

PARLIAMENT OF KENYA**THE NATIONAL ASSEMBLY****THE HANSARD**

Wednesday, 16th June 2021

The House met at 2.30 p.m.

[The Speaker (Hon. Justin Muturi) in the Chair]

PRAYERS

Hon. Speaker: I have ascertained that we do not have the requisite numbers. I, therefore, order that you ring the Quorum Bell.

(Quorum Bell was rung)

Very well, we have now attained quorum. We can start.

PAPER LAID

Hon. Amos Kimunya (Kipipiri, JP): Hon. Speaker, I beg to lay the following Paper on the Table of the House:

Report of the Auditor-General and Financial Statements of the Mechanical and Transport Fund for the State Department for Infrastructure for the year ended 30th June 2020 and the certificate therein.

Hon. Speaker: Next Order! The first segment is on Questions.

ORDINARY QUESTIONS

Hon. Speaker: The first Question is by the Member for Githunguri, Hon. Gabriel Kago. He seems to be absent.

The second Question is by the Member for Marakwet East, Hon. Kangogo Bowen.

Question No.188/2021

STATUS OF INVESTIGATIONS INTO DEATH OF EDWIN KIPLAGAT YATICH

Hon. Kangogo Bowen (Marakwet East, JP): Thank you, Hon. Speaker. I rise to ask Question No.188/2021 to the Cabinet Secretary for Environment and Forestry.

- (i) Could the Cabinet Secretary provide an update on the status of investigations into the circumstances that led to the death of one Edwin Kiplagat Yatich of ID No. 22599049 that occurred on 19th April, 2021 after a confrontation with

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Kenya Forest Officers based at the Tangul Forest Station in Marakwet East Constituency?

- (ii) Could the Cabinet Secretary state what actions the Ministry has taken against the Forest Officers who were on patrol that day and who are suspected to have murdered him, and explain why it has taken too long to arrest and prosecute the officers who were suspected to have been involved in the killing of the said person?
- (iii) Could the Cabinet Secretary consider compensating the family of the deceased person considering that he was the sole breadwinner for his family of seven?
- (iv) What measures has the Ministry undertaken to ensure that the recurring instances of violence, torture and killings meted against civilians by Forest Officers are addressed and that there is peaceful coexistence between civilians and the Forest Officers?

Thank you, Hon. Speaker.

Hon. Speaker: The Question will be replied to before the Departmental Committee on Environment and Natural Resources. The third Question is by the Member for Bomet Central, Hon. Tonui.

Question No.189/2021

DELAYED PAYMENT OF KCSE EXAMINERS

Hon. Ronald Tonui (Bomet Central, JP): Thank you, Hon. Speaker. I rise to ask Question No.189/2021 which is directed to the Cabinet Secretary in charge of Education. The Question is as follows:

- (i) Could the Cabinet Secretary explain why the Kenya National Examinations Council (KNEC) has not paid teachers who marked KCSE 2020 examinations papers and when will they be paid?
- (ii) Could the Cabinet Secretary state the criteria used in determining rates for paying invigilators, supervisors, examiners and center managers, the current rates; and when the KNEC intends to revise the said rates?
- (iii) Could the Cabinet Secretary explain why the deputy center managers and teachers handling practicals during examinations are not considered for payment and could the Ministry consider paying them?

Thank you, Hon. Speaker.

Hon. Speaker: The Question will be replied to before the Departmental Committee on Education and Research. Next Question by Nominated Member, Hon. Godfrey Osotsi.

Question No.190/2021

REPORT ON CAPITATION UNDERFUNDING OF SCHOOLS IN VIHIGA COUNTY

Hon. Godfrey Osotsi (Nominated, ANC): Thank you, Hon. Speaker. I wish to ask Question No.190 of 2021 which is directed to the Cabinet Secretary for Education. It reads as follows:

- (i) Could the Cabinet Secretary provide a list of all secondary schools, the capitation funds allocated for each school and total student enrolment for each school for the financial years 2019/2020 and 2020/2021?
- (ii) What measures has the Ministry put in place to ensure that secondary schools in Vihiga County, which have continually received less capitation funds in relation to the total students' enrolment receive the said funds?
- (iii) What is the status of letters on capitation underfunding forwarded to the Ministry by various schools in Vihiga County and when will the Ministry reconcile its records and remit all funds not remitted to the affected schools?

Thank you, Hon. Speaker.

Hon. Speaker: Again, the Question will be replied to before the Departmental Committee on Education and Research. Next Question is by the Member for Dagoretti South, Hon. John Kiarie. Hon. John Kiarie for the second time. Next is the Question by the Member for Githunguri, Hon. Gabriel Kago.

Question No.179/2021

FACILITATION OF TRANSFER OF L.R. NO. 16217/87/6 TO DAVID KARIUKI KURIA

Hon. Gabriel Kago (Githunguri, JP): Thank you, Hon. Speaker. I rise to ask Question No.179/2021...

Hon. Speaker: Ordinarily, the practice is since you came late you start by apologising for being late. You do not just go straight to asking the Question.

Hon. Gabriel Kago (Githunguri, JP): Thank you, Hon. Speaker, for reminding me to apologise for coming late. My constituency is near Nairobi so I was there serving the great people of Githunguri. I am sorry, next time I will be here on time.

I rise to ask Question No.179/2021 to the Cabinet Secretary for Lands and Physical Planning.

- (i) Could the Cabinet Secretary consider facilitating the transfer of Land Reference No. 16217/87/6 to one David Kariuki Kuria of ID No. 8433183 (buyer) from Mr. Michael Shaw (seller), following successful dismissal of a caveat on the land under civil suit No. 435 of 2006 filed at the High Court in Nairobi, by using the certified copies of the proceedings in order to bring to a close this unfortunate matter that has seen Mr. Kuria suffer immensely as he is not able to utilize the land despite having fully paid for it in 2004?
- (ii) What measures has the Ministry put in place to resolve such matters involving land in the country?

Thank you, Hon. Speaker.

Hon. Christopher Omulele (Luanda, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: That Question will be replied to before the Departmental Committee on Lands. Yes, Hon. Omulele what is your point of order.

Hon. Christopher Omulele (Luanda, ODM): On a point of order, Hon. Speaker. With a lot of respect to my senior and a very good friend, Hon. Duale, I am wondering whether he is appropriately dressed to be in the House.

(Hon. Aden Duale spoke off microphone)

Hon. Speaker: I think Hon. Omulele might have noticed Hon. Duale having not buttoned upto...I think he noticed the neck was out. Hon. Duale, when you put on that attire ensure you cover the neck. You know you sit next to great people here and they should not see your neck.

For the second time the last Question is by the Member for Dagoretti South before we drop it.

Hon. John Kiarie (Dagoretti South, JP): Thank you very much, Hon. Speaker. I rise to ask a Question to the Cabinet Secretary...

Hon. Speaker: It is never done that way. I am calling the Question for the second time. Surely, it means the first time you were not here. The first thing you do is apologise to the House for coming late because the House sits at 2.30 p.m. I also want to encourage Chairs of Committees, if you appoint a sitting time to be 9.30 a.m. or 10.00 a.m. let the Chairperson be there at 9.30 a.m. or 10.00 a.m. If you do not realise quorum after 30 minutes adjourn the meeting. There is no need of keeping witnesses waiting because Committees are supposed to be a microcosm of the plenary. We sit here at 2.30 p.m. and when we have to sit in the morning it is at 9.30 a.m. without fail and the Speaker is always there in the Chair. It is the bell that is rung to tell Members that we do not have quorum. So, it cannot be the opposite in committees that the chairmen are told: "Please, Chair, do not come. We are waiting for quorum to form." No! Be there. If there is no quorum just adjourn the meeting. That way, we will know which Members are serious and who want to be present in committees so that we can encourage the Leader of Majority Party, the Leader of the Minority Party and the Whips to throw out those who do not want to attend. Let them be taken out. I am sure they can go and do other things. Committees are suffering a lot because of this thing of lack of quorum and not sitting in good time. We are receiving a lot of complaints from witnesses who come and wait for one hour or one-and-a-half hours before committees form quorum. The membership is so high. I do not know why it is that... It does not give a very good picture of the committee or even the entire institution of Parliament.

Hon. Kiarie, you have come now.

Hon. John Kiarie (Dagoretti South, JP): Hon. Speaker, I do profusely apologise. It is not in my character to be late. In fact, I am known for being very punctual and I do appreciate the magnanimity from your Chair to allow me to ask this Question.

Hon. Speaker: Proceed.

Question No. 196/2021

COLLECTION OF *HUDUMA NAMBA* CARDS

Hon. John Kiarie (Dagoretti South, JP): Hon. Speaker, I rise to ask the Cabinet Secretary for Interior and Coordination of National Government the following Question:

- (i) Could the Cabinet Secretary state the number of citizens who registered for the *Huduma Namba* in every county?
- (ii) What measures has the Ministry put in place to ensure that citizens are able to collect their *Huduma* cards in the respective stations where the registration was carried out?

Hon. Speaker: The Question will be replied to before the Departmental Committee on Administration and National Security.

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Hon. Benjamin Washiali (Mumias East, JP): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Ben Jomo Washiali, what is your point of order?

STATEMENTS

Hon. Benjamin Washiali (Mumias East, JP): Thank you, Hon. Speaker. I rise on Standing Order No. 42C (4) in terms of responses to these Questions, especially where there is a supplementary question. You find that with this current situation of COVID-19 where responses are supposed to be given online or in a virtual meeting, Members who have supplementary questions do not have an opportunity to ask those questions. For example, the Question raised by Hon. Osotsi about capitation is one that I would have also wished to know about the capitation in Kakamega. However, because of these virtual meetings, it is not possible that supplementary questions can be responded to. That is why you will see many questions that are similar in nature repeatedly being asked on this Floor.

Hon. Speaker, will I be in order to request you to ask the Office of the Clerk that whenever we have such responses, they are put on a platform that we can all read so that we can participate in the meeting when they are responding to such questions? This is so that we do not have to come back to this Floor to ask similar questions. Thank you, Hon. Speaker.

Hon. Speaker: You know every Thursday, the Leader of the Majority Party reads out the business that is going to be transacted the following week, both in plenary and either in Committee of the whole House or respective committees especially with regard to answers to be given by Cabinet Secretaries. If every Member listened... It is unfortunate that most Members do not listen when the Leader of Majority Party is reading out business for the following week. He says Cabinet Secretary for this and this will be appearing before Committee A, B, C and that in the same day another Cabinet Secretary will be appearing before another committee to respond to Questions.

So, I do not think there is any need of any other platform save to put the Statement by the Leader of the Majority Party every Thursday under Standing Order No. 44 on the normal parliamentary website. This is so that those that are sufficiently literate can look at the website and see what business is coming the following week. Even if it is virtual, any Member who is keen would then be at liberty to appear before that committee and request the Chairperson of the Committee to allow them to lodge supplementary questions to whomever it is, either Cabinet Secretary or any other such functionary that may be responding to the Questions. It is just a question of Members paying attention. The only other thing that we need to do is put that Statement by the Leader of the Majority Party, either on the Bunge information or on the parliamentary website so that Members of Parliament, and indeed even the public, are aware that this is the business to be transacted.

The next segment is requests. The first request is by Hon. Godfrey Osotsi. Hon. Osotsi, before you proceed, Member for Malava, you have an intervention. What is the issue?

Hon. Moses Injendi (Malava, JP): Thank you. I sought for a Statement on 13th May from the Chair of the Departmental Committee on Education and Research. The Vice Chair who was on the Floor that day informed us that I would get the response in two weeks' time. This is the fifth week. This Statement was to do with admission in our primary teacher colleges whose admission was very low, only 500 to the 34 colleges. I am just wondering when this will come.

Hon. Speaker: That is an important issue, Hon. Malulu Injendi. Where is the Vice Chairperson of the Departmental Committee on Education and Research, Hon. Ngunjiri

Wambugu or the Chairperson, Hon. Florence Mutua? Hon. Members, rather than coming to raise complaints, I will encourage Members also to consider motion to censure a chairperson who neglects to respond to questions. I can see now the Chairperson and the Vice Chairperson are not there. We cannot just keep referring everything to the Leader of the Majority Party. It is dereliction of duty. I encourage Members that you will be perfectly in order. You bring the Motion and I will approve it. Both a Chairperson and a Vice Chairperson cannot all go missing. It is not right. This is wrong. Hon. Junet, what do you want to say?

Hon. Junet Nuh (Suna East, ODM): Hon. Speaker, the Chairlady for the Departmental Committee on Education and Research had issues with the Budget and Appropriations Committee. There were some figures she was reconciling. So, I seek your indulgence. I am sure she was caught up in that matter. Maybe the Vice Chairperson is loitering in town. I am just speaking for the Chair.

Hon. Speaker : Hon. Junet, I am sure you have not seen anybody loitering. Hon. Junet, we do not want to give the Leader of the Majority Party this because you are seized of where the Chair is, could you tell her to respond to the Statement sought by Hon. Malulu Injendi.

Hon. Member for Emuhaya.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker, it is true. Like it has been said, the Chair had issues with the budget and there were some issues they needed to harmonise between the Ministry and the Statement that we had done. I, therefore, take it upon myself to also take the information to her, with regard to the question by the Hon. Member, as a seasoned Member for that Committee.

Thank you, Hon. Speaker.

Hon. Speaker: You are also a serious stakeholder in education. Now that she has two assistants; Hon. Malulu Injendi, you can now pursue Hon. Junet and Hon. Omboko Milemba.

Hon. Junet Nuh (Suna East, ODM): On a point of order, Hon. Speaker.

Hon. Speaker: What is out of order? There is nothing out of order.

Hon. Junet Nuh (Suna East, ODM): Hon. Speaker, I took the responsibility because the Chair is from the Minority and I want to tell her what has transpired in the House. I have just heard a Member of the Committee say that he is seasoned. I do not know which season he is talking about because this is his first season in Parliament. Is he talking about being the treasurer of the Kenya Union of Post Primary Education Teachers (KUPPET) or a seasoned KUPPET Member, which season is he talking about? One season only!

Hon. Speaker: We will allow it to rest at that, suffice to say that both Hon. Omboko Milemba and Hon. Junet should take up that matter. It is not fair that Hon. Injendi should wait for his response for so long.

Hon. Sankok.

Hon. David ole Sankok (Nominated, JP): Thank you very much, Hon. Speaker. I also 'seeked' a statement...

Hon. Members: Sought!

Hon. Speaker: Sought?

Hon. David ole Sankok (Nominated, JP): Thank you very much Hon. Speaker, they have corrected me. Hon. Junet is talking about seasons. We are in the season where chairs and members are being removed from committees. If you serve for three consecutive years, you are a ranking and a seasoned Member. Most of us have not served three years in a committee.

I also sought, now that I have been corrected, a statement on the status of Standard Gauge Railway (SGR) which has terminated in a remote area called Emurtoto, a shopping center

with one shop and one butchery. It is now being vandalized. I had sought that statement and I have not been given an answer by the Chairperson. He is my neighbour here, but he has not given me the answer. So, should I drain the answer from him by force?

Hon. Speaker: When did you seek the Statement?

Hon. David ole Sankok (Nominated, JP): You have also said, ‘when did you seek?’

Hon. Speaker: Yes, that is grammar.

Hon. David ole Sankok (Nominated, JP): I sought the Statement about four months ago.

Hon. Speaker: Four months ago?

Hon. David ole Sankok (Nominated, JP): Yes.

Hon. Speaker: Hon. Pkosing, is it true that he sought a Statement four months ago? That would be in February.

Hon. David Pkosing (Pokot South, JP): Thank you, Hon. Speaker. You know I am effective. I am also seasoned and ranking. My records have been filed at the International Criminal Court at The Hague as a ranking and serious Member of this House. I have to confirm whether it was a Question or a Statement. The Statement was responded to before my committee in his presence. It was done. Whether he was satisfied or not, it is up to him. It was responded to.

I thank you, Hon. Speaker. I am ranking.

Hon. Speaker: Hon. Sankok, were you there?

Hon. David ole Sankok (Nominated, JP): Yes, I was. However, sometimes some of the Hon. Members are becoming a bit rude. If he says it is up to me, it is not up to me, it is up to the people of Narok who are suffering now because of the SGR. I was there. I was not satisfied and I said that I was not satisfied. I need an answer.

Hon. Speaker: That is different. If you are not satisfied, that is different. What you should have done at that time, you should have requested the Chair of the Committee to insist on you getting an answer that would satisfy you. Remember, the answer might not satisfy you, but it may satisfy the Committee and everybody else. That will be left to your own bodily feelings.

(Laughter)

I am not too sure whether the answer was satisfactory. If it was satisfactory to the committee and the Members, then the rest will be left to your feelings. If you are not satisfied, you could ask another one, now that you were present when the answer was given, coming to raise it here now is also dishonest.

Hon. John Paul Mwirigi.

Hon. John Paul Mwirigi (Igembe South, Independent): Thank you, Hon. Speaker. I requested for a Statement pursuant to Standing Order No. 44(2) (c), from the Chairperson of the State Department of Trade, Industry and Cooperatives, regarding the closure of *miraa* market in Somalia and the suspension of all flights to Somalia. There was the issue of crops which were turned down at the airport. This Statement was very crucial for the people of Igembe and up to now I am yet to receive a response.

Hon. Speaker: You said that you sought a Statement from the Chair of the State Department. I was wondering whether we have that one here. Unless you sought from the Chair of the Departmental Committee on Trade, Industry and Cooperatives.

Hon. John Paul Mwirigi (Igembe South, Independent): I sought a Statement from the Chairperson for the Departmental Committee of Trade, Industry and Cooperatives.

Hon. Speaker: Hon. Adan Haji. Hon. Adan Haji has become very rare these days. Maybe he is pursuing your answer somewhere in the neighbouring country. Who is his Vice Chair? Does he have a Vice Chair?

Hon. Members: Hon. Ruth Mwaniki.

Hon. Speaker: Hon. Ruth Mwaniki, she does not come these days. I have not seen her since we reopened. Maybe she attends the evening sittings. We have been told that there are Members who have become frequent attendees of the 7.00 p.m to 9.30 p.m Sittings. Maybe Hon. John Paul Mwirigi you may have to wait until that time. For the time being, let the Leader of the Majority Party take up the matter with Hon. Haji.

Let me now go to the segment on requests. Hon. Osotsi.

STATUS REPORT ON SHIRU AND SHAVIRINGA SETTLEMENT SCHEMES

Hon. Godfrey Osotsi (Nominated, ANC): Thank you, Hon. Speaker. Pursuant to Standing Order 44(2) (c), I wish to request for a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources, regarding an undertaking by the Cabinet Secretary for Environment and Forestry, regarding Shiru and Shaviringa settlement schemes in Kakamega Forest, but located in Vihiga County.

Hon. Speaker, on Thursday, 11th February 2021, the Cabinet Secretary represented by the Chief Administrative Secretary undertook to, among other things, convene a meeting of stakeholders among them the Ministry, the Kenya Forest Service, the Governor of Vihiga County and Members of Parliament from the Vihiga County to resolve the matter of Shiru and Shaviringa settlement schemes in Kakamega Forest.

Hon. Speaker, it is against this background that I seek a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources to explain the status of the one-month undertaking by the Cabinet Secretary in charge of Forestry in regard to Shiru and Shaviringa settlement schemes in Kakamega Forest, noting the suffering the resident of the schemes are facing and whether any steps have been taken to resolve the matter.

Hon. Speaker, I want you to give direction because this seems to be the trend where Chief Administrative Secretaries appear before committees, make verbal undertakings and some of those verbal undertakings are never implemented. This is the case. I presented a Question before this Committee four months ago and the CS, through the CAS, made an undertaking that they will appear again before the Committee to give a status report. It is now four months. I have not received anything from the Committee and I have not heard anything from the Ministry. So, that is becoming a trend where CASs, particularly, give undertakings which they do not implement.

