get what allocation and which one should not. That is a practice that we ought to censure; that is a practice that we ought to stop. It is not based on the Constitution and the law.

Looking at the specifics of the Budget, it is generally more balanced than it has been before. However, there are three specific items that attract negative attention. One of them is an item called Government Advisory Services that has been allocated Kshs910 million. I do not know what that is. We know the Attorney-General is the Chief Government Advisor and they have a separate allocation. There is a budget for the Ministry of Interior and Coordination of National Government which, of course, gets a lot of money, Kshs139 billion but under their budget, there is something called Policy Coordination and Support Services that gets Kshs28 billion. To my mind, this is where the mischief lies. These allocations that are given and are not properly accounted for, we, as the budget-making body, ought to be satisfied with them.

Thirdly, I have seen the allocations to the Office of the Deputy President of Kshs2.1 billion. I am sure that this is where we host the big delegations. The Deputy President deputises the President. The President has Kshs4.8 billion, why does the Deputy President need Kshs2.1 billion? This money should be taken to the TVET institutions so that all of us have them.

With that, I generally support the estimates with some measured reservations.

Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Gitonga, finally let us have a gentleman who enjoyed the largesse of the former President Moi when he was President of this country. He enjoyed in the school known as Kabarak. It is your turn to speak.

**Hon. George Gitonga** (Tharaka, DP): Thank you, Hon. Temporary Deputy Speaker for reminding them of those good days in the old school and especially when we had the retired President Daniel Arap Moi being mentioned. We remember his days in that school with nostalgia.

*(Loud consultations)*

Yes, including the Hon. Temporary Deputy Speaker on the Chair.

I rise to support the Budget and Appropriations Committee Report on the proposed Budget Estimates for the coming financial year. I have gone through the Report and wish to state that I support these estimates for purposes of the furtherance of the Big Four Agenda, which is what our Government is now delving into. It seeks to ensure that we realise that agenda in the four sectors that have been set out. Most important is the infrastructure sector. It is because most of the roads, especially in the rural areas, are in pathetic state. I do make this argument bearing in mind my constituency, Tharaka. Time and again, I have been to the Ministry of Roads seeking funds to simply murrum most of the roads, but I have not been successful. I have seen an allocation regarding roads. I have seen many counties getting money to murrum their roads if not to have tarmac on them. I would, therefore, be urging that ministry that when I visit, I need consideration.

The other sector is education. We have to realise the best quality education for our children and we have made a provision for that. Unfortunately, I have just been granted a charter for a university college in Tharaka; The Tharaka University College, a constituent college of Chuka University. I have gone through the budget and found that it has not been allocated any money for development. This is to confirm that I will be urging the Departmental Committee on Education and Research that while we go to the Committee of Supply we consider allocating at least Kshs100 million to that university for purposes of development. It is vitally important that as we move towards 100 per cent transition, our universities are equally developed, equipped and enabled so that they can absorb students who qualify from the secondary schools to join universities.

It is also important to note the issue of food sustainability in the country. Most of the areas in Kenya have received very little or no rainfall at all. There will, therefore, be need for relief food so that we ameliorate the problem of lack of food in most areas. My constituency is affected. My county, Kitui, Embu and others are all affected. They would need special consideration from the Ministry of Devolution so that there are sufficient food supplies in the country to serve all citizens. We must ensure that we do not close schools because children lack food. We should not record deaths, whether in Turkana, West Pokot or other places where people lack food.

Finally, having gone through this Budget I have noted an item which is also very important. It is on the construction of county headquarters in five counties namely; Lamu, Isiolo, Nyandarua, Tana River and Tharaka Nithi. While the other four counties have received Kshs125 million, Tharaka Nithi has received a paltry Kshs3.152million. This is not explained. I hope

nobody is being malicious and that this is an error. However, I will be moving, through the BAC, that at least the money given to these five counties is shared *pro rata* and that each county gets...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Gitonga, it is only five minutes for each speaker. You will recall that when I joined Form One, you were the captain of that great school and you treated me very well. Thank you, indeed. You are a gentleman. Let us have Hon. Wakhungu.

**Hon. (Dr.) Chris Wamalwa** (Kimini FORD-K): Thank you, Hon. Temporary Deputy Speaker. At the outset, I congratulate the BAC for work well done. I know what it means because I served in the BAC in the last Parliament. At a time like this, normally the Committee is very busy. We are in a presidential system where Parliament is the budget-making House. We have said that before. However, as we speak right now, this Parliament is not even a budget-making House. Why am I saying so? It is because there is a lot of influence from the National Treasury when it comes to the budget-making process. When you look at the budget cycle, much as it is a bottom-up approach, the figures do not even reflect what the sectors had presented to the BAC. This is the time we need to call a spade a spade. We are no longer in the parliamentary system. However, if at all the Executive is going to influence this Budget then we better go for a referendum and get back to the parliamentary system.

When we have such a process, the Committee needs to go further and give us an overview of the previous budget implementation. It is not given anywhere! We raised these issues during the last financial year where we said it is crucial for the BAC to inform Members about the status of implementation of the previous Budget so that you debate from an informed perspective. The issue of giving us these extractions from nowhere is misplaced. I am saying so because when you talk of budget-making, this is just a routine. It does not mean anything. When you go to Germany, in the Bundestag, or to the Congress in the United States of America, you will realise that there is a lot of seriousness when it comes to matters budget.

As the Hon. Leader of the Majority Party has said, the important issue of budget-making in any parliament cannot be taken for granted. In many jurisdictions, the budget is prepared by the upper House. In this country we have two Houses: The Senate and the National Assembly. Because budget-making is done by the National Assembly, it goes without saying that the National Assembly is the upper House. We are saying this so that our colleagues in the Senate get to know. This is the criterion in many other jurisdictions. An upper House is the one that has the jurisdiction of making the budget.

Going back to the Budget Estimates, I would like to say that, ordinarily, you must pass the Division of Revenue Bill first then you go to the Budget Estimates. After that, the Cabinet Secretary comes here to give us the revenue-raising measures. From there, we move to the Finance Bill. As we speak right now, we have not passed the Division of Revenue Bill. We know very well that the talks in the Mediation Committee collapsed. We are calling upon them and especially our brothers in the Senate to know that it is not a competition. We must do this for the benefit of this country. The Question is: how are the counties going to survive and yet we have not passed the Division of Revenue Bill? Even if we go far and pass Budget Estimates, there is a gap somewhere. So, it is important that as we move, we maintain a logical flow of events. Unless we pass the Division of Revenue Bill, we should not go to the Budget Estimates.

These are some of the questions we are asking and later on when the Chair of the Committee will be responding we need him to look into that.

The Budget Policy Statement (BPS) and the Budget Estimates have a big variance. The objective of the BPS is to give the priority areas. So, the Budget Estimates must be aligned to the

BPS. There is a variance because we are told of a difference of Kshs78 billion. This is to tell you that we need commitment. When the Budget Policy Statement is tabled in the House, it is obviously expected that the Budget Estimates must align themselves to it. So, we need to correct this as we move on.

Corruption is a big problem in this country. When we talk about the fight against corruption there are independent commissions which need to be funded well. I have quickly gone through how much they have been allocated and it is not significant. How do you expect...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Wakhungu, I know you are used to speaking for 10 minutes. Hon. Members, you must be prepared to speak your thoughts within five minutes. I will give you one minute to wind up, but I will not extend the same largesse to the other Members. The ones coming after Hon. Wakhungu must abide by the resolution passed by the House.

**Hon. (Dr.) Chris Wamalwa** (Kimini, FORD-K): Hon. Temporary Deputy Speaker, when we prepare to come here and you do not give us enough time to debate, it is very unfortunate. Let me go quickly to the Political Parties Fund. In the Constitution, it says 0.3 per cent of the Budget should go to the Political Parties Fund. The National Treasury has never allocated the 0.3 per cent yet this Fund is important. We do not have individuals funding political parties at their will.

So, because we know this matter went to court and there was a determination, we are calling upon the National Treasury to take action. I have looked around and I cannot see this amount of money. I am saying this because like the Coalition for Reforms and Democracy (CORD) we are supposed to benefit. You are aware about this and we need to get our billions back so that we can strengthen political parties when it comes to matters of democracy.

Lastly, the universities are suffering because of underfunding. We are having problems in universities because we do not have enough allocation of money. When it comes to the Higher Education Loans Board (HELB) we have heard of slay queens. These are students looking for sponsors because HELB is not given enough money to support them. The HELB is important if we want to advance education in this country. It should be given more money.

When it comes to NG-CDF we are now doing 50 per cent. The financial year has ended and yet the National Treasury has not released the 100 per cent money which is required. This is very unfortunate and we must relook at this issue of the Integrated Financial Management Information System (IFMIS) benefits. This is because the National Treasury has been using it for their selfish interest.

