

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

**THE HANSARD**

Tuesday, 15<sup>th</sup> June 2021

The House met at 7.00 p.m.

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Jessica Mbalu) in the Chair]*

**PRAYERS**

**QUORUM**

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order Members! Pursuant to the Standing Orders, I order the Quorum Bell to be rung for 10 minutes.

*(The Quorum Bell was rung)*

**PAPERS LAID**

There are Papers to be laid this evening. The Leader of the Majority Party.

**Hon. Amos Kimunya** (Kipipiri, JP): Thank you, Hon. Temporary Deputy Speaker. I wish to lay the following Papers on the Table of the House:

Reports and resolutions adopted at the Third Meeting of the Fourth Session of the East African Legislative Assembly—

(a) Report of the Committee on Legal, Rules and Privileges on the oversight activity on capacity building.

(b) Report of the Committee on General Purpose on oversight activity to assess the impact of the COVID-19 Pandemic on women on cross-border trade in the EAC region; and,

(c) Resolution of the Assembly in paying tribute to His Excellency Dr. John Pombe Magufuli, former President of the United Republic of Tanzania.

The second batch comprises of documents from the National Treasury accompanying the Budget Statement for the Financial Year 2020/2021 and 2021/2022, as follows:

- i. Budget Statement for Financial Year 2021/2022.
- ii. Budget Policy Statement for the Year 2021.
- iii. Estimates of Revenue, Grants and Loans for Financial Year 2021/2022 Budget.
- iv. Financial Statements for the Year 2021/2022 Budget.
- v. Medium Term Debt Management Strategy Paper for 2021 Budget.
- vi. Budget Highlights “the Mwananchi Guide for 2021/2022 Budget.
- vii. Statistical Annex to the Budget Statement for Financial Year 2021/2022 Budget.

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Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Very well. Let us have the Chairperson of the Budget and Appropriations Committee to move the Second Reading.

**Hon. Kanini Kega** (Kieni, JP): Thank you very much, Hon. Temporary Deputy Speaker. I seek your indulgence to relax my mask a little bit because it will take some time.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Unless I ascertain how you are, of which I am not a doctor. The rules have not been relaxed. This thing is with us and we should be the first people to lead the public by example.

*(Loud consultations)*

**Hon. Kanini Kega** (Kieni, JP): Ensure that we keep distance. Hon. Sankok, kindly, move to the other seat. Kindly, protect the Leader of the Majority Party. We have heard Hon. (Dr.) Pukose, who has confirmed the way this thing is progressive. Members, let us protect each other. Hon. Temporary Deputy Speaker. I kindly, oblige.

## BILL

### *Second Reading*

#### THE COUNTY ALLOCATION OF REVENUE BILL

**Hon. Kanini Kega** (Kieni, JP): Hon. Temporary Deputy Speaker, I beg to move that the County Allocation of Revenue Bill (Senate Bill No.30 of 2021) be read a Second Time.

In accordance with Article 110 of the Constitution of Kenya, 2010, Section 191(4) of the Public Finance Management Act, 2012 and Standing Order No.41, I am ordered to present to this House, on behalf of the Members of the Budget and Appropriations Committee, the Committee's Report on the County Allocation of Revenue Bill (Senate Bill No.30 of 2021).

The County Allocation of Revenue Bill is an annual legislation introduced in accordance with the provisions of Article 218 of the Constitution with the objective of equitably allocating the share of national revenue amongst the 47 counties. The Senate, on Thursday, 3<sup>rd</sup> June 2021, passed the County Allocation of Revenue Bill, 2021 with amendments and sought concurrence of the National Assembly on it, in accordance with the provisions of Article 112(1)(b) of the Constitution.

I want to refresh the memory of Members. The Bill was read the First Time in the National Assembly on Tuesday, 8<sup>th</sup> June 2021, and committed to my Committee. The Bill guarantees the county governments of their respective share of revenue raised nationally and ensures seamless operations at the county level. This is done through the enactment of the County Allocation of Revenue Act based on the overall provisions in the Division of Revenue Act.

The Division of Revenue Act, 2021 gives a total allocation of Kshs370 billion as the equitable share to the county governments. The County Allocation of Revenue Bill is, therefore, based on the approved Division of Revenue Bill of 2021. The County Allocation of Revenue Act proposes to share the allocation of Kshs370 billion amongst the county governments for the Financial Year 2021/2022 and contains two Schedules relating to the following: The First Schedule is the equitable share of Kshs370 billion allocation of each county government's equitable share of revenue raised nationally for the Financial Year 2021/2022 while the Second Schedule provides

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the County Allocation of budget ceilings of Recurrent Expenditure in the Financial Year 2021/2022.