Hon. Speaker: I will just give you some facts that even in the former dispensation before 27th August 2010, the officers who used to be referred to as Assistant Ministers would never sign anything that Parliament would receive. I do recall, but I do not want to mention the particular Member in the 9th Parliament because he is a Member in this Parliament also, when he was Assistant Minister for Health and he purported to sign an answer on behalf of the then Minister for Health and now a Governor somewhere, that is, the Governor for Kitui County. Those are some years back. That thing would never be accepted, so too should it be the case today with those people you are calling CASs. They have no authority to give an undertaking.

In fact, if it is something where an undertaking is to be given and they do it orally, that is the equivalent of a roadside declaration! If it is to be in writing, it must be written. It must be under the signature of the Cabinet Secretary. The Constitution recognizes a Cabinet Secretary or

a Principal Secretary. Those others can do those other things: go around there and do a few things, including discussing issues about Female Genital Mutilation (FGM) and others.

The thing of giving an undertaking is a serious matter. That is why we have a Committee on Implementation so that if a Cabinet Secretary gives an undertaking and it is not done, then our Committee on Implementation can hold somebody to account, a substantive office holder not those others. Even our Standing Orders do not make reference to those people. The Standing Orders make reference to the Cabinet Secretary and the Principal Secretary. It is deliberate. It is very difficult to know where to place them. They are neither birds nor mammals. We cannot quite... They are like birds. So, please, do not take any undertakings from those ones. If it is an undertaking to be given, it must be in writing. It is about people you can go to the Constitution and you will find them.

These others, you may never know. They could say this today and then the next day they are... It is because you cannot trace them. Where will you trace them? So, they can come and talk with you, engage you in those discussions but, please, if it is an undertaking, Hon. Godfrey Osotsi, let it be in writing by a Cabinet Secretary. If it is being read on their behalf... If it is the Cabinet Secretary himself or herself, there is the *Hansard*. You can take the *Hansard* and follow it up. If it was those people, even if you go to the *Hansard*, who do you follow? Our Standing Orders will find... They will look around and they will not see them.

Yes, Hon. Godfrey Osotsi.

Hon. Godfrey Osotsi (Nominated, ANC): Hon. Speaker, the undertaking was in writing, emphasized verbally by the CAS, and signed by the Cabinet Secretary.

Hon. Speaker: Then take it up with the Committee on Implementation. You do not have to lament. If it is in writing by a Cabinet Secretary, take up the matter with our Committee on Implementation so that the Cabinet Secretary can be... Are you a Member there? You are the Vice Chairman even. Then you are sitting on your rights. Hon. Godfrey Osotsi, you have the wherewithal within the Standing Orders.

Hon. Godfrey Osotsi (Nominated, ANC): Hon. Speaker, the matter is still very active within the Departmental Committee on Environment and Natural Resources. He was supposed to come back after one month, give a programme of action and then the Committee would take action. So, the matter is still very active within the Departmental Committee on Environment and Natural Resources for it to be handled by the Committee on Implementation. That is why the statement is directed to the same Committee.

Hon. Speaker: Well. Where is the Chairman, Hon. Kareke Mbiuki and the Vice Chairwoman, Hon. (Ms.) Sophia Noor? Well, the Leader of the Majority Party will take up the matter and pass it on to them, but on the day that the Cabinet Secretary is appearing, Hon. Osotsi, you should also appear before the Committee to get the response.

The next request is by the Member for Mvita, Hon. Abdullswamad Nassir.

MAKUBALIANO KUHUSU MISHAHARA NA MARUPURUPU
KATI YA HALMASHAURI YA BANDARI NA WAFANYIKAZI

Hon. Abdullswamad Nassir (Mvita, ODM): Asante sana, Mhe. Spika. Kupitia Sheria za Kudumu Nambari 44 (2) (c), nainuka kidete kuulizia jawabu kutoka kwa Mwenyekiti wa Kamati husika ya Usafiri kuhusu makubaliano ya pamoja yanayogusa mishahara na marupurupu, almaarufu *Collective Bargaining Agreement (CBA)*, kati ya Halmashauri ya Bandari ya Kenya,

Kenya Ports Authority, na wafanyikazi wake ya mwaka 2020/2021 na pia vilevile kurejeshwa kazini wafanyikazi 247.

Mhe. Spika, kwa miaka mingi kumekuwa na mivutano na mitihani ambayo imesababisha kutowekwa sahihi hii CBA ya zaidi ya wafanyakazi 5,000 wa Bandari ya Kenya.

Maridhiano yalikuwa yawe tangu Novemba 2019 lakini maridhiano hayo yakakubalika hadi Januari 2020. Yatia wasiwasi ya kuwa tangu Januari 2020 mpaka leo mishahara hiyo ambayo iliweza kukubaliana na kuridhiana pamoja haijalipwa. Kuna haja ya kuanza mazungumzo ya maridhiano ya 2022/2023 ambayo, kisheria, yanafaa kuanza Oktoba 2021 pamoja na kurejeshwa kazini kwa wale wafanyikazi 247.

Kutokana na hayo, natafuta suluhisho kupitia kwa Mwenyekiti husika. Kwanza, atueleze ni mitihani gani ambayo inasababisha kutotekelezwa kwa hii CBA hadi leo. Pili, ni mikakati gani Wizara imeweka kuhusu hii CBA ama maridhiano ya 2022/2023 yanayofaa kuanza mwaka huu na hadi leo, yale ya mwaka 2019/2020 hayajatekelezwa.

Tunaomba Mwenyekiti atoe hakikisho kuwa wizara husika itahakikisha mishahara ya hawa wafanyikazi ambao ni wana Mombasa na Wakenya, kwa jumla zaidi ya 5,000, yaanze Januari 2020 kama vile ilivyo. Ni haki yao kulipwa mishahara hiyo tangu Januari 2020 na wahakikishe ya kuwa wafanyikazi 247 waliofutwa mwaka 2011 warejeshwe.

Hon. Speaker: Let us have the Chair of the Departmental Committee on Transport, Public Works and Housing, Hon. Pkosing.

Hon. David Pkosing (Pokot South, JP): Thank you, Hon. Speaker. I seek your indulgence. I am not very certain that that should be handled by my Committee. I listened very carefully although it was in Kiswahili. I understand Kiswahili fairly well. I used to be in Tanzania at some stage. The issue is not about the Kenya Ports Authority, but about labour and employment issues. That should be handled by the Departmental Committee on Labour and Social Welfare, rather than the Departmental Committee on Transport, Public Works and Housing. The issue is not about the KPA. It is about the welfare of the staff. I seek your guidance before I respond.

Hon. Speaker: Hon. Abdullswamad, the gist of your Statement is about collective bargaining agreements and the rights thereunder.

Hon. Abdullswamad Nassir (Mvita, ODM): Hon. Speaker, with your guidance, I could put my case forward in English, if you will allow me to do so. I may continue in Kiswahili but for purposes of my Co-Chair understanding me...

Hon. Speaker: His point is that the issues you have raised are to do with the collective bargaining agreement and some people who have been dismissed, according to you. Those appear to be labour matters more than transport matters. It is your choice

Hon. Abdullswamad Nassir (Mvita, ODM): Hon. Speaker, I stand guided, but the gist of the matter lies with the KPA itself. They had already collectively agreed on those matters. However, with your guidance...

Hon. Speaker: Nevertheless, even if it is the KPA, it is a labour issue.

Hon. Abdullswamad Nassir (Mvita, ODM): With your guidance, Hon. Speaker, we will accept that the matter be referred to the Departmental Committee on Labour and Social Welfare, as long as we have a solution to those matters.

Hon. Speaker: The Departmental Committee on Labour and Social Welfare can summon the KPA before it. It does not matter whether it is the KPA. The substance is the labour issues. It is not about the institution. We can even have labour issues with the Ministry of Transport. It will not be the Departmental Committee on Transport, Public Works and Housing that deals with

that. The relevant committee to deal with this issue is the Departmental Committee on Labour and Social Welfare.

I can see the Chairman enjoys it when you misdirect your issues to Hon. Pkosing. He will say, "Hallelujah" because the matter will go to Hon. Pkosing. The Chairman of the Departmental Committee on Transport, Public Works and Housing will come and say that they do not deal with labour issues and you will come and report that to the House, yet if it went to Hon. Kabinga, he would deal with the matter appropriately. I suggest that you redirect the Statement to the Departmental Committee on Labour and Social Welfare.

Hon. Abdullswamad Nassir (Mvita, ODM): Very much obliged, Hon. Speaker. We will be liaising with the Departmental Committee on Labour and Social Welfare. Thank you for your guidance.

Hon. Speaker: How soon do you think you will be able to respond, Hon. Kabinga?

Hon. Josphat Kabinga (Mwea, JP): Thank you, Hon. Speaker. I was listening to him very keenly and I was wondering whether he really meant to direct the Statement to the Departmental Committee on Transport, Public Works and Housing. However, this seems to be a longstanding issue that needs some time. If the Member is agreeable, we can do this in three to four weeks' time, so that we go deeper. I have listened to him keenly. This is an intensive case that has been there for some time. It is not a case that we can dispense with in a week or two. We require to go deeper into it.

Hon. Speaker: Let us have Hon. Abdullswamad.

Hon. Abdullswamad Nassir (Mvita, ODM): Thank you, Hon. Speaker. Once he starts interrogating the matter, it is very clear and straightforward. It is just that some people insist on doing other things. I am confident, knowing the Committee's capability that they can give us a response in earlier than three weeks. The earlier the better.

Hon. Speaker: The next request is by the Member for Kilifi North, Hon. Owen Baya.

INQUIRY INTO MASS FAILURE OF STUDENTS IN KENYA CERTIFICATE OF SECONDARY EDUCATION IN KILIFI COUNTY

Hon. Owen Baya (Kilifi North, ODM): Thank you very much, Hon. Speaker.

Pursuant to the provisions of Standing Order No.44(2)(c), I rise to request a Statement from the Chairperson of the Departmental Committee on Education and Research regarding causes and remedy of mass failure of students in the Kenya Certificate of Secondary Education (KCSE) 2021 in Kilifi County.

During the 2021 KCSE results, Kilifi County registered a total of 15,473 students who sat for the said examination, out of which 7,268 were girls and 8,172 were boys. In general, students who did the examination in private schools were 2,387 and those in public schools were 13,086, while 72 did not sit for the examination. Statistics show that students from Kilifi County performed dismally with majority of them that is, 70 per cent, scoring D+ and below, with no single A plain.

The mass failure of students in the county is worrying and is attributable to a system with low internal efficiency which does not guarantee production of quality human resource thus occasioning wastage of national resources. It is on account of this concern that I seek your indulgence to order an inquiry by the Departmental Committee on Education and Research on the following:

- (1) The reasons for mass failure in examinations in the county with regard to how the education system is managed, teacher distribution and correlation between subject performance and the number of teachers deployed by the Teachers Service Commission (TSC) and the experiences and deficits thereof;
- (2) Learning materials availability especially in sciences in schools and general preparedness of the school systems to produce quality grades;
- (3) Quality of teachers, qualifications, work-plans and implementation, supervision and inspection by the county education offices in every sub-county in Kilifi County; and
- (4) The adequacy of facilities such as vehicles, offices, and other facilitative equipment and human resource in the county and sub-county education offices.

Unfortunately, the Chair and the Vice-Chair are still at large. I do not know whether this time you will ask Junet again.

Hon. Speaker: We will now ask Hon. John Mbadi to relay the message, so that there is sharing of responsibility. Hon. Kimunya is chasing too many other issues.

Hon. John Mbadi, we were told earlier by Hon. Junet that the Chairperson has some issues reconciling some figures in the Budget of the Ministry. Maybe, you can undertake to relay the message.

Hon. John Mbadi (Suba South, ODM): Hon. Speaker, you are right. That is correct information. The Chair is trying to balance the Budget figures. However, this message will reach her. The questioner almost confused me when he asked the Chair to order for an inquiry. I wondered whether he was seeking the Speaker's ruling or a Statement from the Committee.

Be that as it may, he concluded by seeking for a Statement. The message will be passed to the Chair of the Departmental Committee on Education and Research. She will give an indication as to when the matter will be concluded.

Thank you.

Hon. Speaker: Very well. The last request is by the Member for Voi, Hon. Jones Mlolwa.

HUMAN-WILDLIFE CONFLICT IN VOI CONSTITUENCY

Hon. Jones Mlolwa (Voi, ODM): Thank you, Hon. Speaker. Pursuant to Standing Order No. 44(2) (c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Environment and Natural Resources on the escalating cases of human-wildlife conflict in Voi Constituency.

In the last two months of May and June, a number of human-wildlife conflict cases were reported in Voi Constituency, Taita Taveta County. The cases arise as a result of marauding elephants from Tsavo East and Tsavo West National Parks. They invaded Mbololo and Ngolia locations, as well as Kasigau, Miasenyi, Marungu and Lower Sagala areas, causing injuries and loss of lives to the people, and destroying crops and properties. Thus, it affects community livelihood. In some cases, the elephants also impose curfew in the villages. The Government, through the Ministry of Wildlife and other related agencies, has not addressed this challenge comprehensively.

It is against this background that I seek a Statement from the Departmental Committee on Environment and Natural Resources on the following:

- (i) What measures are being taken to bring these human-wildlife conflicts in Voi Constituency, particularly in Mbololo and Ngolia locations as well as Kasigau, Miasenyi Marungu and Lower Sagala areas, to an end?
- (ii) What measures are being taken to compensate the families which are affected by this human-wildlife conflict in Voi Constituency?
- (iii) Could the Ministry consider compensating victims of the said human-wildlife conflict which has been pending for the last five years, despite claims having been made and when will this happen?

I thank you, Hon. Speaker.

This human-wildlife conflict is always raised by Members. So many Members of Parliament, even from different counties, ask this question. However, we do not see anything tangible. The last one was asked by Hon. Jessica Mbalu who is my neighbour in Mtito Andei. We do not see any action from the Ministry or Kenya Wildlife Service (KWS). Everything green in the villages has been destroyed by elephants. Nowadays, they do not want water from their water points. They drink it from people's water tanks which are outside the houses. It is a serious matter.

Thank you.

Hon. Speaker: Hon. Mwadime.

Hon. Andrew Mwadime (Mwatate, ODM): Asante sana, Mhe. Spika. Kwa kweli, hili tatizo limeenea pembe zote za Taita Taveta. Kule sehemu za Mwatate katikati ya Kaunti ya Taita Taveta, sehemu za kigombo mahali kunaitwa Mwanda na Kituma, mamia ya ndovu walikuwa huko leo asubuhi. Hata ilikuwa ni vigumu kwa watoto kuelekea shuleni asubuhi. Tumezungumza kuhusu hili tatizo kwa muda. Sijui tutafanya aje mpaka hili tatizo litatuliwe, kwa sababu Jimbo la Taita Taveta limezingirwa na mbuga za Wanyama za Tsavo West na Tsavo East. Matatizo yamekuwa mengi sana.

Naomba Mwenyekiti wa Kamati inayohusika aingilie kati. Kuna ua tuliomba kitambo kutoka kule Mgeno lipitie Sagala mpaka Kasigau. Likitengenezwa, litasaidia pakubwa sana. Tunaomba tafadhali msaidie hawa wananchi. Ni Wakenya pia.

Asante sana, Mhe. Spika.

Mhe. Spika: Endeleeni kuomba.

Hon. Andrew Mwadime (Mwatate, ODM): Tutaomba sana, Mhe. Spika.

Mhe. Spika: Omba kabisa. Mwenye Kiti wa Kamati husika na naibu wake hawako.

The Statement will be referred to the Chairman of the Committee through the Office of the Leader of the Majority Party.

Next Order!

MOTION

CONSIDERATION OF THE BUDGET ESTIMATES FOR 2021/2022 FINANCIAL YEAR

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Estimates for the National Government, the Judiciary and Parliament for the Financial Year 2021/2022, laid on the Table of the House on Tuesday, 8th June 2021 and pursuant to the provisions of Article 221 of the Constitution, Section 39 of the Public Finance Management Act, 2012 and Standing Order No.239 –

(a) approves the issuance of a sum of Kshs1,945,671,474,883 from the Consolidated Fund to meet the expenditure during the year ending 30th June 2022 in respect of the Votes

contained in the First Schedule to the Order Paper, subject to paragraph (c) (Committee of Supply);

(b) makes the Policy and Financial Resolutions contained in the Second Schedule to the Order Paper; and,

(c) orders that “The Speaker do now leave the Chair” to facilitate the consideration of the said Budget Estimates with respect to each Vote and Programme in the Committee of Supply as contemplated under Standing Order No.240 (Consideration of Estimates in the Committee of Supply).