When it comes to the counties, again devolution is there to stay. Therefore, we should increase the money allocated to the counties so that devolution can work. The Budget and Appropriations Committee has done very well, but there is so much that needs to be improved. I do not know what the Government Advisory Services is for. If it is for Building Bridges Initiative (BBI) it is okay because we brought a Motion in Parliament both in the National Assembly and the Senate. There is need for referendum and we should provide this money here. I can see money for the census is here...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. Hon. Wamalwa and the House, you might want to consider even as our mediation proceedings go on, the basics and fundamentals of the role of the Senate in protecting the interest of the counties *vis-à-vis* the role of this House as the budget-making House. The Budget Estimates come from the Executive. What is it we are protecting in the mediation proceedings? What will be our position? These are things we must think about as we go to that mediation. Probably the mediation should

be between the Senate and the Executive because the Budget belongs to the Executive and not the National Assembly. Just but a thought.

I will give this opportunity to Hon. Jomo Washiali.

**Hon. Benjamin Washiali** (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I will quickly thank Hon. Kimani Ichung'wah-led Committee for this Budget Report and add my voice in thanking the Committees despite the fact that they were on recess when they met the relevant Ministries to ensure that this Report is concluded.

Why do we budget after every financial year? In my position as a Member of Parliament representing the people of Mumias, I have a very strong feeling that we budget because we want to achieve some certain policies that the Executive and the party in Government has adopted. For example, you will realise that currently the policy of Government is to establish a Competency-Based Curriculum (CBC). This has gone a long way to promoting technical knowledge. If you look at this Budget you will find that we have only allocated Kshs4 billion to the Technical Vocational Education and Training Institutes (TVETS) and yet we have established over 130 technical colleges around the country. I am surprised and wondering whether the Kshs4 billion will run these colleges effectively for the one year which this Budget is addressing.

This is important because as a country and given what I have heard, we are budgeting to fund a policy of Government or party in position. The CBC for us is what we feel strongly as a party and Government that this country needs. I have heard many other quarters and major stakeholders like teachers wanting to be involved in the development of this curriculum. I was wondering why that is so because it is the ministry which employs, pays and gives them work to do yet, they want to control it.

I want to thank the President for coming up with a major policy shift in terms of focusing on manufacturing, housing, food security and universal healthcare. I am talking briefly so that I can cover as much ground as possible. Looking at this Budget, you will not see clearly how much has been put for the purpose of manufacturing. You will not see clearly how much has been put for housing. Since this to me is a major policy shift, it should have come out clearly that in manufacturing, we are going to do this and that because of this policy shift.

Look at Western Kenya, for example, many of the companies that were there have collapsed whether private, public or semi public. So, when we are talking of manufacturing agenda, what does it mean to the people of Western Province? This has not been clearly addressed. I hope in future it will be clear. There is even the aspect of public participation. I think as Parliament we failed in involving the public in the Budget issues.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Jomo, I had already directed that I will not be giving extra time because we have a lot of interest in this. As it is, we have 20 Members waiting and as you know this is the last day. Kindly, bear with me. I will add you one minute. This is the very last one I will grant.

**Hon. Benjamin Washiali** (Mumias East, JP): Thank you, Hon. Temporary Deputy Speaker for the extra one minute. I am sure all Members will agree with me that as Parliament the way we approached the public in terms of contributing to this Budget, leaves a lot of questions for us to answer. The team that came to Kakamega had only a few Members who participated and yet this is a national Budget which we should have worked on very well in terms of public participation. This would have involved as many Kenyans as possible. I thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Washiali, I have seen from the Budget that Kakamega is one of the few counties that are lucky to have been considered for allocation from the public participation hearings. I do not know why you are complaining because there are so many.

We shall have Hon. Mule, Member for Matungulu.

**Hon. Stephen Mule** (Matungulu, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to debate and look at the Budget Report. We have a clear responsibility as Parliament to make sure that we do our duties and make sure that the Government and the people of Kenya have a well-balanced Budget.

I want to put it very clearly to the Budget and Appropriations Committee that we have looked at the issue of health in the Budget. Look at the Budget Policy recommendation which has been done by the Budget and Appropriations Committee. We in the Departmental Committee on Health have interacted with the Ministry of Health for the last one year. We interacted with them during the BPS process and we came and looked at the Budget and realised that there are serious gaps which need to be relooked at.

I want to pick policy number one on the health sector that the Budget and Appropriations Committee has made. It is about Kshs4.6 billion which is supposed to be used in the rollout of universal healthcare. This is a mockery to this House for the simple reason that the pilot counties for UHC in the last Parliament were allocated Kshs5.2 billion for only four counties. This year, we are allocating Kshs4.6 billion for 43 counties. What we did as the Departmental Committee on Health is that we looked at this figure and it is a meagre figure to rollout the UHC. First and foremost, we need to have the report of the four pilot counties.

As a Committee, we agreed to reallocate this figure to various sectors especially the referral hospitals to make sure that we strengthen the UHC. Once the ministry gives us the report on the pilot counties, we will come back to this House and do a supplementary budget to allocate enough money. My surprise is the Budget and Appropriations Committee, after agreeing with our Chair on this, has not effected it.

The second issue on the health sector is that of the money to Level 5 hospitals. This is the money which is distributed to only 11 hospitals in the country leaving out the others. The amount is about Kshs4.3 billion. To the surprise of our Committee, neither the National Treasury nor the ministry has given back an accountability report for the last four years on how this money has been allocated to Level 5 hospitals. There is no indication whether the money has reached the hospitals or whether there is any report given back to this House for evaluation to ensure there is value for that money. As a Committee, we decided to pend this issue and the Budget and Appropriations Committee agreed with us that there should be a framework. We need to do a framework to make sure that, that money goes straight to those institutions.

The Budget and Appropriations Committee, after agreeing with us, is keeping this money pending somewhere when Kenyans are dying at Kenyatta National Hospital (KNH). I urge the Budget and Appropriations Committee – as the Departmental Committee on Health, we have forwarded our amendments to them. I want them to look at the amendments not from the individual's point of view or from the Committee's point of view, but from the point of view of the health of Kenyans. This is because if we reallocate that Kshs4.3 billion to the KNH and Moi Teaching and Referral Hospital (MTRH), they will deal with the menace of cancer in this country.

The Budget and Appropriations Committee, after getting all these recommendations from the Departmental Committee on Health, has kept quiet. It is high time we called a spade a spade.

The Budget and Appropriations Committee must respect other Committees' recommendations because we interacted with the Ministry of Health for a whole week regarding this Budget, but they sat for one hour and made a recommendation while the Committee had already made reallocations. I urge this House and the Budget and Appropriations Committee to relook at the issue of health in this country. The health of Kenyans is suffering and because we allocate money without follow-up, we are not going anywhere. I urge and beg the Budget and Appropriations Committee to relook at the forwarded amendments on these figures, especially on those two lines.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mutinda Mule is very passionate about matters of health. I think you have made yourself very clear. We shall now have Hon. Mutunga, Member for Tigania West.

**Hon. John Mutunga** (Tigania West, JP): Thank you, Hon. Temporary Deputy Speaker, for the opportunity to contribute to the Report of the Budget and Appropriations Committee on the proposals for 2019/2020 Budget. Looking at the three documents that are normally presented to the Committees, that is the BPS, the estimates and the proposals that come after the committees have looked at the estimates, we realised that they are all on an incremental trend. The BPS is always lower than the estimates when the committees present their budgets to the Budget and Appropriations Committee, which I have had the privilege to be a member. You would realise that the proposals from the various committees are in most cases big. What does this tell us? We wonder whether there are serious and sufficient consultations between the cost centres or the different budget sources and the Treasury when they are preparing the BPS. This is because we see there is the inclination that more money is always needed.

When you look at the actual casting, the list always increases. There is always a proposal to increase the budget. I would like to basically say that the Budget and Appropriations Committee has no *locus standi* to change any of those proportions or rather the proposals that are made. I am not defending the Committee. The Budget and Appropriations Committee did look at the logic of the allocation and also looked at the proposals that are made for new monies. Wherever there was a proposal for more money, the Budget and Appropriations Committee was not able to give that money, unless it was guided.

Let me point out a few issues that came out even as we looked at the budget process this year. One of the things is that there is a natural trend to look for more money. In most cases where there is natural attrition, when people retire, it is expected that there is money left from the salaries those people were earning, but you realise that the MDAs are always looking for more money. We wonder where the dues accruing to those people who were being paid before went to.

The other issue is the level of scrutiny of the departmental committees. Departmental committees took a lot of time to scrutinise their budgets from their departments. It is important for this House to respect the proposals of the departmental committees because they did a good job. That is why we have a more or less balanced Budget this time around. We have looked at the issue of the fiscal deficit. I would like to report that, that was a bone of contention because we wanted it to keep on reducing.

We have seen a possibility of misuse of Article 223 of the Constitution where even after passing these budget proposals as they are, at the end of the day, we have a supplementary estimate which proposes alignments and proportions, especially when it comes to reallocating development money into recurrent. This country cannot develop if we only vote for recurrent. It is important for us to be very much alert when it comes to the issues of transferring money through supplementary estimates to recurrent.

I want specifically to look at one sector that is of importance to this country and which has been neglected over time. The agriculture sector is so important that in the capture of the details of most of the reports and even in this particular Budget proposal, there is the recognition of the fact that because the weather was good last year, it was then possible for us to have our economy grow at a certain percentage. This country has not adhered to the protocols it has signed at the African Union (AU) level. Other countries which did sign these protocols are growing at two digits. We are growing at less than two digits because we are not very much adherent to what we have already signed. It is also a fact that the level at which agriculture reduces poverty is 1.5 times higher than any other GDP. We are not alive to this fact.