The First Schedule of the County Allocation of Revenue Act, 2021 provides for horizontal distribution of the equitable share amongst the 47 counties using a formula approved by Parliament in September 2020, which was arrived at by using one-half of the equitable share allocated to the counties in the Financial Year 2019/2020 amounting to Kshs158.25 billion and netting out from the equitable share of Kshs370 billion whereas the resulting balance of Kshs211.75 billion is allocated among counties using the following.

Hon. Temporary Deputy Speaker, I beseech Members not to contemplate on this formula because the Senate took two years to agree on it, namely, the 18 per cent population index plus 17 per cent health index, plus 10 per cent agriculture index, plus 5 per cent urban index, plus 14 per cent poverty index, plus 8 per cent land area, plus 8 per cent load index, plus 20 per cent basic share index. I know many Members are lost on this one. As I said earlier, the Senate took two years to agree on this formula.

The proposed Second Schedule is in relation to county governments' budget ceilings on Recurrent Expenditure for the county executives and the county assemblies for the Financial Year 2021/2022. The recommendations seek to fulfil the requirements of Article 216(2) and (3) of the Constitution of Kenya and Section 107(2) of the Public Finance Management Act.

The Senate, in their considerations, made some amendments. They noted that county assemblies have raised concerns on non-disbursement of all budgetary allocations, and that the slow or delayed Exchequer releases have contributed to loss of unspent resources at the end of each financial year as well as spanning of bills from one financial year to the other.

Today, the Council of Governors has bought full pages in the newspapers lamenting that they have not received funds for the last four months.

Hon. Temporary Deputy Speaker, the Senate has also observed that county governments have pending bills, which include pending remittances to the County Pension Fund amounting to Kshs26.02 billion as at 31<sup>st</sup> December 2020 and Kshs14.57 billion for the Local Authorities Pension Trust Fund as at 30<sup>th</sup> November 2020, as indicated by the Report of the Controller of Budget. With the ceilings of the recurrent budget remaining the same as in the Financial Year 2020/2021, county governments might have a challenge in settling the pending bills and have insufficient resources to meet statutory requirements and offer other services.

Hon. Temporary Deputy Speaker, considering the above observations, the Senate made amendments to the Recurrent Expenditure ceilings on the county assembly and increased the ceiling from the proposed Kshs33.25 billion to Kshs35.66 billion.

I want to go to the Committee's recommendations. After we got this Report, we held two meetings where extensive deliberations were done, but remembering that if we had to make any amendments to this CARA Bill, we know the threshold. So, we observed that there is a high level of pending bills at the county level as well as lack of transparency in reporting of the pending bills. In fact, more than half of the counties could not give us the right pending bills. The county governments also need to prioritise the pending bills as a first charge in the budget implementation cycle for the Financial Year 2021/2022 before embarking on new financial commitments.

When the Cabinet Secretary for the National Treasury was here, he gave a directive that all pending bills must be paid by 30<sup>th</sup> of this month. We are hoping that this one is going to be actualised. In addition, prudence in the management of public finances at the county level, and reporting of pending bills should be for both the Executive and assembly. The report that we got had only the pending bills from the assembly, but not on the side of the Executive.

The county assemblies' ceilings have been improved on account of personal emoluments and for settlement of outstanding pending bills. The county assembly salaries and wages have been rising over the past years due to the annual salary increment. The increment further has an effect on gratuity cost and hence smooth growth in county assembly ceilings. Our Committee had only one recommendation that this House does concur with the Senate on the Schedule hereby attached.

I beg to move and request the Whip, Hon. Emanuel Wangwe, to second. Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Very well. Let us have the Whip of the Majority Party, Hon. Wangwe, to second.

**Hon. Emmanuel Wangwe** (Navakholo, JP): Thank you, Hon. Temporary Deputy Speaker. It has been clarified by the Hon. Speaker that you do not refer to yourself. You let others refer to you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I am sure you have not done it. I am the one who is doing it.

**Hon. Emmanuel Wangwe** (Navakholo, JP): Thank you very much. I rise to second the Motion by the Chairman, BAC on the CARA Bill.

This Motion is timely and due. I wish the Members would support it and vote for it today if possible. We all belong to counties and this is the only Motion that subdues counties resources from the Financial Year 2021/2022.