FIRST SCHEDULE
ANNUAL ESTIMATES FOR FY 2021/2022 (IN KSHS)

VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
1011	Executive Office of the President	25,230,350,000	9,625,719,443	34,856,069,443	25,267,713,596	9,327,249,383	34,594,962,979
	0702000 Cabinet Affairs	1,289,294,226	245,100,000	1,534,394,226	1,301,748,758	245,100,000	1,546,848,758
	0703000 Government Advisory Services	617,557,028	71,109,443	688,666,471	617,557,028	71,109,443	688,666,471
	0704000 State House Affairs	3,895,931,453	71,880,000	3,967,811,453	3,908,385,985	73,409,940	3,981,795,925
	0734000 Deputy President Services	1,388,140,000	17,630,000	1,405,770,000	1,400,594,532	17,630,000	1,418,224,532
	0745000 Nairobi Metropolitan Services	18,039,427,293	9,220,000,000	27,259,427,293	18,039,427,293	8,920,000,000	26,959,427,293
1021	State Department for Interior and Citizen Services	131,481,651,82 4	7,380,902,615	138,862,554,43 9	130,856,049,10 6	7,693,055,015	138,549,104,121
	0601000 Policing Services	98,752,945,708	1,649,000,000	100,401,945,70 8	98,902,945,708	1,689,000,000	100,591,945,708
	0603000 Government Printing Services	694,265,604	50,000,000	744,265,604	694,265,604	50,000,000	744,265,604

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0605000 Migration & Citizen Services Management	2,019,075,662	740,000,000	2,759,075,662	2,037,089,656	852,152,400	2,889,242,056
	0625000 Road Safety	2,254,400,000	1,020,865,215	3,275,265,215	2,204,400,000	520,865,215	2,725,265,215
	06256000 Population Management Services	3,817,719,070	1,025,500,000	4,843,219,070	3,817,719,070	1,025,500,000	4,843,219,070
	629000 General Administration and Support Services	23,030,645,780	2,845,537,400	25,876,183,180	22,237,029,068	3,455,537,400	25,692,566,468
	063000 Policy Coordination Services	912,600,000	50,000,000	962,600,000	962,600,000	100,000,000	1,062,600,000
1023	State Department for Correctional Services	28,748,460,000	1,050,200,000	29,798,660,000	28,749,156,901	909,068,467	29,658,225,368
	0623000 General Administration, Planning and Support Services	353,786,984	-	353,786,984	354,483,885	8,868,467	363,352,352
	0627000 Prison Services	26,529,120,000	843,200,000	27,372,320,000	26,529,120,000	693,200,000	27,222,320,000
	0628000 Probation & After Care Services	1,865,553,016	207,000,000	2,072,553,016	1,865,553,016	207,000,000	2,072,553,016
1032	State Department for Devolution	1,484,200,000	1,459,688,414	2,943,888,414	3,372,162,706	2,059,688,414	5,431,851,120
	0712000 Devolution Services	1,098,239,634	1,354,688,414	2,452,928,048	1,303,239,634	1,354,688,414	2,657,928,048
	0732000 General Administration, Planning and Support Services	352,744,772	-	352,744,772	417,407,478	-	417,407,478

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0713000 Special Initiatives	33,215,594	105,000,000	138,215,594	1,651,515,594	705,000,000	2,356,515,594
1035	State Department for Development of the ASAL	1,059,480,000	9,080,065,116	10,139,545,116	1,061,151,347	9,080,065,116	10,141,216,463
	0733000 Accelerated ASAL Development	1,059,480,000	9,080,065,116	10,139,545,116	1,061,151,347	9,080,065,116	10,141,216,463
1041	Ministry of Defence	114,762,924,37 6	5,080,000,000	119,842,924,37 6	114,771,705,98 7	5,080,000,000	119,851,705,987
	0801000 Defence	112,386,498,17 6	5,080,000,000	117,466,498,17 6	111,886,498,17 6	5,080,000,000	116,966,498,176
	0802000 Civil Aid	200,000,000	-	200,000,000	700,000,000	-	700,000,000
	0803000 General Administration, Planning and Support Services	1,976,426,200	-	1,976,426,200	1,985,207,811	-	1,985,207,811
	0805000000 National Space Management	200,000,000	-	200,000,000	200,000,000	-	200,000,000
1052	Ministry of Foreign Affairs	17,010,617,729	1,789,640,000	18,800,257,729	17,023,874,380	1,796,122,798	18,819,997,178
	0714000 General Administration Planning and Support Services	2,043,086,989	170,000,000	2,213,086,989	2,056,343,640	176,482,798	2,232,826,438
	0715000 Foreign Relation and Diplomacy	14,775,292,180	1,499,640,000	16,274,932,180	14,775,292,180	1,499,640,000	16,274,932,180
	0741000 Economic and Commercial Diplomacy	51,823,239	-	51,823,239	51,823,239	-	51,823,239

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0742000 Foreign Policy Research, Capacity Development and Technical Cooperation	140,415,321	120,000,000	260,415,321	140,415,321	120,000,000	260,415,321
1064	State Department for Vocational and Technical Training	18,827,000,000	4,458,436,000	23,285,436,000	18,677,469,071	4,658,436,000	23,335,905,071
	0505000 Technical Vocational Education and Training	18,646,236,268	4,448,436,000	23,094,672,268	18,496,236,268	4,648,436,000	23,144,672,268
	0507000 Youth Training and Development	38,666,389	10,000,000	48,666,389	38,666,389	10,000,000	48,666,389
	0508000 General Administration, Planning and Support Services	142,097,343	-	142,097,343	142,566,414	-	142,566,414
1065	State Department for University Education	95,408,000,000	4,575,600,000	99,983,600,000	91,012,215,304	4,565,600,000	95,577,815,304
	0504000 University Education	94,268,249,632	4,535,600,000	98,803,849,632	89,868,249,632	4,525,600,000	94,393,849,632
	0506000 Research, Science, Technology and Innovation	900,995,156	40,000,000	940,995,156	900,995,156	40,000,000	940,995,156
	0508000 General Administration, Planning and Support Services	238,755,212	-	238,755,212	242,970,516	-	242,970,516
1066	State Department for Early Learning	92,149,000,000	11,811,600,000	103,960,600,000	91,448,708,240	10,966,600,000	102,415,308,240

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	& Basic Education						
	0501000 Primary Education	16,911,153,177	2,341,200,000	19,252,353,177	16,736,153,177	2,161,200,000	18,897,353,177
	0502000 Secondary Education	66,359,444,764	9,245,400,000	75,604,844,764	66,389,444,764	8,080,400,000	74,469,844,764
	0503000 Quality Assurance and Standards	4,151,012,495	150,000,000	4,301,012,495	3,701,012,495	650,000,000	4,351,012,495
	0508000 General Administration, Planning and Support Services	4,727,389,564	75,000,000	4,802,389,564	4,622,097,804	75,000,000	4,697,097,804
1068	State Department for Post Training and Skills Development	268,000,000	-	268,000,000	268,000,000	-	268,000,000
	0508000 General Administration, Planning and Support Services	135,961,333	-	135,961,333	135,961,333	-	135,961,333
	0512000 Work Place Readiness Services	85,017,951	-	85,017,951	85,017,951	-	85,017,951
	0513000 Post Training Information Management	47,020,716	-	47,020,716	47,020,716	-	47,020,716
1071	The National Treasury	64,536,716,504	103,307,444,5 22	167,844,161,02 6	52,409,488,083	102,755,945,8 86	155,165,433,969
	0203000 Rail Transport	-	32,494,000,00 0	32,494,000,000	-	34,794,000,00 0	34,794,000,000
	0204000 Marine Transport	-	20,214,000,00 0	20,214,000,000	-	23,314,000,00 0	23,314,000,000

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0717000 General Administration Planning and Support Services	52,812,880,548	13,524,527,00 0	66,337,407,548	43,135,652,127	13,524,527,00 0	56,660,179,127
	0718000 Public Financial Management	10,187,065,408	36,616,102,52 2	46,803,167,930	7,737,065,408	30,664,603,88 6	38,401,669,294
	0719000 Economic and Financial Policy Formulation and Management	1,159,910,995	428,815,000	1,588,725,995	1,159,910,995	428,815,000	1,588,725,995
	0720000 Market Competition	302,100,000	30,000,000	332,100,000	302,100,000	30,000,000	332,100,000
	0740000 Government Clearing services	74,759,553	-	74,759,553	74,759,553	-	74,759,553
1072	State Department for Planning	3,478,150,000	42,324,156,21 6	45,802,306,216	4,312,765,950	46,098,656,21 6	50,411,422,166
	0706000 Economic Policy and National Planning	1,687,561,110	42,032,543,21 6	43,720,104,326	2,355,781,110	45,331,543,21 6	47,687,324,326
	0707000 National Statistical Information Services	1,317,620,000	209,355,000	1,526,975,000	1,317,620,000	609,355,000	1,926,975,000
	0708000 Public Investment Management Monitoring and Evaluation Services	171,954,648	82,258,000	254,212,648	184,954,648	157,758,000	342,712,648
	0709000 General Administration Planning and Support Services	301,014,242	-	301,014,242	454,410,192	-	454,410,192
1081	Ministry of		56,029,522,12	121,089,022,12		56,259,522,12	

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	Health	65,059,500,000	7	7	64,870,742,503	7	121,130,264,630
	0401000 Preventive, Promotive & Reproductive Health	3,020,736,859	22,498,282,51 4	25,519,019,373	3,020,736,859	22,498,282,51 4	25,519,019,373
	0402000 National Referral & Specialized Services	36,103,560,722	11,655,242,62 3	47,758,803,345	36,103,560,722	11,595,242,62 3	47,698,803,345
	0403000 Health Research and Development	9,625,500,000	587,500,000	10,213,000,000	9,665,500,000	827,500,000	10,493,000,000
	0404000 General Administration, Planning & Support Services	5,866,981,821	1,060,000,000	6,926,981,821	5,938,224,324	1,060,000,000	6,998,224,324
	0405000 Health Policy, Standards and Regulations	10,442,720,598	20,228,496,99 0	30,671,217,588	10,142,720,598	20,278,496,99 0	30,421,217,588
1091	State Department of Infrastructure	57,169,918,367	135,370,687,9 87	192,540,606,35 4	57,169,918,367	135,975,687,9 87	193,145,606,354
	0202000 Road Transport	57,169,918,367	135,370,687,9 87	192,540,606,35 4	57,169,918,367	135,975,687,9 87	193,145,606,354
1092	State Department of Transport	9,428,000,000	1,346,300,000	10,774,300,000	9,428,200,336	1,346,300,000	10,774,500,336
	0201000 General Administration, Planning and Support Services	271,568,231	70,000,000	341,568,231	271,768,567	70,000,000	341,768,567
	0204000 Marine Transport	801,705,287	327,000,000	1,128,705,287	801,705,287	327,000,000	1,128,705,287
	0205000 Air Transport	8,342,347,789	603,000,000	8,945,347,789	8,342,347,789	603,000,000	8,945,347,789
	0216000 Road						

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	Safety	12,378,693	346,300,000	358,678,693	12,378,693	346,300,000	358,678,693
1093	State Department for Shipping and Maritime	2,036,000,000	750,200,000	2,786,200,000	2,037,305,572	750,200,000	2,787,505,572
	0220000 Shipping and Maritime Affairs	2,036,000,000	750,200,000	2,786,200,000	2,037,305,572	750,200,000	2,787,505,572
1094	State Department for Housing and Urban Development	1,233,000,000	11,034,600,000	12,267,600,000	1,233,607,313	14,054,600,000	15,288,207,313
	0102000 Housing Development and Human Settlement	632,561,525	8,178,000,000	8,810,561,525	632,561,525	8,178,000,000	8,810,561,525
	0105000 Urban and Metropolitan Development	223,947,762	2,856,600,000	3,080,547,762	223,947,762	5,876,600,000	6,100,547,762
	0106000 General Administration Planning and Support Services	376,490,713	-	376,490,713	377,098,026	-	377,098,026
1095	State for Public Works	3,111,000,000	1,127,800,000	4,238,800,000	3,111,710,821	1,127,800,000	4,239,510,821
	0103000 Government Buildings	515,958,500	598,309,300	1,114,267,800	515,958,500	598,309,300	1,114,267,800
	0104000 Coastline Infrastructure and Pedestrian Access	159,522,728	158,490,700	318,013,428	159,522,728	158,490,700	318,013,428
	0106000 General Administration Planning and Support Services	308,266,342	14,000,000	322,266,342	308,977,163	14,000,000	322,977,163

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0218000 Regulation and Development of the Construction Industry	2,127,252,430	357,000,000	2,484,252,430	2,127,252,430	357,000,000	2,484,252,430
1108	Ministry of Environment and Forestry	10,480,900,000	4,245,400,000	14,726,300,000	10,481,631,505	4,245,400,000	14,727,031,505
	1002000 Environment Management and Protection	1,949,900,000	1,368,100,000	3,318,000,000	1,949,900,000	1,368,100,000	3,318,000,000
	1010000 General Administration, Planning and Support Services	421,000,000	-	421,000,000	421,731,505	-	421,731,505
	1012000 Meteorological Services	1,032,000,000	403,000,000	1,435,000,000	1,032,000,000	403,000,000	1,435,000,000
	1018000 Forests and Water Towers Conservation	7,078,000,000	2,474,300,000	9,552,300,000	7,078,000,000	2,474,300,000	9,552,300,000
1109	Ministry of Water, Sanitation and Irrigation	6,395,000,000	71,883,000,00 0	78,278,000,000	6,395,728,930	71,083,000,00 0	77,478,728,930
	1001000 General Administration, Planning and Support Services	761,044,353	150,000,000	911,044,353	761,773,283	150,000,000	911,773,283
	1004000 Water Resources Management	1,663,850,560	14,757,000,00 0	16,420,850,560	1,663,850,560	14,667,000,00 0	16,330,850,560
	1017000 Water and Sewerage Infrastructure Development	3,227,254,245	34,784,000,00 0	38,011,254,245	3,227,254,245	33,404,000,00 0	36,631,254,245
	1014000 Irrigation and Land Reclamation	712,536,298	9,769,000,000	10,481,536,298	712,536,298	9,649,000,000	10,361,536,298

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	1015000 Water Storage and Flood Control	-	10,813,000,00 0	10,813,000,000	-	10,783,000,00 0	10,783,000,000
	1022000 Water Harvesting and Storage for Irrigation	30,314,544	1,610,000,000	1,640,314,544	30,314,544	2,430,000,000	2,460,314,544
1112	Ministry of Lands and Physical Planning	3,044,600,000	2,411,700,000	5,456,300,000	3,044,973,103	2,431,148,393	5,476,121,496
	0101000 Land Policy and Planning	3,044,600,000	2,411,700,000	5,456,300,000	3,044,973,103	2,431,148,393	5,476,121,496
1122	State Department for Information Communication and Technology & Innovation	1,653,000,000	23,827,600,00 0	25,480,600,000	1,585,387,615	21,203,977,79 0	22,789,365,405
	0207000 General Administration Planning and Support Services	259,756,418	-	259,756,418	259,756,418	-	259,756,418
	0210000 ICT Infrastructure Development	535,501,658	22,084,200,00 0	22,619,701,658	535,501,658	19,947,515,52 2	20,483,017,180
	0217000 E- Government Services	857,741,924	1,743,400,000	2,601,141,924	790,129,539	1,256,462,268	2,046,591,807
1123	State Department for Broadcasting & Telecommunica tions	5,950,500,000	450,900,000	6,401,400,000	6,456,916,225	496,900,000	6,953,816,225
	0207000 General Administration Planning and Support Services	195,354,943	-	195,354,943	197,771,168	-	197,771,168
	0208000 Information and Communication	4,639,859,377	271,400,000	4,911,259,377	5,143,859,377	271,400,000	5,415,259,377

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	Services						
	0209000 Mass Media Skills Development	224,500,000	74,500,000	299,000,000	224,500,000	120,500,000	345,000,000
	0221000 Film Development Services Programme	890,785,680	105,000,000	995,785,680	890,785,680	105,000,000	995,785,680
1132	State Department for Sports	1,338,610,000	15,144,550,000	16,483,160,000	1,338,850,782	15,147,791,399	16,486,642,181
	0901000 Sports	1,338,610,000	15,144,550,000	16,483,160,000	1,338,850,782	15,147,791,399	16,486,642,181
1134	State Department for Culture and Heritage	2,749,190,000	54,600,000	2,803,790,000	3,350,148,547	95,896,560	3,446,045,107
	0902000 Culture / Heritage	1,700,225,273	43,600,000	1,743,825,273	2,299,185,273	83,600,000	2,382,785,273
	0903000 The Arts	142,285,698	-	142,285,698	142,285,698	-	142,285,698
	0904000 Library Services	772,618,439	11,000,000	783,618,439	791,518,439	11,000,000	802,518,439
	0905000 General Administration, Planning and Support Services	134,060,590	-	134,060,590	117,159,137	1,296,560	118,455,697
1152	State Department for Energy	6,636,000,000	68,747,000,000	75,383,000,000	6,636,000,000	67,247,000,000	73,883,000,000
	0211000 General Administration Planning and Support Services	413,000,000	130,000,000	543,000,000	413,000,000	130,000,000	543,000,000
	0212000 Power Generation	2,267,000,000	10,288,000,000	12,555,000,000	2,267,000,000	9,588,000,000	11,855,000,000

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0213000 Power Transmission and Distribution	3,744,000,000	55,692,000,00 0	59,436,000,000	3,744,000,000	55,191,000,00 0	58,935,000,000
	0214000 Alternative Energy Technologies	212,000,000	2,637,000,000	2,849,000,000	212,000,000	2,338,000,000	2,550,000,000
1162	State Department for Livestock	3,307,400,000	2,818,800,000	6,126,200,000	3,308,178,143	5,821,076,726	9,129,254,869
	0112000 Livestock Resources Management and Development	3,307,400,000	2,818,800,000	6,126,200,000	3,308,178,143	5,821,076,726	9,129,254,869
1166	State Department for Fisheries, Aquaculture & the Blue Economy	2,264,100,000	7,956,200,000	10,220,300,000	2,267,372,675	10,656,200,00 0	12,923,572,675
	0111000 Fisheries Development and Management	1,963,266,794	7,422,572,580	9,385,839,374	1,963,266,794	7,352,572,580	9,315,839,374
	0117000 General Administration, Planning and Support Services	184,633,206	-	184,633,206	187,905,881	70,000,000	257,905,881
	0118000 Development and Coordination of the Blue Economy	116,200,000	533,627,420	649,827,420	116,200,000	3,233,627,420	3,349,827,420
1169	State Department for Crop Development & Agricultural Research	13,435,000,000	31,424,692,65 4	44,859,692,654	13,436,419,328	31,526,699,98 7	44,963,119,315
	0107000 General	4,802,350,786	1,948,400,664	6,750,751,450	4,803,770,114	1,870,407,997	6,674,178,111

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	Administration Planning and Support Services						
	0108000 Crop Development and Management	2,911,708,075	27,068,291,99 0	29,980,000,065	2,911,708,075	27,248,291,99 0	30,160,000,065
	0109000 Agribusiness and Information Management	118,875,579	1,485,000,000	1,603,875,579	118,875,579	1,485,000,000	1,603,875,579
	0120000 Agricultural Research & Development	5,602,065,560	923,000,000	6,525,065,560	5,602,065,560	923,000,000	6,525,065,560
1173	State Department for Cooperatives	1,220,300,000	374,600,000	1,594,900,000	1,221,290,884	404,600,000	1,625,890,884
	0304000 Cooperative Development and Management	1,220,300,000	374,600,000	1,594,900,000	1,221,290,884	404,600,000	1,625,890,884
1174	State Department for Trade and Enterprise Development	2,134,300,000	1,207,900,000	3,342,200,000	2,436,129,067	1,739,017,429	4,175,146,496
	0307000 Trade Development and Promotion	2,134,300,000	1,207,900,000	3,342,200,000	2,436,129,067	1,739,017,429	4,175,146,496
1175	State Department for Industrialization	3,111,000,000	3,722,900,000	6,833,900,000	3,112,433,120	3,296,600,000	6,409,033,120
	0301000 General Administration Planning and Support Services	425,019,601	-	425,019,601	426,452,721	-	426,452,721
	0302000 Industrial Development and Investments	1,439,176,689	790,266,000	2,229,442,689	1,439,176,689	863,966,000	2,303,142,689

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0303000 Standards and Business Incubation	1,246,803,710	2,932,634,000	4,179,437,710	1,246,803,710	2,432,634,000	3,679,437,710
1184	State Department for Labour	2,770,500,000	2,586,470,200	5,356,970,200	2,782,769,908	2,560,718,482	5,343,488,390
	0910000 General Administration Planning and Support Services	450,616,114	-	450,616,114	442,886,022	337,105	443,223,127
	0906000 Promotion of the Best Labour Practice	669,101,128	73,360,000	742,461,128	669,101,128	63,811,177	732,912,305
	0907000 Manpower Development, Employment and Productivity Management	1,650,782,758	2,513,110,200	4,163,892,958	1,670,782,758	2,496,570,200	4,167,352,958
1185	State Department for Social Protection, Pensions & Senior Citizen Affairs	30,490,462,021	3,036,550,000	33,527,012,021	30,485,432,498	3,082,638,823	33,568,071,321
	0908000 Social Development and Children Services	3,870,926,619	217,245,000	4,088,171,619	3,870,926,619	263,333,823	4,134,260,442
	0909000 National Social Safety Net	26,404,323,516	2,819,305,000	29,223,628,516	26,394,323,516	2,819,305,000	29,213,628,516
	0914000 General Administration, Planning and Support Services	215,211,886	-	215,211,886	220,182,363	-	220,182,363
1194	State Department for Petroleum and Mining	965,000,000	2,902,800,001	3,867,800,001	965,601,695	2,926,138,073	3,891,739,768