Yesterday, there was a consultation - and it is going on right now - by the AU; the sector that deals with the Malabo Declaration. The consultations were held at Safari Park and this House was not represented. The country was not represented. We do not know if they even have information from those areas.

The research fraternity of this country is terribly underfunded. We have the best brains in the country deployed to conduct research under the Kenya Agricultural and Livestock Research Organisation (KALRO). They have very little money and only rely on donor funding. When you rely on donor funding, you do not develop the country or spearhead the national agenda. You have to listen to what the donor says so that you may do your research.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. (Dr.) Mutunga, your passion for agriculture is noted. It is true that a nation that cannot feed its population cannot claim to be a true nation. We must put our food and agriculture where our mouths are. I agree with you, Hon. Mutunga, but your time is up.

Before I give a chance to the next contributor, allow me to recognise in the Public Gallery, the presence of students from the following institutions:

- (1) Friends Bwake Boys Schools, Cherangany, Trans-Nzoia County.
- (2) Musa Gitau Primary School, Kikuyu, Kiambu County.
- (3) Kids Zone Educational Centre, Kabete, Kiambu County, and
- (4) Ibacho High School, Nyaribari Masaba Constituency, Kisii County.

They are welcome to observe the proceedings of the National Assembly.

Let us now have contributions from Hon. Oundo Ojiambo, Member for Funyula.

**Hon. (Dr.) Wilberforce Oundo** (Funyula, ODM): Thank you, Hon. Temporary Deputy Speaker for this opportunity to contribute or make comments on the Report of the Budget and Appropriations Committee on the proposed Budget Estimates for the 2019/2020 Financial Year. I must take this opportunity to sincerely congratulate them and thank them for a fairly balanced allocation with the limited resources available in this country.

However, we must start from the beginning. Some of the assumptions being made in the report might not hold. We have a country that heavily relies on agriculture and agricultural production contributing to about 34.2 per cent of the GDP. In a year where we expect the agricultural production to be dismal or extremely poor, the assumptions that the revenue projections will be made or GDP will grow at about 6 per cent seem to be far-fetched and not founded on any economic fundamentals. Quite a number of international organisations such as the International Monetary Fund (IMF), World Bank and the African Development Bank seem to suggest that the economic performance this year will be highly depressed so that whatever we think we will achieve might not be achievable. Do not be surprised if in the next few days or months, a supplementary budget is presented here to drastically reduce the provisions that were made in this Budget.



Nevertheless, allow me to make a few observations in respect of this Report. Let me start with the issue of health. One of the greatest mistakes we made when designing the new Constitution was to devolve health. We must collectively agree as a nation that we made a very big mistake. Health facilities that are run by devolved governments are in deplorable state. Many times, there are no drugs. There is literally nothing in those hospitals. The other day I went to see a patient in the so-called Busia Referral Hospital who had been injured by a police officer to an extent that they had to remove all his reproductive organs. It was in such a deplorable state. It was such a shame being accompanied by the members of the Press. I had to sweet-talk them not to highlight and expose our nakedness in the public or national media. We need to relook at this allocation that has been put on hold for purposes of universal health care so that we see how we can redistribute those funds to other sectors.

The manufacturing sector is critical to economic take-off in this country. Last year, we recorded a slowed development of the manufacturing sector. I belong to the Departmental Committee on Trade, Industry and Cooperatives. We had requested for more funds to enable the sector to invest heavily in the Kinanie Leather Factory, the affluent system for the Export Processing Zone A and the completion of building in South B. The allocation we had been given is an improvement based on the last allocation but still is not enough. We need much more to enable us to take off. Luckily enough, I am happy that there seems to be some attempts to invest in the textile industry and the entire value chain. I hope that the trend will continue so that we revive RIVATEX and put in more money in the cotton-growing sector so that our people from Busia benefit from this Jubilee Government.

Due to shortage of time, I support the Report.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. T.J, the protester number one, is protesting that Hon. Oundo should have more time at the mike. The Hon. Dr. has already ceded ground to Hon. Angwenyi, the elder in the House. You may have your time at the mike, Hon. Angwenyi.

**Hon. Jimmy Angwenyi** (Kitutu Chache North, JP): Thank you, Hon. Deputy Speaker. I rise to support the Budget Estimates approved by the Budget and Appropriations Committee.

There are some issues which have not been addressed. For example, there were roads in my county which were budgeted for in the 2016/2017 and 2017/2018 budgets but they were not allocated any funds in the 2018/2019 Budget. I hope the Committee will demand that those roads are reinstated and reallocated funds. That is one aspect we must check when approving those budgets whether there are some projects which have been done away with without actually being done.

I have a very bad experience. In 2012, the Government allocated funds to the tune of Kshs2 billion in the Budget for an airport which would border Kisii, Migori County and Narok County. Two years later, the money was removed from there and we do not know where it went. There was no airport built. We do not want to face the same situation with our roads.

Secondly, money has been allocated adequately to water but we have not considered areas like Kisii, Thika, Kakamega and Kiambu counties which are densely populated and their rivers or water points are heavily polluted. They are carrying diseases. They must be considered. Water resources must be considered for those densely-populated areas.

The third thing is about health. One of the Big Four Agenda is universal healthcare. How can you have universal healthcare if when you go to a Kisii Hospital or Mbagathi Hospital in Nairobi, you find three people lying in one bed which should be carrying one person? Why can

we not improve these facilities first before we declare universal healthcare all over the country? It does not make sense as far as I am concerned.

On Monday, I went to Kisii Hospital to see a patient. That patient was in a coma but shared a bed with two other patients. He died finally and that shocked the other two colleagues whom he was lying within the same bed. Kisii Teaching and Referral Hospital which is Level 6 should be a national hospital which should be allocated adequate resources. We should adequately provide resources to Kenyatta National Hospital, Moi Teaching and Referral Hospital and Kisii Teaching and Referral Hospital, so that they can perform their services. We now go to Kenyatta University Teaching and Referral Hospital. If we want to assist our people who are sick, health must be provided with adequate resources. We must avoid referring people to India, USA or Europe because those services can be provided here, if we provide adequate resources.

Finally, there is the issue of manufacturing. Before we provide the Budget, we must demand to be told the manufacturing plans that will be done in Kisii, Nyamira, Bomet and Nyeri so that we know that we are developing the entire country. Otherwise, we will put up those factories in one county and they will not help others.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Very well. Hon. T. J., I see you have no interest to contribute, but you are agitating for others to speak. That is your forte. He is the only one who led me to battle. When I joined the University of Nairobi, he was the Chairman of the Kenya Law Students Society. He led us into a protest that cost us a whole year at the university. I will allow the Member for Nairobi County, Hon. Passaris, to speak on behalf of Hon. T. J. today.

**Hon. (Ms.) Esther Passaris** (Nairobi CWR, ODM): Thank you, Hon. Temporary Deputy Speaker and my brother, Hon. T. J.

I find it very difficult to stand here as a Member of the Departmental Committee on Health and Member of Parliament to say that I support the Report. As a Departmental Committee on Health, we interacted with all the Semi-Autonomous Government Agencies (SAGAs), referral hospitals, citizens and Members of Parliament who came to us and told us through questions that there are certain areas that they want us to focus on.

As a Committee, we realised that there was some money, Kshs4.6billion to be precise, that was being put to UHC, but we have not yet seen the Report on the pilot projects in four counties that were done by the Government. So, we said that while we wait for the Report, Kshs4.6 billion should be channelled towards areas that we have been informed are in dire need of money. There was also Kshs4.3 billion for the Level 5 hospitals in the counties. We have reasons to believe that there is no proper structure to monitor the money that goes to the counties, so that we can know that the money that was allocated to improve Level 5 hospitals is given to the county and it implements it in that manner. We felt that until that has been assessed and the structures are in place, that money should also be put into areas that require money. We came up with a comprehensive list from blood transfusion to a hospital that has been dormant and not under construction for over 20 years that has a 300 bed capacity that can help us address the spinal injury hospital shortage of 30 beds. We have 300 beds that are sitting idle because the hospital has not been completed. We looked at so many areas and SAGAs that require money and we made recommendations to the Chair of the Budget and Appropriations Committee and his team. When they met our Chair, they approved the recommendations.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Member for Nairobi, the Chair of the Budget and Appropriations Committee wants to inform you. Are you prepared to be informed?

**Hon. (Ms.) Esther Passaris** (Nairobi CWR, ODM): Yes because our Chair came back and reported to us that she had presented the recommendations.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Just hold on so that he informs you. Chairman of the Budget and Appropriations Committee.