Therefore, as we endeavor to give the counties Kshs370 billion through this Bill, it is important that we caution the counties and tell them that this is not the time to misappropriate resources. It is time to plan for resources, so that when the resources flow down from the National Treasury to the counties, Kenyans expect services to be delivered. We caution counties and ask them to live up to the Constitution and ensure that the services are equitably distributed to the counties regardless of the sides that voted for them or not. We want to ensure that they deliver services to all Kenyans.

In this Bill, we have the issue of the formula as alluded to by the Chairman, BAC, which we do not want to go to. Instead, we thank the Senate that they resolved the stalemate that was there and now the formula can flow seamlessly to the year 2024/2025 as they envisaged in their deliberations.

With those few comments, I second.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The first Member on my request list is Hon. ole Sankok David.

**Hon. David ole Sankok** (Nominated, JP): Thank you, very much Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to this very important Motion.

We will definitely support the Report, so that we can do away with and finish with the allocation so that the counties can receive their money. We, however, caution counties that as we allocate these resources, let them follow the directive from the National Treasury to clear pending bills because our people are suffering. The economy is suffocating because of pending bills. Some persons living with disabilities (PLWDs), through what we call Access to Government Procurement Opportunities (AGPO) for women, youth and PLWDs, had been awarded tenders in county governments, but have not been paid. Some of them have ended up in serious poverty. Some have had their merchandise auctioned and some have committed suicide because of the pending bills. So, let them clear the pending bills first.

Secondly, we are allocating these funds not as campaign money. We know we are going into a campaign year especially for governors in their first terms and seeking second terms. Let them not use this money as campaign tools. Let them finish the white elephant projects that they have started. Any unfinished projects should be completed before starting new ones. This is because there is a contention, now that we are in a campaign year for governors who want to be re-elected or who have their preferred candidates, to start spreading these finances thin but widely, so that they can appease the electorates. So, we caution them that this money should be used prudently and especially in completing uncompleted projects.

As we support this formula of allocating resources, the Chairman, BAC, had elaborated on how we allocate and divide these funds among the counties. We support, but I have reservations. According to me, irrespective of the various parameters used to determine how these funds are allocated, we know it is population that follows development and not vice versa.

There is a higher population in Nairobi simply because of development. There is good infrastructure in terms of roads, good hospitals, national schools, universities and even Parliament which sits in Nairobi. If we develop any part of this country, we will off load the high population that is making part of our country to have the largest slums in the world. We should continuously let development and resources follow our people.

The formula has always been one man, one shilling because that is what this is adding to. We wanted one acre, one shilling because infrastructure cannot be built on human heads. Infrastructure like roads is on land. You develop any part of this country and the population will follow that development. There are 35,000 Kenya immigrants working in Qatar, a tiny desert Peninsula, but because of development, they are there. If this House will rise to the occasion and allocate funds in terms of landmass, population will be found in Loiyangalani and Lamu.

As we increase population in some of these areas, we will recognise their potential. For a long time, some areas, especially in the pastoralists region which is 80 per cent of the landmass in Kenya, have been neglected in terms of resources because they are sparsely populated. This has come with a cost to this country. For a long time, since the creation of this planet, we have had oil in Turkana, but because it was considered a remote area, we were unable to get its benefit.

For a long time, our livestock, tourism and the blue economy have been considered as low potential. Once these areas are sparsely populated, we tend to channel all our resources to where there is overpopulation. Today, we risk Central Kenya and parts of Western Kenya becoming the largest slums in the world and straining all the social amenities because population is following development and it is there. Let us develop all parts of this country and this is the best time to do so. This formula will allocate funds to all parts of this country using land as a basis.

**Hon. (Dr.) Eseli Simiyu** (Tongaren, FORD-K): On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Hon. 001, there is a point of order by the Member for Tongaren. Yes, Hon. Simiyu Eseli.

**Hon. (Dr.) Eseli Simiyu** (Tongaren, FORD-K): On a point of order, Hon. Temporary Deputy Speaker. With a lot of respect to Member 001, could he substantiate what he is saying about development in Western Kenya hence the high population?

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Very well. Hon. Member, can you substantiate what you have said? Of course, this is a House of debate, but it is important for you to substantiate.

**Hon. David ole Sankok** (Nominated, JP): Only if I had enough time. I know Dr. Eseli wants to be heard by his constituents back there in the reserve and he has been heard.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): No! You are out of order! Hon. Eseli was on a point of order.

**Hon. David ole Sankok** (Nominated, JP): If I had time, I would have elaborated and substantiated.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Are you able to substantiate? How do you defend yourself on this?