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0215000 Exploration and Distribution of Oil and Gas	336,000,000	2,649,400,001	2,985,400,001	336,000,000	2,649,400,001	2,985,400,001
	1007000 General Administration Planning and Support Services	275,000,000	-	275,000,000	275,601,695	23,338,072	298,939,767
	1009000 Mineral Resources Management	292,800,000	126,200,000	419,000,000	292,800,000	126,200,000	419,000,000
	1021000 Geological Surveys and Geo Information	61,200,000	127,200,000	188,400,000	61,200,000	127,200,000	188,400,000
1202	State Department for Tourism	6,477,059,152	500,000,000	6,977,059,152	5,207,319,152	475,000,000	5,682,319,152
	0306000 Tourism Development and Promotion	6,477,059,152	500,000,000	6,977,059,152	5,207,319,152	475,000,000	5,682,319,152
1203	State Department for Wildlife	9,005,000,000	632,810,000	9,637,810,000	7,611,813,774	632,810,000	8,244,623,774
	1019000 Wildlife Conservation and Management	9,005,000,000	632,810,000	9,637,810,000	7,611,813,774	632,810,000	8,244,623,774
1212	State Department for Gender	1,030,300,000	2,632,000,000	3,662,300,000	1,035,807,321	2,632,000,000	3,667,807,321
	0911000 Community Development	-	2,130,000,000	2,130,000,000	-	2,130,000,000	2,130,000,000
	0912000 Gender Empowerment	729,915,304	502,000,000	1,231,915,304	729,915,304	502,000,000	1,231,915,304
	0913000 General Administration,	300,384,696	-	300,384,696	305,892,017	-	305,892,017

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	Planning and Support Services						
1213	State Department for Public Service	18,318,020,000	260,170,000	18,578,190,000	18,325,020,000	568,012,066	18,893,032,066
	0710000 Public Service Transformation	7,859,013,166	210,170,000	8,069,183,166	7,859,013,166	410,170,000	8,269,183,166
	0709000 General Administration Planning and Support Services	485,210,161	-	485,210,161	492,210,161	107,842,066	600,052,227
	0747000 National Youth Service	9,973,796,673	50,000,000	10,023,796,673	9,973,796,673	50,000,000	10,023,796,673
1214	State Department for Youth Affairs	1,429,343,000	3,230,491,076	4,659,834,076	1,439,989,789	3,210,491,076	4,650,480,865
	0711000 Youth Empowerment	1,429,343,000	3,230,491,076	4,659,834,076	1,439,989,789	3,210,491,076	4,650,480,865
1221	State Department for East African Community	609,000,000	-	609,000,000	609,846,603	-	609,846,603
	0305000 East African Affairs and Regional Integration	609,000,000	-	609,000,000	609,846,603	-	609,846,603
1222	State Department for Regional & Northern Corridor Development	2,785,000,000	995,500,000	3,780,500,000	2,785,000,000	1,315,500,000	4,100,500,000
	1013000 Integrated Regional Development	2,785,000,000	995,500,000	3,780,500,000	2,785,000,000	1,315,500,000	4,100,500,000
1252	State Law Office and Department of Justice	4,977,480,000	155,500,000	5,132,980,000	4,978,349,801	181,301,535	5,159,651,336

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0606000 Legal Services	2,395,179,956	-	2,395,179,956	2,395,179,956	-	2,395,179,956
	0607000 Governance, Legal Training and Constitutional Affairs	1,876,200,000	90,500,000	1,966,700,000	1,876,200,000	90,500,000	1,966,700,000
	0609000 General Administration, Planning and Support Services	706,100,044	65,000,000	771,100,044	706,969,845	90,801,535	797,771,380
1271	Ethics and Anti- Corruption Commission	3,258,530,000	64,900,000	3,323,430,000	3,258,530,000	67,493,119	3,326,023,119
	0611000 Ethics and Anti- Corruption	3,258,530,000	64,900,000	3,323,430,000	3,258,530,000	67,493,119	3,326,023,119
1281	National Intelligence Service	42,451,000,000	-	42,451,000,000	42,451,000,000	-	42,451,000,000
	0804000 National Security Intelligence	42,451,000,000	-	42,451,000,000	42,451,000,000	-	42,451,000,000
1291	Office of the Director of Public Prosecutions	3,125,290,000	145,100,000	3,270,390,000	3,125,952,706	150,286,238	3,276,238,944
	0612000 Public Prosecution Services	3,125,290,000	145,100,000	3,270,390,000	3,125,952,706	150,286,238	3,276,238,944
1311	Office of the Registrar of Political Parties	1,346,480,000	-	1,346,480,000	1,961,696,750	-	1,961,696,750
	0614000 Registration, Regulation and Funding of Political Parties	1,346,480,000	-	1,346,480,000	1,961,696,750	-	1,961,696,750
1321	Witness Protection Agency	487,860,000	-	487,860,000	489,042,929	-	489,042,929

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0615000 Witness Protection	487,860,000	-	487,860,000	489,042,929	-	489,042,929
2011	Kenya National Commission on Human Rights	407,850,000	-	407,850,000	408,711,517	-	408,711,517
	0616000 Protection and Promotion of Human Rights	407,850,000	-	407,850,000	408,711,517	-	408,711,517
2021	National Land Commission	1,437,200,000	-	1,437,200,000	1,444,003,829	38,896,786	1,482,900,615
	0116000 Land Administration and Management	1,437,200,000	-	1,437,200,000	1,444,003,829	38,896,786	1,482,900,615
2031	Independent Electoral and Boundaries Commission	14,385,890,000	78,500,000	14,464,390,000	15,226,688,218	125,000,000	15,351,688,218
	0617000 Management of Electoral Processes	14,283,893,393	78,500,000	14,362,393,393	15,124,691,611	125,000,000	15,249,691,611
	0618000 Delimitation of Electoral Boundaries	101,996,607	-	101,996,607	101,996,607	-	101,996,607
2061	The Commission on Revenue Allocation	383,630,000	-	383,630,000	485,616,016	-	485,616,016
	0737000 Inter- Governmental Transfers and Financial Matters	383,630,000	-	383,630,000	485,616,016	-	485,616,016
2071	Public Service Commission	2,265,090,000	19,300,000	2,284,390,000	2,372,171,009	19,300,000	2,391,471,009
	0725000 General Administration, Planning and Support Services	765,713,413	19,300,000	785,013,413	772,794,422	19,300,000	792,094,422

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	0726000 Human Resource Management and Development	1,319,259,243	-	1,319,259,243	1,419,259,243	-	1,419,259,243
	0727000 Governance and National Values	145,691,191	-	145,691,191	145,691,191	-	145,691,191
	0744000 Performance and Productivity Management	34,426,153	-	34,426,153	34,426,153	-	34,426,153
2081	Salaries and Remuneration Commission	621,380,000	-	621,380,000	621,380,000	-	621,380,000
	0728000 Salaries and Remuneration Management	621,380,000	-	621,380,000	621,380,000	-	621,380,000
2091	Teachers Service Commission	281,059,000,00 0	645,100,000	281,704,100,00 0	281,809,000,00 0	645,100,000	282,454,100,000
	0509000 Teacher Resource Management	272,634,269,14 1	600,000,000	273,234,269,14 1	273,384,269,14 1	600,000,000	273,984,269,141
	0510000 Governance and Standards	1,012,523,418	-	1,012,523,418	1,012,523,418	-	1,012,523,418
	0511000 General Administration, Planning and Support Services	7,412,207,441	45,100,000	7,457,307,441	7,412,207,441	45,100,000	7,457,307,441
2101	National Police Service Commission	722,210,000	-	722,210,000	794,089,102	-	794,089,102
	0620000 National Police Service Human Resource Management	722,210,000	-	722,210,000	794,089,102	-	794,089,102
2111	Auditor General						

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		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
		5,659,520,000	200,000,000	5,859,520,000	5,706,450,390	200,000,000	5,906,450,390
	0729000 Audit Services	5,659,520,000	200,000,000	5,859,520,000	5,706,450,390	200,000,000	5,906,450,390
2121	Office of the Controller of Budget	639,250,000	-	639,250,000	689,122,143	-	689,122,143
	0730000 Control and Management of Public finances	639,250,000	-	639,250,000	689,122,143	-	689,122,143
2131	Commission on Administrative Justice	527,860,000	-	527,860,000	614,821,608	-	614,821,608
	0731000 Promotion of Administrative Justice	527,860,000	-	527,860,000	614,821,608	-	614,821,608
2141	National Gender and Equality Commission	435,780,000	-	435,780,000	436,592,581	-	436,592,581
	0621000 Promotion of Gender Equality and Freedom from Discrimination	435,780,000	-	435,780,000	436,592,581	-	436,592,581
2151	Independent Policing Oversight Authority	914,150,000	-	914,150,000	949,758,146	-	949,758,146
	0622000 Policing Oversight Services	914,150,000	-	914,150,000	949,758,146	-	949,758,146
	Sub-Total: Budget Estimates for the Executive	1,235,187,002,9 73	659,957,596,3 71	1,895,144,599,3 44	1,221,224,982,9 92	668,730,591,8 91	1,889,955,574,88 3
1261	The Judiciary	15,003,000,000	2,333,400,000	17,336,400,000	15,003,000,000	2,248,400,000	17,251,400,000
	0610000 Dispensation of Justice	15,003,000,000	2,333,400,000	17,336,400,000	15,003,000,000	2,248,400,000	17,251,400,000

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
2051	Judicial Service Commission	581,800,000	-	581,800,000	581,800,000	-	581,800,000
	0619000 General Administration, Planning and Support Services	581,800,000	-	581,800,000	581,800,000	-	581,800,000
	Sub-Total: Budget Estimates for the Judiciary	15,584,800,000	2,333,400,000	17,918,200,000	15,584,800,000	2,248,400,000	17,833,200,000
2041	Parliamentary Service Commission	6,612,314,228	-	6,612,314,228	6,612,314,228	-	6,612,314,228
	0722000 Senate Affairs	6,612,314,228		6,612,314,228	6,612,314,228	-	6,612,314,228
2042	National Assembly	23,502,082,199	-	23,502,082,199	23,502,082,199	-	23,502,082,199
	0721000 National Legislation, Representation and Oversight	23,502,082,199		23,502,082,199	23,502,082,199	-	23,502,082,199
2043	Parliamentary Joint Services	5,702,753,573	2,065,550,000	7,768,303,573	5,702,753,573	2,065,550,000	7,768,303,573
	0723000 General Administration, Planning and Support Services	5,544,772,323	2,065,550,000	7,610,322,323	5,544,772,323	2,065,550,000	7,610,322,323
	0746000 Legislative Training Research & Knowledge Management	157,981,250		157,981,250	157,981,250	-	157,981,250
	Sub-Total: Budget Estimates for Parliament	35,817,150,000	2,065,550,000	37,882,700,000	35,817,150,000	2,065,550,000	37,882,700,000
	FY 2021/22 GROSS BUDGET	1,286,588,952,9 73	664,356,546,3 71	1,950,945,499,3 44	1,272,626,932,9 92	673,044,541,8 91	1,945,671,474,88 3

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VOTE	VOTE/ PROGRAMME CODES & TITLE	SUBMITTED BUDGET ESTIMATES FY 2021/22			BAC RECOMMENDED BUDGET ESTIMATES FY 2021/22		
		GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
ESTIMATES							

SECOND SCHEDULE

POLICY AND FINANCIAL RESOLUTIONS RELATING TO THE ANNUAL ESTIMATES FOR FINANCIAL YEAR 2021/2022

A. POLICY RESOLUTIONS

1. THAT, by 1st October, 2021 the National Treasury sets up a fund that may be financed through a long-term bond for the payment of the existing verified pending bills and court awards;
2. THAT, the State Department for University Education and the Kenya Forest Service under the Ministry of Environment and Forestry enters into an arrangement with the Kenya Revenue Authority to provide how the non-remitted tax dues will be paid, and a report to the National Assembly by 1st October, 2021;
3. THAT, in order to facilitate the expansion of exports and growth, an Export Management Office (EMO), domiciled in the State Department for Trade, be established and have representation from all agencies that deals with the entire export value chain of Kenyan products. A status report on the establishment of the Office be submitted to the National Assembly by 30th September, 2021;
4. THAT, the State Department for Trade conducts a study on the need to establish trade offices or logistical centres in key existing and potential markets within the various regional economic blocks and countries which have established bilateral relationships with Kenya, so as to focus on international export opportunities that match Kenya's current/potential business capability. The study should be completed by 31st December, 2021;
5. THAT, the Ministry of Petroleum and Mining enhances its Monitoring and Evaluation Framework in oil and gas exploration and submits a report on it to the National Assembly by 1st October, 2021;
6. THAT, the State Department for ICT and Innovation institutes a robust Monitoring and Evaluation framework on the maintenance and rehabilitation works of the existing ICT Infrastructure (NOFBI II Cable and Last Mile County Connectivity Networks), and submits a report on the framework to the National Assembly by 1st September, 2021;
7. THAT, the Government logistics be interlinked and provided for by government institutions such as Kenya Railways Corporation, Kenya Ports Authority, Posta Corporation and Kenya Airways. This should be in place by end of Financial Year 2021/22 and managed by the seemingly efficient MDAs.

8. THAT, the Ministry of Lands and Physical Planning commences the use of a cashless revenue collection system by 30th May, 2022;
9. THAT, the National Treasury, the State Department for Social Protection and the State Department for ASAL consolidates all the existing cash transfer programs under one umbrella, and a report on this exercise be submitted to the National Assembly by 1st January, 2022;
10. THAT, the State Department for University Education and the University Funding Board complete the review of the University funding formula by 1st October, 2021, to ensure it supports recently established universities which seem to be disadvantaged with the current formula. The revised formula should also be applied in the allocation of infrastructure funds to various universities; and,
11. THAT, the Ministry of Health, the National Treasury, the Ministry of Labour and Social Protection, the Ministry of Education and NHIF actualize the amalgamation of *Edu-Afya Medical Insurance*, Linda Mama, Health Insurance Subsidy Programme (HISP), Orphans and Vulnerable Children Cash Transfers (OVC-CT) to form one UHC scheme for the indigents through National Hospital Insurance Fund (NHIF), and a report be submitted to the National Assembly by 1st October, 2021.

B. FINANCIAL RESOLUTIONS AND OBSERVATIONS

12. THAT, Kshs1.2 billion be set aside to fund projects arising from public hearings and that the expenditure be domiciled under the relevant Ministries/State Departments.
13. THAT, the House notes that the Budget and Appropriations Committee received substantial additional requests from Departmental Committees amounting to Kshs85.7 billion to meet various expenditure shortfalls. Notwithstanding their importance, most of the requests could not be accommodated within the Budget Estimates for the Financial Year 2021/2022 due to prevailing resource constraints and the need to contain the fiscal deficit within a certain limit.

(Hon. Kanini Kega on 9.6.2021)

(Resumption of Debate interrupted on 15.9.2021 – Afternoon Sitting)

Hon. Speaker: Mover.

Hon. Kanini Kega (Kieni, JP): Thank you very much, Hon. Speaker. On behalf of the Budget and Appropriations Committee, I want to thank all Members who contributed in the general debate of the Budget. I was here for the entire three days of debate. We had very insightful contributions from the Members. Others had reservations and amendments which we have taken into consideration. When the Budget will be implemented, we will implement some of them. We will make sure that the ones that might not be accommodated in this financial year will be considered in the Budget of the next financial year.

We still have another Budget that we will preside over, that is, the Budget of the Financial Year 2022/2023. I have no doubt in my mind that most of the Members will still be Members of Parliament in the 13th Parliament, except a few who have decided to either go to the other House or others, like Hon. John Mbadi, who might decide to be governors. We will make sure that those issues are considered because we have a Budget ahead of us.

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Quite a number of issues were raised like the pending bills. Every time we table a report here, the Departmental Committees raise these issues. When the Cabinet Secretary of the National Treasury was here, he directed all ministries and county governments to pay pending bills. However, we need to have firm actions on that. Sometimes when the National Treasury gives directives, they do not give provision for those funds, so that pending bills can be paid.

The other issue is on stalled buildings. There are some which keep on coming up in our books all the time. These are the Mitihani House, Kenya Industrial Research and Development Institute (KIRDI) House and our building here. We, as the Budget and Appropriations Committee, will make sure that enough funds are appropriated to make sure that they are completed.

Because of the concerns and various contributions that we heard from the Members, budget-making process is a negotiated document. We negotiate every other day. Even up to this point, negotiations are going on.

So, as I second, I give notice that during the Committee of Supply, we will propose some amendments in the Second Schedule. I will give the details during that time.

Hon. Speaker, with those few remarks, I beg to reply.

Hon Speaker: Hon. Members, I want to ask the Serjeant-at-Arms to confirm that we have quorum. This is budget-making. Serjeant-at-Arms, can you check whether there is quorum. I have seen that when everybody makes a request for a Statement, they just walk away. They think that is the most important aspect of business. It is not; ordinarily, that is not even business. Do we have quorum?

(Loud consultations)

No. we do not have quorum. I guessed as much. The Whips have forgotten their job. This is budget-making. I cannot put the Question unless there is quorum. Is it true we now have quorum? Some Members are still walking out. These are not Whips.

(Loud consultations)

Ring the Quorum Bell. I will not put the Question, if we do not have quorum. This is budget-making. Is it that some of them still do not understand? They are walking away still. There is a problem.

(The Quorum Bell was rung)

Hon. Members, we now have the requisite quorum.

(Three Hon. Members consulted loudly)

Order; the three gracious ladies.

(Question put and agreed to)

Next Order.

BILL*Second Reading*

THE COUNTY ALLOCATION OF REVENUE BILL

*(Hon. Kanini Kega on 15.6.2021)**(Resumption of Debate interrupted
on 15.6.2021 - Evening Sitting)*

Hon. David ole Sankok (Nominated, JP): On a point of order, Hon. Speaker.

Hon. Speaker: Hon. Sankok, what is your point of order?

Hon. David ole Sankok (Nominated, JP): Hon. Speaker, it is usually your culture to inform us when we have visitors. Yesterday and today, I have seen visitors in the Speaker's Gallery. Against your tradition, you have not informed us who they are.

Hon. Speaker: Hon. Sankok, it is good you have drawn the attention of the Chair to the presence of persons whom you refer to as guests. These are new members of staff who joined the Parliamentary Service Commission and have been inducted. The first group was here yesterday, and this is the second group. There will be other groups to follow.

(Applause)

If the Senate was sitting, they would also have gone to see how business is transacted there because they have joined the Parliamentary Service Commission and they will serve both Houses. So, they are just acclimatising. They are welcome to observe the proceedings of the House.

I am informed that the person who was on the Floor is Hon. Rachael Nyamai, Member for Kitui South. You have a balance of six minutes.

Hon. (Ms.) Rachael Nyamai (Kitui South, JP): Thank you, Hon. Speaker. I had gone to the point, last evening, where I was talking about the Senate as well as the counties being able to scrutinise the bills that are brought to them so that they do not pay for ghost projects or projects that were never implemented. This was in regard to the fact that they have been ordered to make payments. Truth be told, there are experts who are very good in doing good paper work and presenting them for payment. So, the county governments need to be alive to this fact. A good example is an audit that was done at the Kiambu County Assembly where a bill of Kshs80 million had been presented but after scrutinising it, it ended up being only Kshs19 million. You can see the difference. So, county government authorities need to ensure that they do not pay for ghost projects even as the order has been done.

I would like to go to my third point on distribution of projects in all wards. This would have been done very well by the Building Bridges Initiative. I do not know whether it is coming back to life. I really hope that it will because the BBI process was going to give us a solution where the Ward Development Fund was going to be established. This would have ensured that governors in our counties do not put everything in places where there is high population and leave out wards with small population. Similarly, there are cases where a governor, as the case

may be, looks at a place where he or she got the highest number of votes and decides to concentrate all his or her projects there. Equitable distribution of resources without caring where the votes went to during elections is a matter that needs to be looked into with regard to distribution of resources within our counties.

I would also like to talk about Exchequer releases. It is true that the country has been affected, and that funds are becoming scarce. However, the Government needs to make an effort to ensure that money goes to the counties so that it does not become so fashionable for people to say that there is no money from the national Government or that there are no Exchequer releases. As much as we know that there is the challenge of COVID-19, the Government should also make the biggest possible effort to ensure that the Exchequer releases are done within possible timelines.