**Hon. Kimani Ichung'wah** (Kikuyu, JP): Thank you, Hon. Temporary Deputy Speaker. I want to inform the Member for Nairobi County that the particular hospital she is referring to has been allocated adequate resources. Health care being a devolved function, that hospital was started by the Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works some years back. I agree with her that it is a very old hospital that has been constructed for almost 11 or 12 years. It has over Kshs500 million allocated under the Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works for its completion.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Proceed, Hon. Passaris,

**Hon. (Ms.) Esther Passaris** (Nairobi CWR, ODM): I hope he has not eaten into my time, Hon. Temporary Deputy Speaker.

The Budget and Appropriations Committee conducts public participation. They conducted it in Nairobi last year prior to the Budget. I was in the room when the Chair was conducting private public participation. This hospital was mentioned and he assured us that he would put it into the Budget, but he did not. We have him on record saying that the money was put in the Budget. Last time, he said that he had put the money in the Budget, but it was not there. This is not just about the hospital in Nairobi, but we are asking why you are allocating money to UHC when we do not have the pilot report. Why are you allocating money to the referral hospitals and Level 5 hospitals when we do not have the right structure in place? I told the Chairman of the Budget and Appropriations Committee in the last Budget that we needed Kshs1billion for reparation. He said that we could not put Kshs1 billion for reparation because we did not have policy and structures in place. He said that he would allocate Kshs100million to the Attorney-General to work on the policy and structures. Today, he is now trying to allocate Kshs4.3 billion when he knows very well that there are still issues between the National Assembly and the Senate that need to be defined. He needs to be sincere.

There is an important need to listen to all the committees because they interact with the various leaders and SAGAs. What is the point of having committees come up with recommendations and then refuse to consider them and do whatever you want? At the end of the day, we are representatives of the people. The Departmental Committee on Health is an agenda of the Government in the UHC.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Passaris, I hope you are done. Chair of the Budget and Appropriations Committee, there is a fundamental question on the matter of the pilot of the UHC that was done and how it has impacted on your decisions on the matters of health. When you reply to the Motion, respond to that for the satisfaction of the House. This opportunity will go to Hon. Wambugu, Member for Kirinyaga Central.

**Hon. Munene Wambugu** (Kirinyaga Central, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to add my voice and comment on the Budget and Appropriations Committee Report for the proposed Budget Estimates for the Financial Year 2019/2020.

At the outset, I support this Report. Like what has been said by the Members who contributed before me, it is very important that going forward, we have the status of the implementation of the previous Budgets. Why do I say so? For instance, in the last Budget, Kirinyaga Central Constituency was allocated Kshs15 million to improve dilapidated roads. Unfortunately, that has not been done to date. I believe that a lot of money was allocated in the previous Budget and nothing has been done. Going forward, it is important for us to know what has been done in the previous Budget and what has not been done so that what has not been done can be captured in the current Budget.

Further, I want to point out that we know that the Budget and Appropriations Committee is a very busy and big Committee. When they are going for public participation, it is very important to cover as many counties as possible. An item has caught my attention about the Kenya Medical Training College (KMTC) in Kakamega. I have no problem with Ksh50 million being allocated to Ikolomani Constituency in Kakamega. However, I know that there are about 65 KMTCs spread out within the country which begs the question that there must be some counties with more than one KMTC. Kirinyaga County, where I come from, does not have a single Kenya Medical Training (KMTC) campus. So, it is good when making these recommendations to take into account equity and fairness. If a county has one KMTC, another county should be given that opportunity.

I support the recommendation on the amendment of the Public Finance Management Act (PFMA) that proposes that all pending bills should be paid within a certain period of time and there must be penalties if you fail to do that. I see that it took account of what is happening in Kirinyaga County where pending bills of previous county governments, now almost two years down the line, have not been paid on the basis that an audit ought to have been done first before the current governor pays them. Most of the contractors and suppliers in Kirinyaga County who had made some supplies or did some jobs during the previous county regime have not been paid to date. They have been rendered destitute with their homes being sold. It is not fair. It is happening across the country where there are instances of pending bills of more than a year or two. The amendment will be timely.

The other issue is on money allocated to TVETs. We could have done better. The money allocated is very little compared to what we want to achieve as country so that every constituency can have a TVET institution to cater for students who have completed secondary schools.

Let me comment on health. As Hon. Oundo said, it was a mistake to devolve the health function. We all know what has been happening in hospitals in Kirinyaga County. As we speak, all the hospitals are at a standstill. It is a shame that residents of the county have been forced to seek medical attention in Embu or Nyeri. If the health function was not devolved, we could not be in such a situation.

Lastly, let me comment on the audit that has been recommended to be done in early learning and basic education. I wish they would have gone further to recommend an audit for secondary schools.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Wambugu, your time has lapsed. Allow me to give this opportunity to the Member for Mathare Constituency, Hon. Antony Oluoch.

**Hon. Anthony Oluoch** (Mathare, ODM): Thank you very much, Hon. Temporary Deputy Speaker. Allow me to also add my voice in support of the Budget and Appropriations Committee's Report. I wish to underscore what has already been said that one of the key roles of

Parliament other than oversight, representation and resolving issues affecting the people, is the question of Budget. So, this is a very onerous task Parliament is undertaking at the moment and we do not take it lightly.

Let me begin from the comment that was made by the Leader of the Majority Party supporting the Budget and Appropriations Committee on the question of pending bills and debt. Even as we look at the amount of foreign debt that we have, there are forced debts that come in the form of pending bills. That is something that His Excellency the President has said must be dealt with. I wish the Budget and Appropriations Committee, whose Chair is seated here, would have gone a little further in the recommendation they have made for the amendment of the PFMA Act on the penalties to pending bills and touched on counties either in the Constitution, County Act or the Public Finance Management Act. They ought to have stated that when we allocate money to counties, not less than 70 per cent should go to development expenditure as opposed to recurrent expenditure. So, I support the recommended amendment, but how I wish the Committee had gone further in saying that we propose amendments so that when we allocate monies to fund counties, we see the impact the same way we see the impact created by the NG-CDF.

Let me speak briefly on what I have not seen in this Budget. I know very well that there is work going on with regard to proposals to amend the Constitution, but I have not seen allocations made in the Budget and in the Report on how we will deal with that.

*(Hon. Kimani Ichung'wah waved a document)*

I see the Chair waving something, but I do not see it well. I wish they would make allocations specifically for it because this is one of the things we must undertake for the people of Kenya in terms of equity, inclusivity and revisiting or looking at our structure of Government because it will also help us in our role of oversight.

I thank the Budget and Appropriations Committee – I know why the Chairman is smiling. Over the last one year, I have been making a one-man solo effort on non-compliance by the Cabinet Secretary and Parliament on the question of statutory funds, in particular the issue regarding the Political Parties Fund, to the extent that when the Chair of the Committee meets me, he calls me, “Mr. Political Parties Fund”. I thank him because not only have they listened to the very many complaints and concerns that we have made, but they have allocated Kshs500 million for the Political Parties Fund in the Budget and some Kshs300 million in the Supplementary Budget. For a beginning, that is a step in the right direction. I support them. On a light note, when I met the Chairman of the Committee, I told him, “Ichung'wah for President”. How I wish he would stop following the other formation. I would be his *Tanga Tanga* person without apology.

On the same issue, the Committee should look further and see how it will sort out the Kshs4 billion that is pending in terms of monies that have accumulated on a decision made by the Court of Appeal.

Let me speak quickly on the issue of TVETs. They have allocated Kshs546 million for TTIs and on-going projects and about Kshs1.02 billion to 30 TVETs. I hope there will be equity in the identification of the TVETs so that constituencies in Nairobi like Mathare with a very high prevalence of unemployment and insecurity may benefit on that.

Lastly on infrastructure funding, we must put in place some regulations on how the ministry allocates its funding. It is so skewed that there are people who will get Kshs70 million....

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Anthony, you know it is five minutes for every speaker. You have very valid points.

I will now give this opportunity to Hon. Lesuuda Naisula, Member for Samburu West.

**Hon. (Ms.) Naisula Lesuuda** (Samburu West, KANU): Thank you Hon. Temporary Speaker for granting me this opportunity. At the outset, I rise to support the Budget and Appropriations Committee Report and thank the Chairman and his Members for putting in long hours to come up with this Report. I also would like to thank officers from the Budget Office who worked tirelessly to ensure the Report is accurate and tabled in the House.

One of the key issues that have made this Parliament stand out in public participation is the Budget. It is important for us Members of Parliament to know that as we engage everyday with our constituents, those are the moments we really capture their aspirations, which we input in the budget-making process. It is important that those who implement the Budget get out and interact with the citizens in order to know what their needs and priorities are. That way, they will implement the projects well after receiving the money.

Another important observation that is key is pending bills. Even as this Parliament appropriates money so that we can conform to the presidential directive and also as a good practice of procurement, it is important to note that when the ministries get that money, it is not only to pay the big contractors but also to pay the pending bills of the small and medium enterprises of the small traders who are being listed at the Credit Reference Bureau (CRB) every day because of the loans that they took and they are just starting contracting or in business. So, it is important that we follow up on who will be paid those pending bills. The small contractors should not be left behind.

On UHC which has been mentioned severally by the Members of the Departmental Committee on Health, and since I also sit in the Budget and Appropriations Committee, the whole aspect of holding the money until we get the report of the pilot project is so that we do not redirect that money to other projects. Once we get the report probably in 60 or 90 days, then we will start looking for money which is not there to fund UHC. The Committee is saying that we put the money aside for 90 days, get the report of the pilot project and, once it is agreed and approved by the Committee, then the money is already there and we can use it for UHC. We will not look for it in some areas where we do not have the money.