Another point is in regard to the health function being devolved. Most aspects of health have been devolved, apart from the international programmes which cut across all the counties. This is a matter that needs to be taken very seriously. We come from counties where there are dispensaries, health centres and even hospitals with no adequate equipment and drugs. This needs to be taken seriously.

More importantly, the counties also need to focus on health education and health promotion. This has come as a lesson during the COVID-19 pandemic, where counties like Kisumu as well as the other 10 counties that make a total of 11 counties that are most affected by the COVID-19 have to handle the pandemic. Health education needs to be taken very seriously to ensure that prevention of disease is funded so that counties do not just focus on curative health and forget the importance of preventive health, which is the most important aspect within health sector.

Water is devolved, and this opportunity has been given to the counties. During public participation in most of our counties, community members would say that all they needed was water. This was the case in my county. I believe that the Governor of Kitui County can also take it upon herself to ensure that the people there access water. She has tried to do boreholes, but this is a subject that needs to be taken seriously. What our community members need today is water as opposed to many other projects.

I would like to go to declaration of funds that are collected. Most counties today only focus on money that is coming from the national Government. We are aware that county governments also collect big amounts of money. Most of the counties have reported diminishing revenues. I do not know whether it is because of capacity to collect revenue or it is because of corruption. This is a matter that needs to be looked into.

I would also like to go to the matter of early childhood education. Educationists in this House will tell you that what children see within the first four years of their life lives is extremely important to the growth of their brain and the attitude they will have towards education. Early childhood education needs to be taken very seriously. There should be standardisation of training and morale boosting for teachers who offer early childhood development education to our children. There should also be standardisation of payment so that we do not have demoralised early childhood educationists leading to children who are demotivated from as early as the age of three years.

With those remarks, I beg to support.

Hon. Speaker: Let us now have the Member for Emuhaya.

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Speaker, for giving me this chance to speak on this Motion on what we popularly call the County Allocation of Revenue

Bill. Earlier on, we passed the formula, but I would like to say something extra about the formula that we are using. To some extent, that particular formula still favours the larger counties at the expense of the counties that are highly populated, but are small in area size.

I come from a county that is small, but the population is very high. So, possibly, in future, we shall have to relook at that formula with the aim of ensuring that people get the funds and not the area size or just the poverty index. Also, we need a proper evaluation of the poverty index throughout the country to ensure that the records that we use are correct, even if they are from the Kenya Bureau of Statistics (KEBS). This will benefit all the people, especially the masses where we are. So, we should go for the person instead of the geography and the size of the county.

Secondly, yes, the money goes to the counties, but how will they use it? The counties still have to work very hard on issues of pilferage of the funds that they are given in terms of monitoring and overseeing the programmes they implement. We still have many county government projects that have been allocated a lot of money, but they are incomplete - meaning that there is a lot of wastage.

Thirdly, I would like to speak on what my colleague who has just spoken here talked about. If you hear the governors speak, you will realise that they would even want to become Cabinet Secretaries. It is very sad. They feel that the Cabinet Secretaries control more funds that they receive more regularly than themselves. They harbour a spirit of almost giving up on management of the county governments. They look at themselves as people who must continuously fight for them to get funds. In fact, if you listen to the governors speak through the Chair of the Council of Governors (CoG) – it was previously Hon. Oparanya – he always turned into a trade unionist. I notice that they are now competing with some of us in the trade union in agitation. That picture is not good for this country because the counties are a level of government that needs more and regular funding.

So, I wish to call upon the national Government and, more so, the Executive and its relevant agencies – the National Treasury and the Exchequer – to fund the county governments in a timely manner.

The history of county governments in this country is old. I am blessed to be a history teacher. They are the kind of units that we had before and were abolished because people preferred centralisation of resources. The centralisation of resources ended up not being very good for the country, because we were unable to redistribute resources across the country. Only few areas were benefitting at the expense of others. So, sometimes, when I see the misuse of money, yes, I call upon the proper use of money within the counties but I prefer when they use the money well and is distributed in every far-flung corner of Kenya than when that money is centralised. I want to believe that the Treasury does not have any interest in killing county governments just like they were killed immediately after Independence. That is a direction we should never take again. Let us deal with them where they use the money properly, but let us never dream about going back to the old system where we centralised the usage of money in the country. That was not good for us.

Finally, on the issue of how the county governments deal with some of their sectors, I will speak only about one - the vocational training centres. Formerly, the money was Ksh2 billion to every county and the money was ring-fenced so that it directly went to vocational training. When I talk about vocational training, I mean those polytechnics that are otherwise not covered under TVET and are not also covered by the Ministry. They are under the county governments. Because they wrestled over how much would go to the county governments and

how much would remain at the national government, they decided to give part of the Ksh2 billion as part of the general revenue to county governments. So, the risk we face is that those village polytechnics are going to die. I see most governors putting that money into other uses other than the real use at vocational training in the lowest level. When you look at the CBC education system, we are now going the direction of TVET and vocational training. So, this is an area which I wish county governments will still make sure that we do not kill the village polytechnics which are very important to ourselves, leave alone the ECDE which has been spoken about.

Let us get a mechanism of how the county governments can give a report and how they use it. There are a number of institutions in this country, including county governments, which do not want to declare their tax collections. The other group is the universities, but I will speak about them later on. That is because they want more money, and we want to give them more money, yes, but they never want to declare how much they collect through what is called the parallel degree programmes. Let the county governments be overseen to declare what they collect. Possibly, this money can go to the central pool and then they are given back.

With those few remarks, Hon. Speaker, I support.

Hon. Speaker: Hon. Duale, you have the Floor.

Hon. Aden Duale (Garissa Township, JP): Hon. Speaker, thank you very much. I take this opportunity to contribute to the County Allocation of Revenue Bill, 2021. This is the Bill that horizontally divides resources between counties. It is prepared under Articles 217 and 218 of the Constitution. This is the Bill that allows transfer of resources from the Consolidated Fund to county treasuries.

If you look at this Bill, county governments have been allocated Kshs370 billion in the 2021/2022 Financial Year. They are supposed to share this money as the equitable share among all the counties. There is nominal increase in the amount compared to last financial year of about Kshs53 billion, translating to 16.9 per cent compared to the Kshs316 billion allocated in the 2020/2021 Financial Year. The Senate, in its wisdom, has amended the Schedule. It has deleted the Second Schedule and substituted it with a new Schedule. The new Schedule increases recurrent expenditure ceilings for county assemblies. My interest is why the increment? It has been increased from Kshs33.2 billion in the ending financial year to Kshs35.6 billion. This is mainly because of pending bills which are before counties and the car grants for our colleagues in the county assemblies. There is no increment for the county executives. The figure remains unchanged.

[The Speaker (Hon. Justin Muturi) left the Chair]

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

What are my submissions insofar as this Bill is concerned? Let me first look at the high expenditure on personal emoluments, and I want the Controller of Budget to listen to me if she is watching. The PFM Act is very clear. Section 25(1)(b) of the PFM (County Governments) Regulations, 2015 sets the limit of the county government expenditure on wages, salaries and benefits at 35 per cent. As of today, county governments are at 52.9 per cent. Kenyans did not ask for a devolved system of government so that counties become employment bureaus. Kenyans asked for a devolved system of government in order to get access to water, healthcare, ECD education and roads. We did not ask for devolution so that governors can issue employment

letters left, right and centre, particularly now that they are about to go to elections. The notorious counties, according to the report of the Controller of Budget, are Baringo, Bungoma, Elgeyo Marakwet, Embu, Garissa, Isiolo, Kirinyaga, Kitui, Machakos, Meru, name them - about 25 counties. They have gone outside the ceiling. The failure is on the part of the Controller of Budget. The law gives her the power. Section 5 of the Controller of Budget Act read together with Article 207(3) of the Constitution, the Controller of Budget is required to enforce compliance to the limit by exercising her power on withdrawals from the county revenue accounts, unless the Controller of Budget is in bed with those governors.

When you see governors supporting BBI, it is not because they love it. When you see governors violating the law in terms of wages, it is because they have compromised EACC, the Controller of Budget and officers of the Auditor-General. This Constitution created certain independent institutions to protect the law and to protect public resources. So, the Controller of Budget must make sure that those counties are within the limits set.

My second point is the low expenditure on development budget. The Controller of Budget, in her Report for the nine months preceding this financial year, said that county governments spent only Kshs48 billion on development activities, representing an absorption level of 25 per cent. Cumulatively, the county governments spent Kshs193 billion. Section 107(2)(b) of the PFM Act, 2012 which this House passed provides that over the medium and a minimum of 35 per cent of county revenue must be spent on development.

Hon. Temporary Speaker, walk into our counties. Nothing is going on there. They may have built an office for the governor, a county assembly for the representatives and nothing else. Kindly note that I do not want to become a governor. Counties with low development absorption rates are notorious, and they include: Nairobi, Kisumu, Lamu, Baringo, Nakuru, Samburu and Garissa. My county is appearing everywhere because we elected a character who is not fit to be a leader. The only money we gave him, which came from the World Bank, is in court.

My third and final point is the delay in disbursement of equitable share for the National Treasury, which is killing devolution. The Exchequer for counties should reach their respective county revenue accounts as per the disbursement schedule that is approved by the Senate. The Minister for Finance has no choice. The Schedule is approved by the Senate, which is the custodian of devolution. The Minister must follow that schedule which he has not been following. In the first nine months of the Financial Year 2020/2021, the National Treasury disbursed a total of Kshs158 billion to counties as equitable share of revenue raised nationally, which accounts for 50.2 per cent of the annual equitable share of revenue. The disbursed amount of revenue raised during that financial year should have been higher. You do not have to give money.

If you go to counties now, officers are not working, vehicles are grounded, garbage is not collected and electricity bills have not been paid. That is not because there is no money, it is because the National Treasury is not disbursing enough money for development. Governors find themselves in situations where they want to “eat” monitoring and evaluation operations money which is meant for fuel, flowers, newspapers, rent and Kenya Power and yet, they do not remit statutory deductions.

I want to talk about pending bills. The CS cannot come to this House to ask for compliance. We cannot give you powers. The CS must give out the money. Both county and the national governments must pay. Those pending bills are part of the national debt. The money we owe China and other countries is the same money that the Government owes to Kenyans. A debt

is a debt. If this Government cannot pay the debt of our people, why should they bother paying China's debt?

(Technical hitch)

I have been in a lot of pain and I have asked myself what a debt is. There are many Kenyans whom the county and national governments owe close to Kshs180 billion. The Chairperson of the Budget and Appropriations Committee can tell us that. We are very concerned about the debts that we owe like IMF, World Bank and Chinese loans. Why not pay the debt we owe our people first? If we pay our people, the economy will grow. People are defying the instructions that were given by President Uhuru Kenyatta on Madaraka Day, that is 1st June this year, that pending bills must be paid. I was there. Unless people working for the President do not want to follow instructions, pending bills are cancerous. They are affecting every village and every *mama mboga*. Let the Government pay pending bills before we pay our debts to China and everybody else.

(Applause)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Gikaria, Member for Nakuru Town East, kindly have the Floor.

(Loud consultations)

Very well. He does not desire to be in the House. Next on my list is Hon. Mugambi Gichuki, the Member for Othaya. Kindly have the Floor.

Hon. Gichuki Mugambi (Othaya, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support. This is a very important Bill. As you know, we are devolving Kshs370 billion to the county governments. This is quite a substantial amount of money that we all need to see that it is put into proper use.

When you go round the counties, you will see a lot of wastage. There are many projects which were started and have not been completed. This happens to be a very risky year where everybody wants to start a project and leave it without caring whether it would be completed or not. This is the beginning of all these pending bills. We should have a framework where we are sure nobody will begin a project without providing total funds for it. Most times, we start a project without funds. We often start a project because we can afford or have put aside 10 per cent mobilisation fee. It is only after the contractors do the work and submit their certificates, that you realise there is no money to pay them. This is how we are authoring the pending bills.

We must have a framework to guide our counties and ensure that they do not create pending bills. County assemblies should be able to monitor and oversee the Executive at the county level. However, when you look at the capacity that some of the county assemblies have, most of them get guidance on who to vote for and what to do, from the same Executive. We need to have a framework of strengthening oversight at the county level. We should build budget offices which can build capacity within the county assemblies so that they are properly equipped to oversee the Executive.

We have been having a debate on whether elected leaders should be holders of a degree, but Members are taking it casually. When we talk about Kshs370 billion, would you pick

somebody on popularity basis just because he is able to go round every morning in all homes taking a cup of tea, and then you tell him or her to go and oversee Kshs370 million building? We are failing from the word go. That is why this issue of degree should be taken seriously, so that the people we elect to counties and Parliament are able to understand their roles and take their job description seriously. It is the only way we can make sure we have value for money. When we give all the money from the Exchequer and those funds are wrongly applied, we will never get value for our money.

When you also look at the recurrent expenditure at the county level, it is worrying because payment of salaries always takes precedence over development. If we continue allocating huge amounts of devolved funds on salaries only, we will not go far. Some of those counties have been receiving extremely huge amounts of money. You see a county getting Kshs12 billion every year and in 10 years, they will have received Kshs120 billion. When you go to the ground, you cannot see where that money has been used. But occasionally you see the same funds coming back to Nairobi and being invested in structures that do not relate to the counties. We are bleeding through counties because of poor oversight and application of funds. If we want to move forward in this country, we must remember that some devolved functions are very critical for our wellbeing. Therefore, we must ensure that the funds at the county level are properly applied.

For instance, we have devolved agriculture, which is the backbone of this country. Almost over 60 per cent of our economy is reliant on agriculture. When we have devolved agriculture and the funds allocated in that area are not properly applied, there is no way this country can move forward. Therefore, through this House, we request to strengthen the Public Finance Management (PFM) Act to ensure we have even stronger mechanism to guide and oversee the huge funds we are taking to the counties. We are pushing for the BBI so as to increase funding up to 35 per cent. If we push for more funds without better controls, it means we are increasing wastage.

There is also another major role that has been devolved like environment, which is very critical in this country. But most counties do not take the environment seriously. In some cases, we have seen some counties hawking garbage. In my county, we have this practice where garbage is hawked from one constituency to another because of lack of proper plans. Yet, there are funds to do that kind of function. These are some of the very important functions that have been devolved and are not taken seriously at the county level. A function like environment is affecting our health, climate change and very many areas, and yet it is being taken and treated extremely casually in some counties.

We have to come up with a very strong framework to oversee the funds going to counties. We believe our brothers at the Senate level should do much more to guide and oversee counties. Going forward, the national Government has done very well in terms of providing funds for pending bills and we hope counties will be pushed through the Senate to do the same. Remember this House had supported that any county that is not clearing pending bills will not get funds. Those funds should be released directly to those who are owed money. The other day we looked at the Report on pending bills and only county assemblies had forwarded their pending bills. But the Executive did not. This is a matter which the Senate should follow and ensure the executive part of county governments also provide their pending bills and are directed to clear them.

I beg to support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us now have Hon. Osotsi.

Hon. Godfrey Osotsi (Nominated, ANC): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill which is very important because it is allocating funds between the national Government and our 47 counties. Just as has been said by other Members, we have a lot of challenges in our counties.

First of all, there is the issue of pending bills. Even in the Budget which we were discussing, it is a problem even to the national Government. I want to support the proposal by the Budget and Appropriations Committee that we need to have a fund domiciled at the National Treasury to manage this challenge of pending bills. They have proposed we have a long-term bond that will be used to manage the problem of pending bills.

I think the same should be done to various county governments because we understand there are various reasons why counties have pending bills. One of the reasons is when funds are disbursed late to the counties and they have programmes which they need to implement. They are not able to implement those programmes in time and end up having challenges of pending bills. But largely, it is because of non-adherence to the law and particularly the PFM Act and Public Procurement and Disposal Act.

The second challenge is the issue of disbursement. Last night we saw some of our governors making very desperate calls to the Government to release money to them. Really, we must be very sympathetic to the governors because how do they run counties without money. I think in a way we have to relook at our laws in terms of releasing money. We can even say the first charge on the Exchequer should be the loans and debts and the second one should be release of money to the counties. This is because they cannot run their programs successfully when funds are released to them very late. They have plans in place but they do not work because there is no money. The money comes late and when it comes, maybe, they have very short time to use it.

I think this is a very serious problem and, as Hon. Duale has said, one of the functions of the Office of the Controller of Budget is to monitor programmes and projects in the counties. I think they should be in a better position to advise the Government on the issue of release of funds. We know one of the challenges could be lack of an Exchequer but, when it is found, I think it is very critical that county governments are given priority. This is because in law, they are required to have the funds.

The other challenge we have in counties is oversight, as has been said by one of the Members here. I think a lot needs to be done to improve the oversight function in the counties. We do not want to just hear about MCAs impeaching governors. We want effective oversight in the counties under the Senate. I think it is high time the Senate stopped poking their nose in the functions of the National Assembly and focus on the many challenges facing the counties, including the challenge of pending bills. There are too many issues the Senate can deal with. Sometimes, I see the Senate handling issues which are primarily the role of the National Assembly, when we have a lot of issues which require their interrogation.

Oversight is really an issue on the management of counties right from the county assemblies to the Senate, which I think we need to look into and strengthen. If it will require increasing the capacity, we will need to increase their capacity so that they can perform.

As has been said by one of the Members, there is the issue of the degree requirement. I think it is important. We need to have people who can understand complex audit reports by the Auditor-General so that they can raise questions. However, we have a situation where we have

members of the county assemblies whose only strength is that they were able to mobilise votes, but they cannot even speak English. You remember at one point there was another county assembly that passed a Motion that they can even speak in vernacular. That becomes a problem. I think the issue of oversight is very key in the counties and it is something that we must look into so that we can enhance devolution.

Some of the counties have challenges in terms of the money allocated to them, what they spend on Recurrent Expenditure and what they remain with to spend on capital projects. I think if we are not careful, some of those counties may have challenges in future. That is why some of us were supporting BBI because it was going to increase the allocation from 15 per cent to 35 per cent and some of these counties which have financial challenges would be able to survive. However, now without it, we are going to have problems. For those of us who support BBI, we mean well for devolution in this country.

But people like my good friend here, Nominee 001, do not support devolution. They talk about devolution but when it comes to matters of strengthening devolution, they are not there to talk about it.

One of the other things that I found very critical in BBI is the issue of giving powers to the Senate to oversee own-source revenue. Own-source revenue is a problem. The counties we have cannot even raise 90 per cent of what local authorities were raising and yet, local authorities did not have enough manpower and resources to raise money. However, the counties have not been able to raise that money. They wholly depend on the allocation from the national Government. I think it is very important that the Senate has a role to play in terms of overseeing the own-source revenue so that counties are able to generate enough local revenue to sustain some of the programmes, instead of waiting like beggars for the national Government to send money to them. I think this is one area that I fully support as one of the proposals in BBI. I am now saying that those who do not support BBI are not for devolution in this country and that those who support BBI are supporters of devolution in this country.

Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, what is out of order? Do you want to add your voice to this?

Hon. David ole Sankok (Nominated, JP): No, he has mentioned me adversely that I do not support BBI. He is out of order because he cannot say that there is corruption in the counties and he wants to increase money for corruption to happen in the counties.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Sankok, just take it easy.

Hon. David ole Sankok (Nominated, JP): Thank you, Sir.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Shamalla.