One of the things that I am also happy about in this Budget is the issue of young people – the internship and the Ajira programmes. If you notice in the Ajira programme, there was a reduction because there is a lot of duplication in our budget. We want to do Ajira in our constituencies. We want to employ interns from our constituencies. All these monies should be consolidated so as to ensure that our young people benefit from internship and also from the Ajira Programme.

One of the other things that also came out in this Report was the whole issue of the funds that we give to the elderly under the social protection programme. We are saying that the money should go to the Ministry of Labour because they are the ones who keep the records. It is a social protection issue. Also, on the issue of universities and the fact that we want to improve the infrastructure in our universities, the monies should go to our public universities. It is not fair that taxpayers' money goes to private universities where we are now taking our children while our public universities are in terrible condition. We are not improving those institutions.

I support. Thank you.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mulyungi, Member for Mwingi Central.

**Hon. Gideon Mulyungi** (Mwingi Central, WDM-K): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Report by the Budget and Appropriations Committee. I want to state that the public participation that was done appears to have been done in 12 counties out of 47, and those are the ones that gave projects. In particular, I can see Embu with six projects, Nyeri six projects and Taita Taveta with nine projects. If you came to Mwingi Constituency or Kitui County, I would have given you 50 projects. Therefore, I want in the future the Budget and Appropriations Committee to come to Kitui. You are invited. *Nitachinja mbuzi*.

I can see in the Budget there is nothing allocated for mining of coal. I am a happy man because I brought a petition here on coal. I rejected that coal project.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Mulyungi, the Chair of Budget and Appropriations Committee has a point of order. What is your point of order, Hon. Ichung'wah?

**Hon. Kimani Ichung'wah** (Kikuyu, JP): Hon. Temporary Deputy Speaker, I do not want to interrupt Hon. Mulyungi. He is a very good architect. Is he in order to mix languages? He was speaking in English and at some point he said "*tutachinja mbuzi*", which is mixing Kiswahili and English language. Let me just take this opportunity to inform the Hon. Member that, indeed, we visited 12 counties this year. Last year, we did 12 counties. It is good to inform the House that even the 12 that we visited whose budget was factored in during Supplementary I, if you read the Report; we have also included the budget for those 12 counties that we visited last year. In the next two years, we hope to visit another 24 counties. In total, we will have covered all the 47 counties. I appreciate that he will slaughter a goat.

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. Ichung'wah, you seem to have taken the entire time for Hon. (Dr.) Mulyungi. There are a lot of questions about the criteria that you have used in selecting those counties. Hon. Mulyungi, you know the rules. When you start to speak in one language, you must finish your submissions in that language.

**Hon. Gideon Mulyungi** (Mwingi Central, WDM-K): Hon. Temporary Deputy Speaker, I was talking about coal. There is no budget for coal and I am very happy and excited. What has been included is Kshs131 million for the study of airborne geophysical survey on mining.

On youth and women, I have noted there is a reduction of Kshs600 million for youth and Kshs100 million for women. This Committee is not gender sensitive. It is not looking at the welfare of the youth. I would have preferred that, instead of reducing the budget for youth and women, they should have increased it.

On food security, there have been no rains. In my county, we have a lot of food problems. The addition of Kshs400 million for food security is too little. It is a drop in the ocean. I would have preferred that the budget should have been increased so that we secure food reserves for the remaining months when we will have no rains. That is because the next rains will come in November and December and we expect food in January and February.

On water harvesting and ground exploitation, I can see an addition of Kshs600 million. It is not enough. We have a lot of water problems especially in the dry counties like my county of Kitui. I would have preferred that this is increased so that we have more boreholes and dams in the counties. There is an allocation of Kshs500 million for Umaa dam which is too little for a dam. We have had a lot of wastage of money in other big dams. I thought that money should

have been brought to a place like Umaa Dam in Kitui County where we have a lot of water problems.

I agree with the additional allocation of Kshs800 million for low volume seal roads for...

**The Temporary Deputy Speaker** (Hon. Christopher Omulele): Hon. (Dr.) Mulyungi, a minute was taken from you. I will allow you one minute so that you wind up. But when you finish, Hon. Abuor can raise his point of order.

**Hon. Gideon Mulyungi** (Mwingi Central, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for the additional minute. I agree with additional allocation of Kshs800 million for low volume seal roads because the Chairman of Budget and Appropriations Committee has been allocating himself roads. Now I can see he has surrendered. I can see we have additional low volume seal roads.

*[The Temporary Deputy Speaker  
(Hon. Christopher Omulele) left the Chair]*

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

I agree with the Committee for removing Kshs104 million from the SRC. Those are thieves! They should be prosecuted for the irregular allocation and spending of Kshs104 million to buy cars without the approval of Parliament.

Therefore, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Earlier on, Hon. Abuor Paul sought to raise a point of order. What is out of order, Member for Rongo?

**Hon. Paul Abuor** (Rongo, ODM): Thank you, Hon. Temporary Deputy Speaker. Considering that many Members have contributed to this Motion, and we are yet to do the Appropriation Bill, the Supplementary Budget and the Budget of the Financial Year 2019/2020, would I be in order to request the Chair to allow the Mover to reply?

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Members. The good thing Hon. Paul did was to ask Hon. Temporary Deputy Speaker who checks the mood of the House. So, before I give chance to any other person or we make any progress, I will determine the mood of the House.

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

Clearly, the "Nays" have it. Shall we have Hon. Pukose Robert, who is at the top of the list? He is not in. Next on the list is Hon. Cheruiyot Jesire.

**Hon. (Ms.) Gladwell Cheruiyot** (Baringo CWR, KANU): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion, but with reservations.

On the Budget that has been done this year, having been a Member of the Departmental Committee on Health, I want to express my dissatisfaction because of what the Committee did. We worked for like 10 days. Like my sister, Esther has said, we visited many SAGAs. We have the problems of those SAGAs in our hearts and minds. After working on the Budget figures day and night, unfortunately, the Report of the BAC came without considering what we had requested. I want to put it clearly that no proper report has been given to show how the money that was initially allocated to the piloted Level 5 facilities is being used. As a Committee, we saw



as if those facilities were being overfunded. They get their initial and conditional grants from the National Treasury. They also get their UHC funds and, at the same time, we were adding some other unconditional grants from the Ministry. We realised it was a triple allocation. That was not even the big problem. The problem is that the additional grants that were given to the Level 5 facilities have, up to now, not been structured. They have not been audited. We do not know the outcome. We do not know whether the money has really improved those facilities. So, what we said is that the Kshs4.2 billion be given to the requirements of the hospitals that are really suffering in this country. We allocated this money to the National Spinal Injury Hospital, Mathare Hospital, Kenyatta National Hospital and the Moi Teaching and Referral Hospital, but to our surprise, the money was not taken there. The Budget and Appropriations Committee gave a good reason, which would have made them not to allocate the funds to Level 5 hospitals again. What they said is that there were no structures and the money was to be just kept there until structures are put in place so that it can be used. It is important for this House to note that Kenyans are suffering. Money cannot be kept somewhere waiting for UHC. It is also important to know that UHC is not a block animal at a certain corner. It is about treating and giving services to the people of Kenya. You cannot have a UHC as a one block thing – UHC is achieved from several quarters in the ministry, including improved services in the facilities that we have. It is the core function of the Ministry and the Departmental Committee on Health. We are for it but what we are saying right now is that the rollout money that was budgeted for that is Kshs4.6 billion. At the moment, UHC is at the piloting level or point. Before we get the real report on piloting, how will we give money to roll it out and yet we are not even sure whether the piloting report will allow us to continue with the method that was put? So, we said that money should go to the facilities which are suffering in terms of medicine, equipment and other things. To our surprise, all the money and everything we did was scrapped. It has rendered our Committee useless. We are feeling very sad as a Committee. We want interventions because it is not good for money to be put in a place without policies and structures. It is very unfortunate for us to be told that money will be kept there until those things are done. So, we are disappointed as a Committee. Hon. Chair, you should know that even though you are smiling, we are not happy.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Martin Owino.

**Hon. Martin Owino** (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Speaker.

I am really grateful for this time. I want to say that the budget-making process is a financial plan. It is a roadmap telling us where we are going. Also, it is a tool that we use to make sure there is no inequality in our country. It must be fair so that people are motivated. The so-called Wanjikus, Aminas, Anyangos or the common people will be motivated when they realise there is something in the Budget that will impact on their lives.

We have done budgets for many years but, if you go to my Ndhiwa Constituency, you will still find children learning under trees. The houses or classrooms are not plastered. That is what brings us to the question: Does our Budget have equity? We should look at that very carefully as a House. It is good that this Parliament sits squarely on how the Budget should be done. We cannot just allocate monies to projects and then wait for the Auditor-General to come and tell us what worked and what did not work. If it did not work or if it cannot work, we should see it from that point of view and then not give money to it. That is why we have cries like the one which has been passionately expressed by the Departmental Committee on Health. By the way, they have a lot of passionate technocrats. We do oversee them throughout the year. When

we come to do a recommendation, the BAC cannot trample on that. They have to listen. It is because we are very grateful to the President. This is the first time health has been put on the frontline. What we recommended is in line with the World Health Organisation (WHO). We want to invest in primary healthcare more so as to ensure that we eventually have quality healthcare. That is why we made those proposals. They cannot, just by a stroke of a pen, change everything that the Committee has done. What we are going to do is ask Hon. Kimani Ichung'wah – and I hope he is listening to this and not just engaging in talking – to look at the amendments coming to them very carefully. That is so that we can support it in good faith.

I support Hon. Eseli on this. I have gone through the Budget, but I do not see how items are lined up for the Big Four Agenda. They are scattered everywhere. For example, when we do a budget, we have to have the outcomes in front of us. The project that failed the previous year should not be funded again. For instance, I was waiting to see how unemployment among the youth will be reduced. I saw the column on youth fund is also reduced and the money taken somewhere. I was waiting to see how many small industries in manufacturing are created in the constituencies, so that we can reduce unemployment. I did not see anything to that effect. How about shelters for the widows? We are only talking about urban shelters but we do not balance it in the rural settings. I am so disappointed. A lot of money is put into looking for water underground. If we could allocate some reasonable money for Lake Victoria to fight the hyacinth which is spoiling that lake, we can supply the whole of western and Nyanza region. I do not see any amount of money put here. I was also looking to see money for Kisumu Cotton Mills (KICOMI) to improve cotton growing just like we have in RIVATEX. I do not see anything. I am a bit disappointed.

In education, I think one of the Members has talked about the infrastructure. That money is not being distributed equitably. I would like to see the implementers put that money into constituencies so that fairness can be seen and motivation can be enhanced.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Shinali Masaka, Member for Ikolomani.

**Hon. Benard Shinali** (Ikolomani, JP): Thank you, Hon. Temporary Deputy Speaker. I have really waited for this chance. First and foremost, I want to congratulate the Budget and Appropriations Committee for the time they put in coming up with a very good Report. I want to start by commenting on the allocation to the Ministry of Education and Infrastructure. The Ministry of Education is given money to put up infrastructure, to enhance universal education and to be able to provide enough classes for both primary and secondary schools. What we see when that money is distributed is this: About one million is sent per school which completes one project. That is in slum areas.

Secondly, I want to comment on agriculture. We have seen the Ministry of Agriculture allocating money to pans and boreholes in communities, so that boreholes can be used to irrigate small holder farms and pans to do large-scale irrigation. But then looking at bigger irrigation schemes, we have seen that dams have been built, but they have been built in one area. We have not seen anything coming to Western and Nyanza region to promote food security in that area. We also feel that in the near future, we should have resources allocated so that we have dams in those areas to promote agriculture and food security.

On sports, the introduction of sports funds is a welcome idea; hoping that it will sort out the problems that we are having of stadia. We have seen stadia being built selectively in some areas. We have not seen any stadia being built in Nyanza, western region and Trans-Nzoia. We

urge the Ministry in charge of sports to distribute those stadia equitably. Sadly, there is only one stadium for bull fighting in Africa and it is located in Malinya in Kakamega County. There is nothing which has been put there. I hope that the sports fund will pick up this and construct that stadium to attract tourism in that area.

I want to laud the Ministry of Trade. You have seen them allocate about Kshs1.2 billion to support small industrial parks that had been built in constituencies. We hope that those monies will be distributed well so that they can reach the small business people on the ground, the women and the *Jua Kali* people working in industrial parks.

Finally, I want to look at the issue of health. I am happy that the Budget and Appropriations Committee visited Kakamega County and had engagements with the Governor of Kakamega County. The County of Kakamega has built a Level 6 hospital which they have offered the national Government to take up, equip and run as a Level 6 hospital. It is important to note that the whole of western region does not have a referral hospital. If the national Government will take up that Level 6 hospital, this will be a welcome move to the people of the area since they suffer a lot because they have to travel to Eldoret which is in Rift Valley...

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Your time is up, Hon. Shinali. The next one on the list, on my left, is Hon. Mboni Mwalika, Member for Kitui Rural. You seem to have migrated.

**Hon. David Mboni** (Kitui Rural, CCU): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion. First, I would like to thank the Committee for coming up with a balanced budget given the resources available. I think it is high time we come up with a balanced budget. When we look at the Budget, the demand for resources is quite high but the economy has really stagnated and, therefore, we cannot raise resources and revenues as required. We need to look at the expenditures which we have. Currently, the recurrent expenditure is going up, while the development expenditure is going down. As a Parliament, we need to look at some of the things which we feel are raising expenditures, especially the recurrent expenditure. When you look at the MDAs, trainings, conferences and hospitality are taking a lot of money. I will tell you for free that most of those trainings and conferences are done at the last quarters of every year. That is where we lose a lot of money. We also need to look at the independent commissions that exist. As a country, do we need commissioners who are permanent or those who are part-time? Each commission has a secretariat that should be doing the work. So, we need to have commissioners who are part-time.

Secondly, we need to look at late submissions when it comes to expenditures on development. This occurs because of long procurement processes. Therefore, we need to look at the Public Procurement and Disposal Act to make it easier for MDAs to do procurements so that we can be able to absolve the money.

We also need to focus on incomplete projects. Everywhere, there are many incomplete projects. If the projects are not completed, then we are not getting benefits from them and, therefore, our economy cannot grow. Remember most of the projects are donor-funded. There are many dams. In Kitui, we have Thwake and Umaa dams which have not been completed. We urge the Committee to give us money to complete those dams.

Lastly is on relief food. Most of us who come from Arid and Semi-Arid Lands (ASALs) are facing food shortages because of lack of rain. As the Departmental Committee on Finance and National Planning, we had allocated money for relief food. Relief food is not an emergency. I have realised that the Budget and Appropriations Committee has removed that item. That item

should be returned so that the people who are suffering from food shortage in ASALs and districts can get adequate food.

I support. Thank you.

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

**Hon. Emmanuel Wangwe** (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. Allow me, from the outset, to thank the Budget and Appropriations Committee for the good work that they have done. Comparing FY 2018/2019 estimates to the FY 2019/2020 estimates, the estimates Report of FY 2019/2020 that they have tabled in this House is wonderful. I have a few comments that I want to express. They touch on three sectors namely Agriculture, Education and Infrastructure.

I wish to ask the Chairperson of the Budget and Appropriations Committee to look at improving the percentage that goes to agriculture. We are talking about manufacturing. What do you want to manufacture if it is not agricultural produce? Therefore, I wish that that budget ceiling for agriculture is enhanced so that more allocation can go to agriculture to boost the manufacturing sector. We also take food security into account as part of the Big Four Agenda. We are not happy with the current numbers on agriculture, which is going to boost the food security in this county. Let us consider improving that figure upwards. On the issue of the blue economy, it is impressive. Much has been put into it. We want to see our waters giving good results once our budget has been approved.

In terms of education, I am happy that more money has been put into capitation to enhance our education. But the Ministry of Education, Science and Technology should change what it is doing in the supply of books to all secondary and primary schools. They are using a certain figure to supply schools, but when it comes to paying students, especially secondary schools capitation, they insist that they want National Emergency Management Information System (NEMIS) to apply. That is double standards. I wish that the Cabinet Secretary (CS), Ministry of Education, will look into that issue seriously. Let him consider using the same data they used for supplying books to make sure that money goes to secondary schools.

On infrastructure, I am happy that loss in volume has been enhanced. I am pretty sure that some of us who are beneficiaries of loss in volume in our constituencies will have some funding. For example, a road like C31 in my constituency is a road that has never been done since Independence but I am happy that, in the second phase, the allocation has been put and we are going to see a continuation in terms of project development on that road.

I have a concern on the amount of emergencies that are left with the CS, Ministry of Education. I want to ask the CS to apportion that money equitably in our various constituencies. We have had situations where you write to the CS that there is an emergency concerning your constituency, but it is never dealt with. Instead, it is left hanging and yet, you have an emergency. Nothing is done in terms of facilitating you to get your constituency up and running. In as much as we approve this Budget, let the Ministry concerned with this budget know that issues of our individual constituencies are raised in this House through Members of Parliament. Therefore, the CS should be up to the task and ensure he delivers in terms of what is allowed against what has been requested.

In conclusion, I wish to thank the Budget and Appropriations Committee for looking into the health sector. However, there is a challenge on the issue of Level Four and Level Five hospitals being only addressed by the national Government. The issue of universal healthcare

should trickle down not just at the apex level of hospitals only, but also at Level Four. Not all the constituencies are able to access healthcare at that high level. With that, I support.

Thank you.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Kiti Chonga, the Member for Kilifi South, you have the Floor.

*(Technical hitch)*

Hon. Chonga, you may use the next microphone.

If that microphone is not working as well, you can use the Dispatch Box so that we save on time.