Hon. (Ms.) Shamalla Jennifer (Nominated, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the County Allocation of Revenue Bill (Senate Bill No.30 of 2021). Indeed, Article 6 of the Constitution of Kenya entrenches the spirit of devolution by stating that the territory of Kenya is divided into counties. However, I am extremely concerned especially after I heard yesterday from the Chairman of the Budget and Appropriations Committee stating that county governments have not provided details and reports on pending bills. Indeed, as echoed by Hon. Duale, some of those pending bills include Kshs26.2 billion for the County Pension Fund as at 21st December 2020 and Kshs14.57 billion for Local Authorities Pension Trust as at 30th November 2020.

It is true and I want to reiterate that this money belongs to the people of Kenya and the counties as devolved units cannot release this money into the economy when we are facing dire circumstances. I want to state, as Hon. Duale has said, that the President had ordered that those pending bills must be cleared. It is a matter of grave and extreme concern and it must be followed through and addressed immediately. Of course, it is also extremely important that the oversight function of the county assemblies and the Senate must be a matter of national importance. The MCAs and the Senators who oversee those counties will be answerable to the people of Kenya.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us hear Hon. Thuku Kwenya.

Hon. Zachary Thuku (Kinangop, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to speak to this Bill on county allocation of revenue. At the outset, I state that I support the Bill because this is going to make sure that our counties get their allocation for the coming financial year of about Kshs370 billion from the National Treasury. In the same breath, I also want to recognise that there is so much that has been done by our county governments because we need to be people who appreciate ourselves. At times, we are very hard on ourselves. We do not want to see any good and in fact in the spirit of devolution, this is what we wanted to see. As much as much needs to be done, we must appreciate that, that much has been done and if the National Treasury was effective or kind enough to be disbursing money to the counties in time, I believe much more would have been achieved. In fact, the biggest impediment to development in our counties is not just county governors. That is because, anyway, we have an oversight mechanism whereby county governors are supposed to be held to account by the county assemblies. Secondly, we have the Office of the Auditor-General which is supposed to flag out issues of misappropriation. We have institutions like the EACC and the Controller of Budget, which are supposed to work in tandem and in unison so that they see that our counties deliver as is expected of them by our citizens.

This allocation of Kshs370 billion is becoming a big debate, but we are also forgetting that our counties generate income through the revenues that they collect through levies, licences and things like that. It is never seen to be accounted for. The public do not have a feel of the monies that they pay in terms of those levies. Therefore, maybe, the Senate should come up with a mechanism whereby every county should publish the kind of monies that they collect. We have had some inefficient systems of manual collection of revenue through cess, levies that are collected from our farmers and the production that comes from the counties, especially sand, stones and such things. The monies are collected manually. So, there is likelihood of pilferage.

It is a lot of money. If that money is put in rightful use, it can supplement or complement the monies that they are getting from the Exchequer. Our county governors must be tasked to account for the monies that they are receiving. In accounting, the budget-making process should be our priority and the priority of the Senate, even as they oversee our counties. You find that our governors and the executive in the county government are allocating so much money for what I would call social handouts, in the name of social welfare. You see, the drafters of the Constitution envisaged a situation where the county government would come in handy. They drafted Article 43 of the Constitution to empower people and to bring about economic social rights. But now the county governments are giving handouts with a focus of hoodwinking the citizenry to vote for them in the coming elections. We cannot have our tax money being given out to buy blankets and mattresses at will, even when there is very little to do so. I am opposed to

these handouts because they are just handouts for food stuffs, gas cylinders and such stuff. We should have a situation where the county governments are empowering our people economically so that they can produce and be in a position to procure the blankets, gas cylinders and things like those, as opposed to the handouts that they are giving, so that we can get value for our money.

Article 43 talks about social rights. One of the social and economic rights is access to health. Our county governments must be seen to be investing heavily in matters health. You walk into our health centres and all you see are cheap medicine, most of which are pain killers. There are no doctors and we do not have sufficient nurses. You go down to our county governments, there is the issue of water. Nobody is investing in such programmes that are for posterity. Therefore, we would want to see our county governments investing more on investments that are for posterity.

We have had issues with our county governments procuring outside PFM Act and Public Procurement and Disposal Act. We cannot have institutions procuring beyond their budgets as envisaged in the Public Procurement and Disposal Act. Therefore, procurement should be in accordance with the call by our President, His Excellency Uhuru Muigai Kenyatta, that every procurement that is done should now be above board and be on e-procurement, so that then there is not much of human interaction. I hope that we will have an ICT system where, if procurement is done beyond what is allocated in the budget, there will be a lockdown so that you cannot procure at all beyond what is envisaged in the budget that is approved by the Director-General in charge of budget.

I also want to speak to the issue of timely releases of funds to the counties. As I had said before, so much delays that are occasioned by the National Treasury is because they give priority to the Ministries and State departments that are within the national Government. The county governments are left at the mercy of the National Treasury begging whereas, they should be getting the first priority. The surest form of devolution if we are to spur growth and economic development must start at the county level. Once the county governments start doing projects at the county level, with local contractors, money will have a ripple effect and get down to the people.

Finally, on physical planning, you realize that our towns are growing tremendously because of devolution. The county governments have no building capacity to deal with the growth that is happening within our county governments. I would give an example of two towns in my constituency, Kinangop. One is called Engineer and the other one is called Njabini. Those are towns that are growing tremendously. However, you will find that the county government is not investing in terms of planning on how sewer is going to be taken care of, increasing water capacity, playing fields, markets and such kind of things. It is about time that those budgets that are done by the county governments include some level of expansion of such amenities so that they can be able to deal with growth that is happening within the counties.

Finally, His Excellency President Uhuru Muigai Kenyatta, when he was re-elected for the second time, spoke of the Big Four Agenda. On top of it was the issue of manufacturing. We would want to see our county governments putting money into some of these issues to do with manufacturing, building factories in our constituencies and in our sub counties. We have seen a situation where a country like Ghana, came up with a policy of one factory per district. They are implementing that. That is going to deal a blow to the issue of unemployment. It is going to increase the ability of our people to do what they are supposed to do, in terms of their personal

growth. Once we have factories at the level of sub-counties, we shall not be selling our produce. We shall be selling products in the near future.

Therefore, I support and pray that we see prudence in the utilization of those funds.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Ali Athman, Member for Lamu East.

Hon. Ali Sharif (Lamu East, JP): Ahsante Mhe. Naibu Spika wa Muda. Ningependa kuchukua fursa hii, kuungana na wenzangu kuunga mkono huu Mswada ambao uko mbele yetu kuhusiana na ugavi wa pesa ambazo zinaenda kwa serikali gatuji.

Kwa kweli, Wakenya mwaka 2010 walisimama kidete kuhakikisha kuwa wamepitisha Katiba ambayo itakuwa na serikali gatuji. Kutokana na hiyo, matarajio ya Wakenya yalikuwa ni mengi sana, miongoni mwao ni kuona kwamba, huduma zimeweza kuwafikia kule mashinani na kuhakikisha kwamba usawa umepatikana na wakaweze kufurahia zile huduma ambazo zilikuwa ziwafikie katika sehemu 47 zilizogawanywa nchini.

Vile vile, ni jambo muhimu sana na ni jambo linalohitaji kuzingatiwa kwamba, zile fedha ambazo zinaenda katika serikali gatuji, ni fedha ambazo zinahitaji kuwahudumia wananchi. Lakini kwa masikitiko makubwa, tumeweza kushuhudia kwa takriban hivi sasa awamu ya pili kuanzia serikali hizi zianze shughuli zake, kwamba kumekuwa na matatizo mengi sana, hususan katika zile hali za uongozi ambao unapatikana katika sehemu hizo.

Mbali na maadhimio ya Wakenya kutaka serikali za kaunti ziwe zinafanya kazi katika sehemu 47 zilizopo, yale yanayoshuhudiwa hivi sasa yamekuwa ni matatizo mengi sana. Ukweli ni kwamba Wakenya wanahitaji huduma lakini zile shida na mateso yanayoonekana hivi sasa yanasikitisha sana. Mfano, utapata kwamba wakati mwingine inafika hadi miezi mitatu au minne wafanyikazi wa kaunti hawajalipwa mishahara.

Tatizo hili mara nyingi huwa linaambatana na kuchelewa kulipwa fedha kwa hizo serikali. Mbali na hayo, tukumbuke kwamba haya yote yalifanyika kwa sababu ya kusawazisha na sababu ya kuweza kuinua na kuendeleza uchumi. Hili linapopatikana huwa ni jambo la kusikitisha sana. Utapata kwamba, kama nilivyosema, wafanyikazi wanateseka. Utapata mtu amefanya kazi yake, ambayo labda pengine amepewa na hizo kaunti na pengine amechukua mkopo katika benki kwa sababu ya kufanya kazi yake. Lakini pesa hizo anaweza kuzipata baada ya mwaka moja au miaka miwili.

Kutokana na hayo, ni vyema Bunge hili na Bunge la Seneti, na hata wale wajumbe ambao wako kule kaunti, kuhakikisha kwamba muongozo huu na mwelekeo huu unaendeshwa kwa namna unavyotakikana na kwa namna Wakenya wanafurahia.

Vilevile, ningependa kuchukua fursa hii kuiambia Serikali ya Kitaifa kuhakikisha kwamba kuchelewesha fedha ambazo zinapangiwa serikali za kaunti hakupo. Yanapotokea hayo, ndipo yale matatizo yote ambayo tunayoyazungumzia hapa yanatokea. Wengi wameweza kuyazungumzia. Utapata kwamba uchafu umedorora katika kaunti na huduma nyingi hasipo.

Hivi sasa, kama sijakosea, kaunti zimepeana ilani kwamba ifikapo tarehe ishirini na nne mwezi huu, watasitisha huduma zao zote. Hii ni kwa sababu Serikali ya kitaifa bado haijawapelekea ule mgao wao ambao ulikuwa upelekwe katika ile Bajeti ya mwaka 2020 na 2021.

Mhe. Naibu Spika wa Muda, kwa kweli kuna umuhimu mkubwa sana wa kuhakikisha kwamba Wakenya wamefurahia huduma ambazo zinapatikana katika serikali zote mbili. Wale wanaoongoza katika serikali hizi mbili wahakikishe kwamba Wakenya wameweza kufurahia huduma hizo, wameweza kuwajibika na kazi zao na wameweza kuonyesha uongozi mzuri.

Haitakuwa jambo la busara tusimame hapa leo tuanze kulaumiana kwa sababu dunia hii hakuna ambaye ni mkamilifu. Mkamilifu ni Mwenyezi Mungu peke yake. Unapochukua majukumu na kuchukua kiapo cha kuhakikisha kwamba umekubali kuchukua yadhifa unazopewa kama kiongozi, basi ni jambo la busara kuhakikisha kwamba umeweza kutekeleza yale ambayo ni ya usawa.

Matatizo ni mengi ambayo yako katika serikali hizi za kaunti. Ukweli ni kwamba kuna dharura na kunahitajika pakubwa kuweza kuyarekebisha matatizo hayo, tukianza na kuhakikisha kwamba migao hii ambayo inagawanywa kila mwaka kwa serikali hizi za kaunti imeweza kufikishwa katika kila kaunti kwa wakati unaofaa bila ya kucheleweshwa. Vile vile, wale wahusika ambao wanasimamia fedha hizi katika sehemu hizo wahakikishe kwamba wameweza kutekeleza zile huduma zinazohitajika kwa namna inayofaa na namna inayotakikana.

Vile vile, swala nzima la siasa katika sehemu hizi utapata kwamba kuna malalamishi pia katika kaunti nyingi. Utapata kwamba wale ambao ni wahusika wakuu zaidi wanatembea kisiasa badala ya kutembea kiuongozi. Ninavyofahamu ni kwamba yeyote ambaye ametoka katika kaunti ile na anayestahili kupewa kazi ambayo anaweza kuifanya katika sehemu ile haimaanishi kwamba awe ni mtu wako kisiasa. La msingi ni ikiwa anastahili kupata kazi ile, basi ni sawa wale wahusika waweze kuchukua fursa hii kufanya usawa katika kuendeleza mambo kama haya.

Kwa hayo machache, ningependa kuhimiza Serikali ya kitaifa kuhakikisha kwamba matatizo haya hayapatikani kwa sababu yanapotokea, shida nyingi ambazo utazona zinajitokeza katika kaunti, lawama inakuwa nyingi na ule uchumi unaaza kuleta shida katika sehemu zile kwa sababu zile fedha zinapokuwa hazijafika katika sehemu hiyo, ni wengi ambao wanapata matatizo na wanapata shida sana kutokana na hali hiyo.

Kwa hayo machache, naunga mkono Mswada huu kuhakikisha kwamba hili limeweza kutekelezwa kwa njia inayostahili.

Ahsante.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. David ole Sankok, you are on this list but you had already spoken to this. So, I will give to the next one and that is Hon. Martin Owino, the Member for Ndhiwa.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to support this Bill, the County Allocation Revenue Bill (Senate Bill No. 30 of 2021). I am a supporter of devolution and I believe that, as a House, we have to put all the efforts required so that we can have our devolution thrive while both addressing issues at the county level and also at the national level.

One area which I am really passionate about is health. Even if we give counties money or they generate money from facilities, there was an order which was very efficient and Hon. (Dr.) James Nyikal really participated in authoring this - the Facility Improvement Fund. That only means that the funds have to be generated in the facilities for service and those funds are retained in the facilities in order to provide and improve infrastructure so that the facility can be afloat financially. There was a circular that came and removed that; meaning that the A-in-A which is generated in those facilities now goes to the county revenues account and then re-authorized to be used. When it goes there, it gets swallowed up in the budgeting. They can only now be given money back as budget which actually never comes back in time.

Right now, as I stand here, all health workers in my county have downed their tools. Some people are even being removed from the wards because there are no personnel. On that vein, there were some facilities which were taken and made COVID-19 treatment centres. That means that all the services which they were doing, including delivery and others which used to

generate income to those facilities, vanished. Those facilities are not even paying their utilities, not even support staff. So, those facilities are dead. You can imagine how people are suffering.

Hon. Temporary Deputy Speaker, talking about this Bill, I also want to add my voice to the pending bills. The pending bills that are being talked about have become another animal to defraud Kenyans. There are no pending bills if we are doing a programme-based budget, meaning that you put a programme or an intervention and you allocate funds for it. The National Treasury is not disbursing money to the counties and so, we should talk about money being owed to the counties. If we do not disburse money efficiently and on time, we end up with the contractors who have done their work opting for litigation. We have additional money accruing on top of what was supposed to be paid for a programme. If you lump it together and pay them like that, that is where one Member said instead of 90-something, it came back to 40-something. That will be another vehicle through which we will lose money. I urge this House to look into that very carefully.

The other issue is that there is disconnect between some of the funding for the counties and national obligations. For example, disasters, fires, floods and food insecurity are left to the counties because agriculture is devolved. However, sufficient money is not allocated towards that. I am preaching to the choir because Members of Parliament are really struggling when it comes to disasters. They expect you to respond with your National Government – Constituencies Development Fund (NG-CDF) and yet, you do not see any effort from the counties because they do not have adequate allocation of funds. We talked about the Disaster Management Bill. I do not know where it has reached, but this should be centralized so that we have a proper response.

I was watching television and saw how the land was moving underneath some houses in the coastal region. It is very painful because the victims are alone. The county government would like to respond, but it does not have resources. How do we do it? The national Government's response is not clear or streamlined. We cannot respond to disasters in all counties from Nairobi. There is even a disconnect in funding. There is a gap that this House should look into.

The other issue is the tsetse fly. This is a menace which cuts across many counties from Lambwe Valley to Mbeere North and South and many other areas in the western region. Currently, our economy loses Kshs20 billion because of livestock mortalities and the drugs that are used. I thank the Kenya Tsetse and Trypanosomiasis Eradication Council (KENTTEC) which has been dismally funded to do that job.

Today, we have just allocated Kshs180 million to KENTTEC. I have just compared that amount with the loss which we incur every year of Kshs20 billion. That figure represents the livelihood of Kenyans which could be better if there was proper intervention against that fly. If we allocate the Kshs180 million that we are currently appropriating, that would mean that the national Government is funding the KENTTEC to do the work. The counties will have no response. This fly will continue to ravage the livelihoods of many Kenyans.

As much we push activities to counties, there are some funding gaps that negate those activities. That should be looked into in perspective, so that we have good funding. The Ministry of Agriculture, Livestock and Fisheries had recommended that we appropriate or allocate Kshs710 million to cater for research and interventions. I just see Kshs180 million. I do not know whether it is possible for us to look into this item during the Committee of Supply and make sure that the livelihoods of the farmers in those regions are also considered.

With those remarks, I support the Bill. Let us continue to support devolution. That is the only way to go as we usher in efficiency and effectiveness.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Let us have Hon. Koyi Waluke, the Member for Sirisia.

Hon. John Waluke (Sirisia, JP): Hon. Temporary Deputy Speaker, I am not ready.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well. Let us have Hon. Shaban Namsi, the Member for Taveta.

Hon. (Dr.) Naomi Shaban (Taveta, JP): Ahsante sana, Mheshimiwa Naibu Spika wa Muda kwa kunipa fursa hii ya kuzungumzia mjadala huu ambao unahusu sheria ya ugavi wa pesa kwa maeneo 47 ya ugatuzi.

Ukweli ni kuwa Wakenya walifurahia sana jambo hili la ugatuzi. Lakini vile muda unavyoenda, ikawa kuwa kwanza, pesa zikifika zinafujwa. Pili, pesa hazifiki kwa wakati unaofaa. Tatu, mara nyingine wanavuka mwaka na pesa zote hazijafika kwenye maeneo ya ugatuzi.

Wenzangu wamezungumzia masuala ya wanakandarasi ambao wanadai serikali za ugatuzi kila mahali hapa nchini. Hata Serikali kuu pia inadaiwa kulingana na utendajikazi wa wanakandarasi na pesa kuchelewa kuwafikia. Kilio kipo kila mahali. Kilio kikubwa ni kile cha wafanyikazi wa maeneo ya ugatuzi karibu kila mahali. Wania kuwa mishahara haijalipwa kwa muda mrefu. Hawa ni Wakenya ambao walikuwa wamesherehekea jambo hili la ugatuzi na sasa ni kama linawaangamiza. Mtu atalipa vipi nyumba pale anapokodisha? Atanunulia watoto wake chakula namna gani? Atasomesha watoto namna gani? Kule tunakotoka katika maeneo bunge ni vilio, vilio, vilio.

Hakuna haja ya sisi kuzungumzia suala hili na kuliweka kwenye sheria kwa sababu ugavi wa pesa uko ndani ya sheria. Tutaipitisha sheria hii lakini pesa hazitawafikia wananchi katika maeneo ya ugatuzi.

Langu ni kuzungumzia Waziri ambaye anasimamia masuala ya fedha kwenye Serikali ya Kitaifa, Ukur Yatani. Alikuwa gavana kabla hajafika hapo alipo sasa. Anajua matatizo yaliyoko katika maeneo ya ugatuzi.

Si hivyo tu. Ukiangalia hata huduma ambazo tunazihitaji katika maeneo ya ugatuzi, wananchi wanateseka kwa sababu hata huduma za afya, maji ya kunywa na kazi za kilimo zimeharibika. Bila wafanyikazi wa Serikali kusaidia wakulima ama wananchi kupata maji ya kunywa, magonjwa yatazidi kila siku kwa sababu utakosa chakula na maji ya kutumia na mwisho itakuwa ni ugonjwa. Huduma za afya kule mashinani zina matatizo makubwa sana kwa sababu fedha hazipo. Utakuta kazi za kandarasi zimefanywa na kuachwa nusu nusu. Wale waliomalizia wameondoka na funguo za maeneo yale. Kwa hivyo, maeneo yale hata hayawezi kutumika. Majengo yamejengwa na yamebaki hayawezi kutumika kwa sababu wanakandarasi hawajalipwa. Hatuwezi kuwa na nchi ambayo tunajivunia kuendelea kama watu wetu wania hawapati mishahara. Hatuwezi kuwa na maendeleo kama wananchi hawawezi kupata maji safi ya kunywa. Hatuwezi kusema kuwa tunategemea kilimo nchini wakati wafanyikazi wanaosimamia na kufunza wakulima juu ya kilimo hawajapatiwa mishahara yao kwa miezi hiyo yote.