*(Hon. Ken Chonga moved to the Dispatch Box)*

**Hon. Ken Chonga** (Kilifi South, ODM): Ahsante sana, Mhe. Naibu Spika. Kwanza, ninataka kupeana kongole kwa Kamati ya Bajeti kwa kazi waliyoifanya nikijua kwamba si kazi rahisi. Ninaunga mkono Hoja hii kwa sababu kazi ya Bajeti ndiyo inayopeana mpangilio wa shughuli ambazo Serikali inatakikana kuendesha. Baada ya kupitia Ripoti hii, kuna swala moja ambalo ninaliona ni la muhimu na lazima nilizungumzie. Mhe. Naibu Spika, wewe na mimi tunajua umuhimu wa elimu. Wewe mwenyewe ni msomi. Uko na *Masters Degrees* zisizopungua tatu. Sasa unasomea *degree* nyingine. Hakuna taifa lolote ambalo linaweza kuendelea ikiwa halitawekeza kwa mpangilio wa elimu.

Linalonisikitisha katika Ripoti ya mapendekezo ya bajeti ni kilio ambacho tunakipata kila mwaka. Ikifika wakati wa Bajeti, hela ambazo hutengewa kitengo cha elimu huwa hafifu. Nikizungumza hivyo, ninafahamu ni nini ambacho elimu inatufaidi nacho. Katika Ripoti hii, tunaona vile taasisi zetu za elimu kuu zimepewa hela ambazo hazitoshi, huku tukijua umuhimu wa elimu ni nini.

Kule Kilifi County, ipo taasisi moja inayoitwa Ronald Ngala University. Ilizinduliwa mwaka wa 2003. Kufikia sasa, ni miaka kumi na sita na chuo hicho hakijamalizika. Haya yote yanajiri kwa sababu ya bajeti ambayo inapangiwa taasisi hiyo. Nikikumbuka, mwaka wa 2003, sikuwa hata ninajua kuwa siku moja ningekuwa Mbunge. Nimekuwa na matamania kuona kwamba chuo kile kinatimia sio tu kuwanufaisha watu wa Kilifi pekee yao, bali watu wa Kenya nzima. Taasisi hiyo imejengwa kwenye ufuo wa bahari. Mbali na kuwa kituo cha mafunzo, taasisi hiyo pia itakuwa ni hoteli maarufu sana. Kuna majengo ambayo yanajengwa mbele ya hoteli ile ambayo yanafanana na hoteli zingine ambazo ziko duniani. Hayo majengo yatakutia sana watalii. Kama ambavyo unafahamu, Kenya imekuja na hii Hoja ya kuboresha uwekezaji ndani ya bahari. Ufuo wa Pwani ndio una bahari kubwa na tunatarajia kwamba utaleta wawekezaji na watalii wengi. Hivyo basi, tuko na jukumu la kuhakikisha kwamba vijana wanatarajishwa kwa kupata mafunzo mwafaka ambayo yataweza kuhakikisha wageni wanaotembea nchi hii wanapata mandhari mazuri na kuburudishwa na vitu ambavyo wangetaka kuviona.

Hivyo basi, mbali na kwamba mimi ninaunga mkono Ripoti hii, lalamishi langu ni kwamba wakati tunapanga bajeti... Kamati ya kupanga bajeti, ningeisihii, haswa kwa upande wa elimu, iweke hela za kutosha. Ni aibu kubwa kwamba kila mwaka walimu wanagoma kwa sababu mishahara yao haitoshi. Aidha, pesa za kuendeleza shughuli za elimu hazitoshi. Hivyo

basi, ni jukumu letu sisi kama viongozi kuhakikisha kwamba ufikapo wakati wa kupanga hela, tuhakikishe sekta ya elimu inatengewa pesa za kutosha.

Ninaunga mkono Ripoti hii.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Shall we have Hon. Musa, the Hon. Member for Samburu North.

**Hon. Alois Lentoimaga** (Samburu North, JP): Thank you very much Hon. Temporary Deputy Speaker for giving me this opportunity. I join my colleagues in congratulating BAC for the good work it has done, even though we normally complain yearly about the budget implementation.

At the outset, I express my displeasure on the issue of allocation of money to the health sector. This is because from where I come from in Samburu North and Samburu County in general, we face a very serious crisis when it comes to sicknesses. Hospitals are as far as Nairobi and Nakuru. We do not have good health facilities in Samburu that can assist the sick. We would expect this particular budget to address issues concerning Level 5 hospitals because that is the nearest health facility that can assist people in northern Kenya. The ones in the county and sub-counties like Baragoi Sub-county Hospital need to be improved. There is equipment in those hospitals that can assist, but if only they are made to work. The problem is that they are just dumped there. There are no resources that can make those facilities to be utilised fully and address the issue of healthcare in those areas.

We use a lot of money every single time to transport sick people 450 kilometres from Maralal to this place, or to Nakuru. Leave alone that, most of our people are poor and unable to pay bills or even fare. They are unable to take care of the sick. So, if that equipment can be improved, they will be utilised. Theatres will be operational and that will go a long way in improving healthcare.

*(Loud consultations)*

Hon. Temporary Deputy Speaker, there are loud consultations by the Leader of the Majority Party and BAC Members! Please, intervene so that I can be heard.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order Hon. Members! That consultation can continue, but at lower voices.

**Hon. Alois Lentoimaga** (Samburu North, JP): I appeal to the Hon. Leader of the Majority Party not to lead those consultations loudly.

The other issue is about food security. In northern Kenya, and particularly Samburu County, we are always faced with drought every now and then. We had one recently. We have continued to beg the Ministry of Devolution to provide enough food for the vulnerable people during drought. I am sure that part of Laikipia is also dry. There is lack of funding and whenever we go to the Ministry of Devolution, we are told that the budget has not been provided by the national Treasury. They also go there to beg. I hope this Budget has addressed the issue of food security for the entire period of this Budget.

Secondly, the money for dams and the Equalisation Fund should have gone to provide water for irrigation. We are now seven years down the line since the promulgation of the new Constitution. Article 204 of the Constitution has deliberately provided for the Equalisation Fund. For the seven financial years, we have only realised the release of this money once. What is happening with the rest of the money? Even this time, why allocate the funds in the Budget and

then you fail to release it for the intended purpose? I hope this budget will lead to the release of the Equalisation Fund for those counties that are beneficiaries.

Hon. Temporary Deputy Speaker, I thank you very much, but I want us to be vigilant. We must ensure that the Budget is complete and the money that is in the budget is released. Let us stop bureaucracy that would curtail the release of funds for purposes which they were intended for.

I thank you very much.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us now hear Hon. Atandi.

**Hon. Samuel Atandi** (Alego-Usonga, ODM): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to support the Budget and Appropriations Committee Report. I have the following remarks.

First, this country is experiencing food insufficiency. In the recent past, there have been pictures all over in the media of Kenyans dying of hunger and shortage of water. So, we must ensure that we run a Budget that does not expose Kenyans. That is the reason why I support the resolution that we should give a special allocation to relief food under the Ministry of Devolution. You will realise that the Government has been trying to resolve the crisis of food insufficiency in the country by way of going through Contingency Fund. However, we have been told that the process of getting resources from that Fund is not very easy. So, you find that whereas the President would tell the Treasury to give out resources to sort out relief challenges, it takes a long time and by the time these resources are availed, many Kenyans have died. So, in this Budget, we must allocate resources to sort out relief food challenges.

Today, there are sections of Kenya which suffer food insufficiency, whether there is rain or not. These large sections in Kenya include places in Nyanza and others across the country.

It is very shameful that we are a Parliament that makes the Budget and yet in the end, we have Kenyans dying of hunger. This is a very important allocation which we must support.

Secondly, there is the misuse or abuse of Article 223 by the Executive. This Article's intention is to help the country address emergencies and calamities. However, we have cases where this Article has been abused by the national Treasury by allocating resources that ideally should not fall under this particular Article. We have a case where resources have been allocated for travelling in terms of luxurious holidays. Most recently, we saw the Salaries and Remuneration Commission (SRC) buying fuel guzzlers under a budget item which had not been appropriated. The argument they have given us is that they used Article 223 of the Constitution. As Parliament, we must be very vigilant and stop the Executive from misusing or abusing this Article to spend resources which this Parliament has not allocated.

Another issue is that this Parliament appropriates resources to ministries and departments which, ideally, are not involved in implementing development projects. An example is the Ministry of Foreign Affairs. The budget for this Ministry has been going up. This financial year, we have given them a lot of resources. But we do not go back to check what value we get as a people from some of those allocations.

If you look at the Ministry of Foreign Affairs, you will realise that it is very important because we have a department in-charge of economic diplomacy. From where I sit, economic diplomacy is very important because this is the department which should be telling us what resources we have received because of our foreign relations activities. But that department is not performing because they hire people who are not experts. They hire people based on ethnicity, cronyism and tribalism.

We must call on the CS Foreign Affairs because in future, we want to see this Ministry performing. I think the departmental committee in-charge of overseeing this Ministry must, at the end of this financial year, tell us what gains we have made from the resources we have given this ministry. I think this is very important and the CS must also know that we want to have competent people representing us in the various foreign missions so that we can get value for the resources we have given them.

Lastly, I must say that we are giving a lot of resources to departments which are already devolved. If you look at the resources we have given to health *vis-à-vis* what we have given...

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): To my right, Hon. Dawood Rahim.

**Hon. Rahim Dawood** (North Imenti, JP): Thank you, Hon. Temporary Deputy Speaker. I want to support this Budget proposal. The whole Report is good but I think we need to interrogate the CS together with the Executive because the budget deficit keeps going up every year. We need to put the Executive in check because when we have such a big budget deficit, the end result is we cloud out the individual borrowers and they cannot service their loans.