Sio siri kuwa magavana wote wamekuwa wakilalamika kuwa pesa hazijafika. Vile vile pia, pesa zikifika kwa serikali za ugatuzi, wanatakikana kuhakikisha kuwa wamesimamia kisawasawa ili ziweze kutumika kwa huduma zile ambazo zinatakikana kumsaidia mwananchi pale chini mashinani.

Mhe. Naibu Spika wa Muda, watu wengi wamekuwa na shida, haswa wanakandarasi, kuwa hawapati malipo. Wengine wamechukua mikopo kwa benki na wanashindwa kulipa, kwa sababu ya kutekeleza miradi ile ambayo wamepatiwa kwenye kandarasi. Lazima Waziri na

Serikali yetu ya Kenya ihakikishe kuwa pesa zinatoka wakati unaofaa ndio wasipate hasara. Wanapochelewa kulipa, ndio wale wanakandarasi pia wanadai zaidi. Suala hili la malipo limecheleweshwa. Serikali na mwananchi wanapata hasara, kwa sababu pesa hazifiki kwa muda unaofaa.

Sina mengi ya kusema. Naunga mkono kuwa isiwe tu ni sheria tunapitisha. Pesa hizi Ksh370 bilioni ni lazima zifike maeneo ya ugatuzi ili zisaidie wananchi ili wafurahie matunda ya ugatuzi.

Mhe. Naibu Spika wa Muda, naunga mkono Mswada huu.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Kimaru, Member for Mathioya.

Hon. Peter Kimaru (Mathioya, JP): Thank you, Hon. Temporary Deputy Speaker. I also rise to support and add my voice to this very important County Allocation of Revenue Bill. Devolution cannot be gainsaid. This is a very important thing that came into this country. The money which is allocated to the counties continues to rise.

We need to see better oversight. County assemblies need to be strengthened. We know that there is a lot of intimidation in the county assemblies to the point where they are unable to carry out their work thoroughly and well. We need to ensure that some issues are anchored into law. For instance, ward funds were factored in the BBI. Some of those issues can even be done by this House without necessarily going into a referendum. We need to ensure that our county assemblies are solid. They should have their budgets. Certain amounts of their wards should be factored, so that as they work for their respective counties, they know that they cannot be intimidated that they will not get development in their wards. This happens in a lot of areas.

We also want our brothers in the Senate to oversee the counties in a better way. We see a lot of overlaps. This has already been mentioned here. Roles that can easily be handled by this House are also duplicated by our brothers in the Senate. For instance, when a dam burst its banks in the Rift Valley, the Senate also investigated the same matter. At the end of the day, it does not come out well when the two Houses have reports that do not speak the same language. These roles should be streamlined, so that the Senate can stick to county matters and ensure that they follow them through in a better manner.

The issue of pending bills has really been mentioned today. This is a big thorn that is in almost every county government. They insist that money is sometimes delayed by the national Government. When there are funds in the counties, they must allocate them to clear the pending bills of their projects and programmes. This is something that must be done as quickly as possible.

Some of the devolved functions are very critical to our people. We end up doing some of the programmes that should be done by the county governments. For instance, the rural roads that are not maintained by the Kenya Rural Roads Authority (KeRRA) are totally neglected. Despite the little resources that we get through KeRRA on those roads, we construct these roads sometimes.

The last mile connectivity of water is the role of the county government. The national Government builds mega dams across the country. The main pipelines are laid. However, the actual last mile connectivity to the households is still very wanting. We want more Kenyans to get the water resource.

Agriculture has been mentioned here. Our farmers should be given better advice in various areas. These issues should be looked into in a better way, so that we can ensure that agriculture in our counties is developed.

There is also the issue of hospitals in our various counties. For instance, Mathioya Constituency does not have a level four hospital. The clinics and dispensaries that we have rarely have drugs to dispense. This is something that needs to improve.

The other thing that is extremely important and worrying is that the revenue that county governments collect is rarely accounted for. The revenue that they were collecting years earlier before they were getting money from the national Government is higher than what they collect currently. These funds are not declared in full. This is an area that has a lot of disparities. More funds should be collected because we have more staff. They should streamline these areas. They can even use Information, Communication, Technology (ICT) solutions to ensure that this is done.

These are the few areas that I wanted to mention. The disbursement of funds by the national Government to the counties should not be delayed, so that they can do their work effectively.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nyenze Edith, Member for Kitui West.

Hon. (Ms.) Edith Nyenze (Kitui West, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute. Let me take this opportunity to support the County Allocation of Revenue Bill (Senate Bill No. 30 of 2021).

From the outset, I support devolution because we can all see what it has done. It has transformed our country. Health centres and infrastructure can be seen in our counties and the whole region. Health, water and many other functions are devolved. The youth and people all over the country engage in various businesses. People are now getting contracts and employment in the county governments. There is a lot of improvement in our country because of devolution. So, I support devolution.

Devolution came with some issues which we need to improve. If we improve devolution and county governments improve their performance, and if there are good governance policies in the county governments, our country will improve like other countries which have developed very fast. I went to Dubai and when I came back, I realised I had come from a developed country. When I looked at the infrastructure in our country, I pitied myself. If we support devolution and we make good use of the devolved resources, our country will be like any developed country in the world. The gesture of devolving money and functions to the counties is very good.

There are issues like own revenue which county governments collect. This money is collected from people who own small and medium-size enterprises (SMEs) and some women who sell tomatoes. We hear that the money is put into sacks, misused or misappropriated yet it is collected from very needy and poor people. There is need to have proper policies on revenue collection and appropriate revenue collection systems in the countries. Such policies will provide guidance as to what type of revenue should be collected by the county governments. In some cases, money is collected from very poor people and businesses end up collapsing yet the money is not made good use of. It is just used by individuals. So, there is need to come up with a proper policy on own-revenue collection and how the money should be used.

Another problem in our county governments is bloated wage bills. You find a county government where a governor loses in the general election, but his personal employees are absorbed in the new government and get paid. That way, with time, we end up with a bloated wage bill. County government money is misused instead of being used for development. So,

there is need to come up with a proper structure, so that if people were employed in the previous government, they continue serving instead of a new governor employing new employees and still retain the ones he found in office. The wage bill keeps on getting bloated and development suffers.

We have also devolved corruption to the county governments. There is a lot of corruption in the county governments. This makes us to lag behind. We end up with pending bills. People are given contracts in some counties, but some are paid while others are not. Those who are not paid take the matters to court. The county governments end up paying high litigation fees to lawyers to represent them in court as development suffers. If we could have a structure like that of the National Government Constituencies Development Fund (NG-CDF), where the amounts for development and recurrent expenditures are specified, we would see a lot of improvement and our country would develop faster. Devolution is a success story, only that we need to improve on oversight, the structure and come up with policies on how to improve devolution.

With those remarks, I support the Bill.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Mizighi Mnene, Member for Taita Taveta.

Hon. (Ms.) Haika Mizighi (Taita Taveta CWR, JP): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to add my voice to the County Allocation of Revenue Bill (Senate Bill No.30 of 2021).

I support this Bill because it is going to make sure that there will be revenue in our counties and, therefore, smooth running of businesses. As many Members have spoken here, there are challenges. We have seen people suffer. The majority of the sufferers are people who have been doing business with the county governments. They are suffering because of pending bills. People have died because of high blood pressure. People took loans to do business with the county governments, but as of now, people's properties are being auctioned because county governments have not paid them. This is a very sad state of affair. As we discuss this Bill, it is my wish that we help to solve this problem.

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

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

I also want to talk about the recurrent expenditure. In most counties, this expenditure is huge. As much as the expenditure is huge, the complaints are also many. Most of the employees in the counties have not been paid their salaries. A majority of them are suffering. They have been kicked out of their homes because they are not able to pay rent. They are not even able to pay their children's school fees. We have seen many people suffer at the counties contrary to what we believed that devolution would do.

As I conclude, because a lot has already been said, I urge the county governors to prioritise matters. With regard to health care, it is said that a healthy nation is a wealthy nation. We cannot say that we are developing, and that we are wealthy, if our people are sick.

Therefore, I will support and insist that when the money is disbursed and they start allocating it to different items, they should prioritise health, staff salaries and pending bills.

Thank you, Hon. Temporary Deputy Speaker, for the opportunity.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Let us have Hon. Maanzo Kitonga.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to contribute to this very important Bill. I rise to support the Report which was presented here by the Committee on the County Allocation of Revenue Bill (Senate Bill No. 30 of 2021).

A lot has been said and I do not want to repeat myself. This country had a lot of hope when devolution was captured in the 2010 Constitution. I personally support devolution and I believe it can work very effectively. It is one way of developing our country if the devolved funds are utilized properly and taken to the counties in good time.

When devolution started, things were very efficient and the funds arrived in good time. As time went by, there were a lot of issues in the counties and the Treasury grew cold feet. Remember, every county has to account to the Treasury on how it has used its funds. There are certain levels of what they have done with the money in a year and how much is left. So, at times, it becomes difficult to send more money when the works have not been done and reports have not been presented. So, some counties occasion delay of the money being released.

As much as we urge the Treasury to be efficient and release funds in good time, counties also have to be efficient. They have to do procurement with speed and also make sure that pending bills are cleared in good time. If that is not done, it will result into delayed development as well as counties incurring more bills, losing more money and the interest rate increasing and other sort of things. That does not help our country.

Another function which has been devolved is agriculture. This is an agricultural country. Counties must ensure that farming is done well whether they are rearing livestock or growing food crops. For example, in Makueni, we have oranges and mangoes. This is the season for oranges, and I can assure you that when you go to Makueni, you will get sweet oranges. What is left after local businesspeople have sold them to Nairobi and other markets is supposed to be processed by a fruit processing plant which is in the county. This plant has its own difficulties. When it first started during its construction, it was good.

If you check in almost every county in Kenya, the money they have already received is averagely Kshs60 billion. Averagely, every county, in the last eight or nine years, has received Kshs60 billion. If you compare the works being done in the counties with the works being done in the constituencies with the NG-CDF, which is Kshs100 million per year, you will find more development done by the NG-CDF than the development done by the people who receive money in billions of shillings. If you look at development, you find that NG-CDF, with much less money, has performed much better than the counties.

If you move around and try to take stock of what Kshs60 billion has done, you will realise that counties have only utilised about Kshs10 billion and Kshs50 billion is lost to corruption. We did not sufficiently devolve the agency which fights corruption in this country, namely, the Ethics and Anti-Corruption Commission (EACC). So, we need to invest more in EACC. We also need to have more training, so that we have more credible teams which work with the governors. Otherwise, a lot of money cannot be accounted for. I believe that if proper investigation is done and the EACC and the Directorate of Criminal Investigations (DCI) were to move with high speed, most of the governors will end up in jail together with their cronies. Most of the money we have sent to the counties have been stolen. If I were the Cabinet Secretary or the Principal Secretary for the National Treasury or a member of his team, I would grow lethargy.

The right thing is not happening with devolution in Kenya. As much as the BBI is proposing to increase the money sent to the counties, honestly, it is going to create more trouble. There will be more problems if we send more money and we are not putting sufficient structures to check the governors. Most of the county assemblies are captives of the governors. So, you find that county assemblies cannot check the governors properly.

We must put it in law that county assemblies are independent and they should not receive money through governors. If the channel is through the governors, then county assemblies will be starved of money. Governors have already been starved of money by the national Government. When the money gets to the county, county assemblies are starved. County assemblies have been reduced into mere bulldogs which cannot bite. So, we need county assemblies which have teeth that can bite through checking and thoroughly scrutinising every development programme, so that development takes place at the counties.

Most of the money allocated to the counties does not end up in development. It ends up in a lot of other things like public participation which is not really public participation, mismanagement of the funds, unnecessary travels and conventions, *et cetera*. I believe that work must be done first before they go to conventions or travel. There must be something tangible.

As much as a lot of money has been allocated for roads in the counties we, Members of Parliament, still have to plead with the CS, Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works, for something extra to do a road which is classified as a county road because *wananchi* are suffering and there is a lot of trouble there. As a Member of Parliament, you also feel that there is trouble if you are to do some of the things which are supposed to be done by the county governments like water projects. As a Member of Parliament, you cannot let your village continue suffering the way you suffered when you were a child if you lived there, for instance, the way children used to fetch water using donkeys instead of having piped water like today. So, you will have to make an effort.

In fact, when we just started in the other Parliament, we had to complete some of the projects the NG-CDF was doing in terms of hospitals, water projects and later on handed them over to county governments. Even some nursery schools have been abandoned. In one case, in Wote Town in my constituency, a nursery school was left out of public participation and they could not build enough nursery schools. Of course, it is a growing town so, we had to allocate some NG-CDF money to build one of the nursery schools which was about to collapse. I was afraid that young children who had no idea what was happening would end up losing their lives.

Therefore, this is where the national Government or Members of Parliament are finding themselves yet there are county governments which should be efficient. This is not only the case in Makeni, but also in many other county governments. If you compare the money collected by county governments to what county councils used to collect, you find that county councils used to do better when the economy was poorer. Today, we have a better economy of the country with more businesses expanding and therefore collection of revenues should be at a higher level.

We must surely come up with a way of how this money is going to be efficiently collected and accounted for. Most of the money ends up with employees of the counties who have not been paid their salaries for many months. How can you collect money from a lady selling bananas in the market when your own children have no food that day and you still send it to the county only to be put into another pocket of the governor? So, this is an area that we must think about as a House. I am challenging my very good friend, Hon. Kanini Kega, who is in charge of the Budget and Appropriations Committee, to challenge us to come up with a law so that we can harness all the money that is collected in the counties into proper use.

I am sure all these cries you hear about lack of money in the counties will be gone. The moment their A-in-A is proper, I am sure we will not have unpaid employees of the county executive and the county assemblies. I urge the county governments to be more careful and be aware that there is a law and if they misuse funds, they will end up in jail someday.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Ibrahim Sahal.

Hon. (Ms.) Nasri Ibrahim (Nominated, FORD-K): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to add my voice to the Bill. The Bill seeks to make provision for allocation of revenue raised nationally among the county governments for the FY 2021/2022 and to facilitate transfer of the allocations made by counties under this Act from the Consolidated Fund to respective county revenue funds in accordance with the resolution approved by Parliament under Article 117 of the Constitution.

The delay in disbursement of funds to counties by the National Treasury has badly affected the current county budgets, thereby affecting day-to-day running of activities and delivery of crucial services such as healthcare, payment of county staff and suppliers, and implementation of county work plans, programmes and development projects. The Bill will straighten coordination of the national Government through the National Treasury and county governments to ensure that the allocated equitable share of revenue is disbursed timely and in a proper way to guarantee smooth service delivery in the counties.

When devolution was established and 47 counties created, we were really yearning for devolution. Unfortunately, it turned the other way. It became a disaster. We have devolved corruption to counties. If this money is used properly, it will help in development of health, water and roads. Unfortunately, it is the other way round. I support this Bill.

Thank you.

The Temporary Deputy Speaker (Hon. Patrick Mariru): The Member for Sirisia, I thought you had spoken to this Bill. Are you sure you have not spoken? Okay, you have the Floor. I suppose you are sufficiently ready.

Hon. John Waluke (Sirisia, JP): I came late, Hon. Temporary Deputy Speaker. Thank you for giving me a chance to contribute to this Bill. My observation is that we were happy with devolution and hopeful county governments were going to help this country because money was going to be devolved to *mashinani*. But it is like we devolved money for people to eat, because people are crying all over the 47 county governments about corruption. The structures for the money to the county governments have not been there. People in the National Treasury put structures for the NG-CDF. Initially when the CDF started, Members of Parliament were controlling it. Later, the Government put structures to control the funds. In the case of devolution, the Government just left money to be controlled by governors. That is why money is being misused.

If you check properly, the little money that constituencies get cannot be compared to the billions of shillings county governments get. Each constituency gets Kshs100 million and the work is seen. The money has done a lot of work and the public is happy with the way the NG-CDF is spent, yet it is very little money. Let me use the example of my county. The county government gets Kshs8 billion and it has nine constituencies that get Kshs900 million NG-CDF money. You cannot compare the development brought by the Kshs900 million with that of Kshs8 billion. We have used it properly and the result is seen on the ground.

I support the passing of this Bill, but half-heartedly. The revenue collections before the county governments were created was a lot, but when we expect county governments have put in place better structures than county councils, collection is not there. We hear that they collect

money and first take it to the governor's house and then the little that remains is what they take to the Treasury. This is what happens. So, we urge the Government to put in place the same structures that it put in place to control the NG-CDF money, so that money to county governments can be controlled in a better way. Without structures, it is like the country is just donating money to make governors rich. Every governor has a lot of money. They have built or bought three to five big hotels. Where do they get all the money to buy all the property? The Constitution allowed governors to serve for 10 years, but if I was asked, a governor would serve for only one term. Those who are elected for two terms have really enriched themselves. Like the Budget and Appropriations Committee recommended, I support that the Cabinet Secretary for the National Treasury should slow down releasing of money to county governments. He should not do it quickly as the county governments want. Even if there are pending bills, the CS should go slow the way he is doing, so that these people in one way or another, have some break. They are given so much money, but because there are no structures, the CS should go the way he is going even if the governors are complaining.

With those few remarks, I support.

The Temporary Deputy Speaker (Christopher Omulele): Hon. (Prof.) Oduol, kindly, have the Floor.

Hon. (Prof.) Jacqueline Oduol (Nominated, ODM): Thank you, Hon. Temporary Deputy Speaker.

From the outset, I would like to support the Bill. It seeks to have equitable distribution of resources. I draw attention and emphasis to a number of county functions that are clearly articulated in the Constitution, ranging from agriculture, health, transport and trade, county planning, dealing with a very delicate aspect of our citizenry and their children with regard to early childhood development. It points out that this Bill, in terms of the very clear objective, is to make provision for the allocation of revenue raised nationally, among the county governments for the Financial Year 2021. This is going to be critical and a useful aspect, especially at this time of the COVID-19 pandemic.

I have listened to Members contribute in ways that I agree with. I support the Bill, but I would also like to emphasize an aspect in our country at the moment. We have two levels of government, namely, national and county. We are no longer at ease. There are a number of us in the words of literary experts, who seem to be saying: "Cry the beloved country."

Kenyans recognise the fact that there are two levels of government. As we allocate resources, we should ensure it is distributed fairly.

We should raise issues of corruption and point fingers at what is happening in our country particularly with regard to the manner in which we not only deal with budgeting, but also how we deal with delayed disbursement. Pending bills seem to be a norm which continues to roll in and out.

I want to draw our attention to the sense of uneasiness in our country at the point at which we are. Yesterday, we eulogised a departed hero, Hon. Jakoyo Midiwo. Members were all in agreement that he spoke the truth. He ensured that that truth was heard regardless of who wanted to disagree.

As a country, let us see corruption as a challenge. When we look at the county governments, we need to recall that another major challenge in our country is the manner in which we do not seem to be drawing together, cohesively. When you talk about national cohesion and equal opportunity, we have clear signs in our country of citizens who continue to feel marginalised and left out. Even with opportunities in the Government and many other areas

for employment, we still have a number of Kenyans who sometimes by virtue of the region they come from, the language they speak, perhaps their age, level of ability or gender, seem to be left out.

As I support this Bill, I do so on the ground that counties have come to help this country. We should not only look at ourselves, but see the way we can continue to be more cohesive, equal and distribute resources equitably. Indeed, as was envisaged when the devolution framework was presented, we have found ways of talking about our country in the words of President Obama when he visited us of “47 plus one”. We can see ourselves as a country and also having 47 specific governments which can look at interests and address concerns of this country.

I support this Bill because I can see we can find ways of ensuring resources are not only budgeted for counties, but will also be disbursed. Therefore, we will be at a point where we contribute towards greater national cohesion, equality and we will find regions that, for whatever reasons had been left out, will see they can do something in their government plan. I support this Bill because I see it is a very important milestone. We know counties have employed a number of our people. They are a training ground even as we look at those who become MCAs. We usually find that we get leaders who come to the National Assembly and make great contribution. Hon. Temporary Deputy Speaker, you are a clear indication of how we can look at the manner of connection between the county and the national Government.

We truly want to see this as a very key platform and area where we are not only harnessing, but also nurturing and preparing the ground. I support this Bill and hope that as we look into it, we will ensure resources are allocated. Even as we seek to ensure that we get structures and point fingers to county governments and the corruption that is there, there is a saying that when pointing at another person, in this case, the national level pointing at the counties, we might want to reflect because one finger might be pointing at county governments and four fingers pointing at us. That should really be done both to the national Government and county governments.

I thank the Committee and the Senate. As we ensure that resources are allocated, we also want to request or ask the Senate that they push more for what we are asking for here. When we have money allocated, let us see projects and understand the manner in which pending bills are addressed. We can more or less use the same template. I support this Bill and ask that we continue to work towards helping our country because when do so, we really promote equality.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Next on top here is Hon. Odanga Makokha, the Member for Matayos.

Hon. Geoffrey Odanga (Matayos, ODM): Thank you, Hon. Temporary Deputy Speaker. I support the County Allocation of Revenue Bill to give money to the counties. I am a very keen supporter of devolution because of what we have witnessed in our counties since the onset of devolved units. A lot has been done by county governments, but we still demand that a lot more should be done because of the funding that goes down to our devolved units.

A lot has been said here particularly the issue of A-in-A. It is very critical. Most of our counties are not declaring exactly the amount they are receiving. The money they collect from markets, licences and every other source has not been declared adequately and we believe if this was properly and adequately declared, we will be having a lot of funds to support development in our counties. Many of our counties, particularly towns, Busia being an example, use social amenities that were put in place many years ago to support very small populations. They are still

the same amenities that are being used by more than ten times the population that was there at that time. Facilities like sanitation, water piping, and roads are not adequate and yet the docket of urban planning is under the county government. We would like county governments to think about planning and to have roads. If you go to a town like Busia, which is even at the border, you will find queues of trailers and trucks which are very dangerous to the people. They need to be expanded. We need bypasses. All that requires planning and, therefore, the county government must come out clearly to say what they need. If they really need funding from the National Treasury, this must come out clearly because they cannot continue staying in slums. They cannot get the facilities that they need because of the roads and the poor sanitation.

Our counties also need to be responsive by getting the facilities that are appropriate and by responding on time. Timeliness and promptness are very important equally to the National Treasury which delays funding for county governments thereby delaying development and making some of the funds accumulate interest and delaying payment to the workers of the counties. People have families and want to take their children to school. They want to feed. They want to take them for medical attention, but they are not able because they are not being paid on time. The National Treasury needs to up its game so that we do not have these delays that we have witnessed in the last few years, not only this year. I remember even the other years county governments were threatening to down their tools before the funds were released.

Hon. Temporary Deputy Speaker, we want to see good corporate governance practises in county governments. We want to see accountability, transparency, responsiveness, equity and inclusiveness. By the last one, I meant that if there are several communities living in the county, all of them should enjoy the facilities and positions in the county on pro rata basis other than maybe one community enjoying and benefiting more than others. I mean ethnicity needs to be addressed by county governments because they are using resources that are national and these resources, therefore, need to benefit all of them.

Most Members have talked about corruption and, indeed, I have to echo that. We also need to see that county governments have enough funds for livestock, fisheries extension and agriculture. Research also needs to be allocated money because without research, we are not going to solve the many problems that we have. We are having less problems in agriculture. We want to come up with new varieties of crops and all these need research. County governments need to have a plan for this.

The counties must increase their audit of their projects. They have started several projects in various places in the county which they cannot account for. I have witnessed in one or two institutions that I went to, where some ECD classrooms are said to have been started by a county government. The county government is saying that they do not know where the projects are and they have never even seen them. They need to take audit of the projects they have, the ones they have completed and those that are ongoing.

With those few remarks, Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. Patrick Mariru): To my right now, Hon. Gichimu Githinji.

Hon. Gichimu Githinji (Gichugu, JP): Thank you, Hon. Temporary Deputy Speaker for the chance to contribute to the County Allocation of Revenue Bill. At the outset, let me say that devolution is one of the best things that came with the Constitution of Kenya 2010, because it has really brought services closer to *wananchi*, and where money is properly used, it has transformed the lives of many Kenyans down there. It was very hard for Kenyans to reach the national level to lobby for resources. Now these resources are at the county level. However, how

money is used is a matter of concern, especially where money is devolved, but not further devolved to the respective constituencies. There is a lot of concentration of resources at the urban areas. The local people at the constituency and the ward level are left to suffer when they live without water, good roads, and even dispensaries or health facilities, yet this is money that is meant to touch that person at the local level.

If you look at the Report, it shows that this money has been increased from the 2020/2021 Financial Year to 2021/2022 Financial Year. A county like Kirinyaga has received an additional Kshs1 billion, thanks to the new formula that was adopted by the Senate. We hope that this money will transform the lives of Kenyans at the county level especially in Kirinyaga County. I am concerned about Kirinyaga because that is where I come from. It is a shame that when we live next to the mountain where there is a lot of water, and so many rivers, there are some parts of Gichugu, where I come from, where we have problems of water. People have been running and visiting the constituency office seeking support to finance some small bills of quantities of like Kshs5 million to Kshs500 million to connect water to their homes, yet there are billions of funds which are being channelled to the counties and people do not benefit from such.

I would like to persuade and urge county governments to look into these issues. Water is life. No one should go without water even for a single a day, especially those of us who come from near the mountain. The water should be extended for irrigation so that they are able to fetch a little more money.

Hon. Temporary Deputy Speaker, the other issue is health. Many dispensaries and health centres were started by the previous leadership in the county governments yet they are still there as white elephants. These are issues of concern to leaders when we go there. These are very critical areas of service to the communities, but county governments are not taking them seriously. Roads are a big concern. A number of contributors have said that Members of Parliament are forced to go a notch higher to even look for funds from the national Government to fix roads that are meant to be maintained by county governments. Surely, the county leaderships are letting us down. They are letting down our people.

With the increment of funds in this financial year, especially for Kirinyaga County - I have not been able to take statistics for other counties, but I know that Kirinyaga County is getting about Kshs1 billion - we expect the county government to deal with issues of bad roads within the constituencies and ECDE, which even if my NG-CDF were to allocate money to, it cannot go through because it is not a national Government function. The county government should also deal with the issue of agriculture. Agriculture is devolved. Kirinyaga is an agricultural county. We expect the county government to inject a lot of money into agricultural extension services so that people can get the best advice on crops owing to the deterioration of soils and such things.

Hon. Temporary Deputy Speaker, with the further injection of money, we do not expect counties to continue over-licensing. They should leave space for the citizens at the county level to breath. There is a lot of over-licensing. For you to take a bunch of bananas or a basket of potatoes to the market, you must be licensed by the county government. With the injection of more money in this allocation, they should ease the level of licensing in the various sectors, especially where *wananchi* normally get their food.

The issue of pending bills has been discussed. I do not want to over-emphasise, but I remember that even as at today, there are pending bills which were incurred during the previous parliamentary term, from 2013 to 2017, and they still have not been paid. You wonder what is happening. Some people's properties have been auctioned because of bank loans. It is pathetic.

Those are things that need to be looked into so that, at least, they can put those people back on track. Since I can see that there are few more interests in this matter, let me rest my case.

I support the Bill.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. (Ms.) Zuleikha Hassan.

Hon. (Ms.) Zuleikha Hassan (Kwale CWR, ODM): Asante sana, Mhe. Naibu Spika wa Muda, kwa nafasi hii ya kuchangia Mswada kuhusu fedha zitakazopewa serikali za kaunti katika mwaka wa 2021/2022.

Mwanzo, naunga mkono Mswada huu kwa sababu pesa sahihi zinakwenda mashinani tangu tupitishie Katiba mpya mwaka wa 2010. Ninasema hivyo kwa sababu sa hii Wapwani hatuna haja tena ya kusema kuwa Pwani si Kenya. Sa hii tunapata mabillions ya pesa kila mwaka na tunachagua viongozi miongoni mwetu ambao wanasimamia miradi muhimu ya msingi. Hatuna haja tena ya kumngoja Mtukufu Rais aje mashinani ili tumuombe vitu vidogo vidogo kama miradi ya maji, shule za chekechea na pia hospitali ama *dispensary*. Kwa hilo, Wakenya siku zote watakuwa wanamshukuru Mheshimiwa Raila Amolo Odinga kwa kuja na Hoja hii ya kubadilisha Katiba.

Tumekuwa na magavana kwa miaka minane au tisa hivi. Naomba sana watupee imani zaidi na kuonyesha wananchi na Wakenya wote umuhimu wa fedha hizi. Kwa kweli, Wakenya na viongozi wengi, kama walivyosema hapa Bungeni hivi leo, hawajaona faida au kazi kubwa ambayo fedha hizo zinaweza kufanya kuondoa umaskini katika kaunti zetu. Mumeskia pia baadhi ya viongozi wakisema kuwa pesa za Hazina ya Ustawi wa Maeneo Bunge ya Serikali ya Kitaifa ambazo ni Ksh100 milioni tu na pesa za akina mama za NGAAF wakati mwingine zinasikika zaidi kati ya wananchi kuliko senti za magavana ambazo ni mabilioni. Tunasihi magavana watumie pesa vizuri na waweke mikakati ya kushinda ufisadi katika serikali za kaunti. Hata kama tunatetea waongezewe pesa mwaka huu, waongezewe kupitia miswada kama vile BBI ambayo inataka kuongeza fedha za serikali za kaunti.

Naomba magavana pia wawe wabunifu. Mumeskia Wabunge wengine wamesema kuwa *county council* za kitambo zilikuwa zinakusanya fedha zaidi kuliko serikali za kaunti ilhali serikali za kaunti zina nguvu na mamlaka zaidi kuliko kamati za *councils* za hapo awali kabla hatujabadilisha Katiba. Wawe wabunifu na waangalie mifano ya magavana wengine humu humu Kenya ambao wametengeneza mitambo ambayo imeongeza thamani ya bidhaa zao, kwa mfano, maembe, maziwa na kadhalika. Bidhaa na mimea za wananchi katika hizo kaunti zimepata soko na zimeleta bei nzuri. Hiyo imeweka pesa nzuri katika mifuko ya wananchi ili waweze kujikimu kimaisha na gharama zao ndogo ndogo za maisha.

Viwanda pia vinazalisha kazi. Tunajua ajira ni changamoto kubwa sana nchini mwetu na viwanda hivyo ni njia ya kuzalisha kazi. Iwapo serikali za kaunti na viongozi wao magavana watakuwa wabunifu, basi hata Serikali Kuu ikichelewa kutuma senti, watakuwa na senti za kutumia.

Naskia pia pengine hakuna mikakati mizuri. Kuna ufisadi ndani ya pesa zinazokusanywa na hakuna mikakati mizuri ambayo imewekwa. Kwa hivyo, tunahitaji kuweka mikakati mizuri. Tunaomba *Senate* ifanye hivyo ili kuwe na uhakika kuwa zile pesa zinazokusanywa zinafanyiwa hesabu, zinatambulika na haziendi kwenye mifuko ya watu binafsi.

Ningependa kuomba Serikali Kuu vile vile. Hata kama tunahimiza magavana wajitahidi katika kusimamia uchumi na fedha za serikali za kaunti vizuri, serikali hizo ziweze kupata pesa kwa wakati na iwe hakuna muda ambapo senti hizo hazipo. Kuwe hakuna sababu ya wale wanaofanya biashara na kaunti kukosa pesa.

Ni jambo la kusikitisha. Inaonekana kuwa watu wana tabia mbaya ya ubinafsi ya kutolipa madeni wakienda uongozini, hata kama kuna fedha za umma. Hawana hiyo tabia ya kulipa. Ni muhimu kwa mteja mkubwa sana kama Serikali kulipa madeni ya wale wanaofanya biashara nao kwa muda. Bila hivyo, tunaharibu uchumi wa nchi. Kuna watu wamechukua mikopo na wameharibikiwa maisha yao kwa sababu ya kuchelewa kulipwa kwa fedha zao, wengine kwa miaka mingi zaidi. Hilo ni jambo litapewa kipao mbele kabla mwaka huu wa kifedha uishe. Walipwe madeni yao ili pesa zianze kuzunguka katika uchumi wetu na kupunguza baadhi ya shida ambazo zimetukumba sana hususan changamoto ya Coronavirus.

Tumepata bahati kubwa kuwa na ugatuzi. Nchi zingine jirani zinatamani kuwa na ugatuzi ili wananchi katika sehemu za mashinani waweze kujiamulia miradi yao. Nasikitika kusema kwamba kuna baadhi ya magavana wanadanganya wananchi. Sasa tunaelekea siku ya kupiga kura mwaka wa 2022. Kuna magavana ambao wanazunguka mashinani. Wanafedha nyingi sana za kuzunguka kila sehemu ya kaunti. Wanaambia wananchi kuwa wasipochagua fulani kama gavana, hawatapata basari, ambao ni uongo. Ni jukumu la gavana kuhakikisha kuwa uchumi umekuzwa na wananchi wana pesa mfukoni. Ukweli ni kuwa basari za viongozi wote haziwezi kusomesha watoto wote. Muhimu ni uchumi uweze kukuzwa, ili wananchi wapate fedha ya kulipa karo ya watoto wao. Basari zimewekwa pale kwa sababu ya wale walala hoi katika jamii lakini sio za kupewa kila mtu.

Kwa hivyo, magavana wawache hii tabia ya kudanganya wananchi kuhusu majukumu yao na vile serikali inavyofanya na kuzidi kuwatatiza. Pia, nawasihi magavana mwaka huu na miaka ijayo wawekeze zaidi kwa vile vitu ambavyo ni muhimu kwa wananchi kama maji. Wamepeva jukumu hili. Mvua imechelewa hivi sasa. Kuna sehemu nchini ambapo watu wanakunywa maji ya chumvi. Unasikia hadithi kuwa watoto wanakunywa maji ya chumvi mpaka wanatapika, kwa sababu hakuna maji masafi. Tumekuwa na ugatuzi karibu miaka kumi. Hili ni jambo la kusikitisha. Magavana wanasikia habari hizi lakini hawapeleki maji ya kusaidia kwa dharura. Wamekaa tu kimya wananchi wakipata taabu na hilo ni jukumu lao.

Magavana wawekeze katika masuala ya afya kwa sababu mengi yamegatuliwa. Hakuna dawa katika hospitali. Madaktari hawatoshi. Shida ya magavana wengi ni kujenga zahanati na hospitali kila pembe za kaunti. Wanaongeza zahanati lakini zile ambazo ziko hazina dawa na madaktari wa kutosha. Nashangaa kwa nini wanataka kuweka mijengo mingi bila kupeana huduma katika sehemu hizo.

Ninaunga mkono Mswada huu kwa sababu pesa ambazo zitapelekwa mashinani zimeongezwa. Zitasaidia sana. Kuna baadhi ya viongozi ambao wamesema pesa zisigatuliwe kwa sababu kuna ufisadi sana katika serikali za ugatuzi. Pesa zigatuliwe. Liwe jukumu la wananchi kuhakikisha kuwa wanapigia kura gavana na serikali ya kaunti ambayo inafaa, inajali wananchi na ambayo haitakuwa na ufisadi. Pesa iwe pale kwa kaunti ili ifanye masuala mazuri, iwapo tutapata viongozi wazuri.

Asante.

Hon. (Ms.) Beatrice Nyaga (Tharaka-Nithi (CWR), JP): On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Patrick Mariru): What is out of order this late, Hon. Nkatha Nyaga?

Hon. (Ms.) Beatrice Nyaga (Tharaka-Nithi CWR, JP): Hon. Temporary Deputy Speaker, I stand pursuant to Standing Order No. 95. When you listen to the Members, there is no one who is opposing the Bill. The Members and I support it. However, we are repeating what we have said. So, I would like to ask you to call upon the Mover to reply.

Thank you, Hon. Temporary Deputy Speaker.

(Hon. Kimani Ichung'wah spoke off-record)

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, when a Member rises and requests that the Mover be called upon to reply, the Speaker has no option, but to confirm the mood of the House. In any case, Hon. Members, we have six minutes to when the House must rise. Hon. Kimani Ichung'wah, we shall not give you a minute to contribute.

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

(Hon. Kimani Ichung'wah spoke off-record)

Hon. Kimani Ichung'wah, you are an old Member in this House. So, you know the rules, but you are insisting to contribute. Hon. Kanini Kega.

Hon. Kanini Kega (Kieni, JP): Thank you very much, Hon. Temporary Deputy Speaker. From the outset, I want to thank the Members from the bottom of the heart, who contributed and stayed late yesterday. I also want to thank those who are still here and are desirous of contributing in this very important debate.

Hon. Temporary Deputy Speaker, I have noted a few things, of course, from the contributions from the Members. With your indulgence, Hon. Temporary Deputy Speaker, can I cede two minutes to my good colleagues here?

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Kanini Kega, Hon. Kimani Ichung'wah knows that I am unable to break the rules of the House. Having been invited to reply, in the manner you have been, you cannot cede ground to anyone including to your good friend, Hon. Kimani Ichung'wah, who was the former chairperson.

Hon. Kanini Kega (Kieni, JP): To Janet Nangabo?

The Temporary Deputy Speaker (Hon. Patrick Mariru): Even Janet, you cannot.

Hon. Kanini Kega (Kieni, JP): Thank you, I am a generous person. The issue of pending bills cannot be over-emphasised. It is an issue that comes every other day and counties are choking with pending bills. There are very many people who have been auctioned and many people who have lost their businesses basically because counties have not paid. The Cabinet Secretary, National Treasury and Planning, when he was here, directed that all counties and Government agencies must pay pending bills before 30th June, this month. We want that directive to be adhered to.

We are now taking Kshs370 billion to counties. In fact, on top of that, we have another Kshs40 billion in conditional grants. We are taking money to counties, but we now want county assemblies to also play their rightful role of making sure that the money goes to the intended purpose.

In the County Allocation of Revenue Bill that we passed, the money that used to go to the counties as conditional funds for roads, of course, is now together with the sharable revenue. We want to tell the governors that those funds must be used for roads.

I do not want to over-emphasise on ingenuity. Counties must also look for other ways of raising revenues. The defunct county councils used to have funds, but after we transformed to the county governments and got money from the Exchequer, the cess collected is not utilised.

Hon. Temporary Deputy Speaker, with those few remarks, I thank the Members for their contributions and we will make sure that they are put in place.

I beg to reply.

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, obviously, we shall pend putting the Question on that particular matter.

(Putting of the Question deferred)

Hon. Members, it is 6.28 p.m. For the convenience of the House, we shall not proceed to the next business.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Patrick Mariru): Hon. Members, the time being 6.28 p.m., this House stands adjourned until Wednesday, 16th June 2021 at 7.00 p.m. for the Evening Sitting.

The House rose at 6.28 p.m.