I want to congratulate His Excellency the President because on Madaraka Day, he talked about pending bills. It is very important for us to bring to Parliament the Public Finance Management (PFM) Act and amend it so that pending bills do not go beyond three months. If they are more than three months, then interest should be paid. This is because our people out there are having problems servicing loans and their properties are being auctioned. Many of them have even committed suicide because they cannot face their creditors. So, we need to conclude the issues regarding pending bills.

Completion of projects is very important because we have many stalled projects. But in the spirit of completing projects, we should not be putting money into white elephant projects because they require a lot of money. If we allocate them money, then we are just putting it down the hole. It is important for the national Government to audit the conditional grants to hospitals and especially the Meru Level 5 Hospital. A lot of money goes to that hospital. The other day, they broke an incinerator and yet, they do not have plans to build another one or do not know how to go about such an issue. They have equipment which is just lying around and nobody takes care of it. Health services are deteriorating and, last month, somebody died because the generator was not working.

We cannot have those kinds of issues happening in this day and age. Meru is not small but a big place. The Level 5 Hospital caters for about five to six counties and it is like a referral hospital. Therefore, we should look into these issues as well. We also need to increase funding for TVETs because they are the way to go in this country. They have been given Kshs4 billion and I want to request the Chair of Budget and Appropriations Committee in future to give them more money so that we can industrialise through them because it is the way to go.

The emergency fund for road repairs was removed. I believe we need to give more money to the roads so that we can repair them after they were damaged by rains. We need to see the roads which were passed by the previous Parliament...

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Dawood! I know you still have a minute left. I want to remind the House two things. The House will remember that the debate on the Report of the Budget and Appropriations Committee takes three sitting days.



Pursuant to a resolution of this House on 13<sup>th</sup> February 2019, the Mover at the end of the three sitting days must have 15 minutes to reply and this is critical. We are 13 minutes to the rise of the House and so, at this point inevitably, we must give the Chair a chance to reply.

Hon. Chair, you have the Floor.

**Hon. Kimani Ichung'wah** (Kikuyu, JP): Thank you, Hon. Temporary Deputy Speaker. Hon. Dawood's one minute has now been taken away. But, in response to many of the issues which have been raised by Members, let me take this opportunity to first thank them for the time they have taken to scrutinise the estimates as tabled, go through the Report and respond to issues which are contained therein. I want to thank all the Members who have contributed for their invaluable input to this debate.

A number of issues have been raised and one which I want to touch on is public participation. Many members have asked the criteria used to identify the counties visited and identification of projects. It is good to make it clear that we developed a framework towards the end of 2017 on how we will conduct public hearings. We have been following this framework as it identified, since the inception of the new Constitution, the obligation of the Budget and Appropriations Committee and, indeed, the House of holding public hearings.

We identified all the counties which had been visited since the inception of this concept in our Constitution in the 11<sup>th</sup> Parliament. Last year, we visited 12 counties which had never been visited and we were left with about seven counties and one had never been visited. A total of 19 counties had not been visited since 2013 and last year, we covered 12 of them.

This year we have covered six and we only remained with Tana River which is yet to be covered. Once we covered the six counties, we also identified another six counties which were last visited in 2013. Next year, we will cover Tana River County and another 11 counties which were last visited in 2014 and possibly 2015. Then we will repeat those which were covered in 2016 and 2017 before the lapse of this Session of Parliament. That is the criteria we used.

On identification of projects, it is largely based on submissions by members of the public through public hearings. I am aware, as the Member from Kirinyaga County has mentioned, that some of the counties we covered last year, including Kirinyaga, had an entire budget line of Kshs1.2 billion. Remember, we have a budget line of Kshs100 billion per county which was taken away during Supplementary One. In the Report, Members will note that we have allocated Kshs2.4 billion which covers those 12 counties that were covered last year and the 12 that we have covered this year.

The other issue that seems to have generated a lot of heat is that of reallocations by departmental committees. It is unfortunate that the House is rather empty at this time. People raise issues and walk out and do not listen to the responses and, therefore, are not well informed. The issues of reallocation proposed by departmental committees are very weighty. Largely, we endeavoured to agree with a number of departmental committees based on the facts that were presented to the Budget and Appropriations Committee through their Chairs and also based on the availability of resources within those departments. There has been an issue that has been raised by the Members of the Departmental Committee on Health. Many reallocations were done. It is important to point out where those reallocations were coming from because it is this House that adopted the Division of Revenue Bill earlier this year. The Division of Revenue Bill is still in mediation with the Senate. We are yet to conclude and, hopefully, we should be able to conclude this year.

One of the reallocations that the Departmental Committee on Health had sought is the Kshs4.326 billion that has been appropriated in the Division of Revenue Bill going to Level 5

hospitals. As the Budget and Appropriations Committee, we would not have allowed money that has already been appropriated in the Division of Revenue Bill to then be reallocated to other uses, including some hospitals that would otherwise benefit from other resources. It is important because we looked at the reallocations that had been proposed. Some were to KNH, Mathare Referral Hospital and others to particular dispensaries here and there and small hospitals across the country.

It is important to mention that for those hospitals, the Ministry and the National Treasury have asserted that they, indeed, have plans to allocate resources from the universal health coverage under the Sports Fund. You are aware that following the regulations that were passed by this House that there is money under the Sports Fund that would be appropriated into those particular hospitals. Therefore, they will not suffer as has been said.

Another issue that was raised is on a summative report being tabled or being given to the departmental committees. They sought to reallocate money again; the Kshs4.6 billion, that had been earmarked for the rollout of UHC in the other 43 counties. They pegged their reallocation on the lack of a summative report on how this has been rolled out in the four counties. The position of the Budget and Appropriations Committee, the National Treasury and the line Ministry was that if we are to allow the reallocation of the Kshs4.6 billion at this particular stage, it means if the Report comes in July, the end of July or even in December or in between the financial year, then we would have to identify resources to roll out the UHC across the 43 counties.

The Departmental Committee on Health did not identify where we would be able to get those resources. Therefore, I am leaving it to the Departmental Committee on Health to identify where to find those resources. With the limited resources we have, the best we could do was to disallow the reallocation of the UHC money at this stage. However, if you read the Report, you will find that we have given this money to the Ministry with a condition that they must give a summative report to the Departmental Committee on Health. Therefore, the Departmental Committee on Health still has an opportunity, probably during Supplementary One. If the Ministry is not able to give them a summative report that satisfies them, then at that stage, we can consider whether we can reallocate. However, if we are to reallocate now and not identify where else we will get money from if the summative report is brought in December, January or even in October or November, then we will be left in a quagmire since we will not have resources to roll out UHC. We are all aware that UHC is one of the key pillars of the Big Four Agenda that the Jubilee Government and President Uhuru Kenyatta are implementing. I plead, especially with the Members of the Departmental Committee on Health, to understand that in view of the limited resources, we were not able to allow those two reallocations at this time.

A number of Members have spoken to the issue of budget implementation. I agree with Members that we pass budgets in this House. I remember Hon. Otiende Amolo, who mentioned the example of the National Government-Constituency Development Fund (NG-CDF), where a number of Members are still at about 50 per cent of disbursements. As much as we understand that there are challenges with Exchequer releases, I call upon the Committee on Implementation – and I can see Hon. Abuor, who is a very active Member of this Committee – to ensure that they follow up on budget implementation.

It is also a challenge to our departmental committees. The moment we pass this Budget, the role to oversee budget implementation also lies with them. They meet on a quarterly basis, if not every two months, to call the accounting officers and the cabinet secretaries and get reports on how the budget is being implemented. It is those reports that will also allow them an

opportunity to interrogate the first Supplementary Estimates when they are tabled and reallocate resources based on how well the Ministries, Departments and Agencies (MDAs) of Government are absorbing resources that have been allocated to them.

In the interest of time, I will end there. I urge the Members of this House to support and adopt this Report as tabled by the Budget and Appropriations Committee. It was after rigorous three weeks of very busy time. We can only do justice to many of us who spent a lot of time in departmental committees. I want to take this opportunity to sincerely thank the Chairs of committees because they took a lot of their time – almost two-and-a-half days – to be with us at Hilton Garden Inn to present their budgets for each of their respective MDAs. I urge Members to agree with the Committee as proposed in the Report and support us as we move towards the publication of the Appropriations Bill, both for this Supplementary Estimates and the Second Supplementary Estimates.

With those many remarks, I beg to reply.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): What is it, Hon. Jeremiah Kioni?

**Hon. Jeremiah Kioni** (Ndaragwa, JP): Thank you, Hon. Temporary Deputy Speaker. Standing Order No.53 gives you some discretion as to when you can put the Question. Standing Order No.53(3) specifically allows you to postpone the putting of the Question. I request that you postpone the putting of the Question to a later time when circumstances allow,

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Very well, Hon. Kioni. I completely agree with you. We shall pend putting the Question on this Motion to a subsequent time.

*(Putting of the Question deferred)*

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Members, the time being a few seconds to 1.00 p.m., the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.59 p.m.