**Hon. David ole Sankok** (Nominated, JP): Sessional Paper No.10 of 1965 is what has informed allocation of resources from 1965 up to now. During that time, they said all Kenyan taxes will be invested in high potential areas. Those who were in the kitchen cabinet only knew agriculture as high potential.

We have never seen any country becoming rich because of *sukuma wiki*. We have seen countries like Netherlands becoming rich because of tourism. We have tourism in parts of the pastoralist counties, but because of low allocation of resources, we are unable to exploit that potential. We have geothermal electricity power in Suswa, Narok, but because we are considered as low potential, we have continuously bought electricity from Jinja in Uganda for a long time. This is the time we are telling this House to consider all the areas of this country and develop everywhere.

I support. Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order Members! I will give direction. Let us not play politics in the House. This is a House of debate and we represent all Kenyans. Let me have the Leader of the Majority Party and the Member representing the people of Kipipiri.

**Hon. Amos Kimunya** (Kipipiri, JP): Thank you, Hon. Temporary Deputy Speaker. I rise to support the Report of the Committee on the County Allocation of Revenue Bill that has been forwarded to us by our colleagues in the Senate. Members will recall that on 30<sup>th</sup> April this year, His Excellency the President assented to the Division of Revenue Bill which became the Division of Revenue Act and then triggered the next level which is the preparation of the horizontal allocation of the money across the 47 counties.

This Parliament provided the required resources as Kshs370 billion which was promised last year just to ensure the formula can work. If Members remember, even after two years of working on this formula for the allocation of resources, the Senate seems to have shot themselves in the foot by creating that year one and year two this will happen, but it was pegged to the resources starting at Kshs370 billion. If this House did not provide that money or our revenue fell, we would have had a problem. I want to thank the President because in his wisdom, he guided that we start from Kshs370 billion to ensure the formula works for now.

The issue that we need to appreciate is that devolution created division of functions in Schedule Four, which outlines some 14 functions, which are deemed to be very close to the people. These are health, water, livestock and trade, which are very close to the people and were devolved so that they can be provided at that level. The rest were then reserved for the national Government. One of the fundamental things about the issues of devolution is that the 14 functions, as Members may remember, are about the same services that were being provided within CAP 65 of the Local Governments Act. When they were devolved rather than decentralized, the finances had to follow the functions.

Perhaps, this presents one of the dilemmas that we have as we look at this Schedule. All counties are expected to provide services which are also captured in the Bill of Rights in terms of health, certain infrastructure and water in sufficient quantities.

If you also look at the allocation of resources, you will find that water is consumed by people. Health is consumed by people. Farming activities are people-based, but look at the way the Senate argued that because of historical reasons, we have ended up with situations where you have the per capita allocation in the various counties being totally disproportionate yet finance is supposed to follow functions.

Hon. Temporary Deputy Speaker, our constitutional architecture recognises and appreciates that there are regional disparities. It also recognises that revenue raising powers are different amongst the various regions. Be that as it may, where the revenue raising powers are not sufficient, the design compensates that with more transfers to ensure that the resources can be matched with the responsibility to spend in order to provide those services to the people thus satisfying their needs. All that is captured within Article 75 of the Constitution, which basically talks to the issue of matching funds to functions. It requires the county governments to have reliable sources of revenue to enable them govern and deliver services effectively. It is in this spirit that we are seized with this agenda to approve the dispatch and distribution of funds commensurate with the needs and predicaments of each county as per the allocation formula.

I will just quote some two examples because Hon. Sankok did mention the issues of development. When I compare an emerging county like Nyandarua, a county that was created at Independence from the white highlands, it does not have the same endowments in terms of perennial crops like Nyeri and Kiambu, which have coffee and tea. It does not have the endowment that the county of Narok has in terms of wildlife and huge wheat fields, but it has a higher population. Looking at the distribution, the county of Narok has Kshs8.8 billion and the county of Nyandarua has Kshs5.7 billion. So, if you look at the two which are within the same ecological zone, then you can see that on a per capita basis, the resident of Nyandarua County is marginalised through the allocation of resources! They will not get adequate healthcare, water and agricultural improvement, especially when you remove some of the money and give it to the county assembly and the Executive to spend. One can give many similar examples. You can look at the County of Kiambu with 2.4 million people and compare it with a county that has a lesser population. So, this is part of the thing the BBI hoped and is still hoping to resolve, so that Hon. Sankok can rightfully argue, from a certain point, that development will attract people.

I ask a question: Over the last eight years or so, if you look at the total amount of money that has gone to Turkana County, and we are talking of over Kshs100 billion, plus the national expenditure on roads, is the average Turkana person better off now than they were eight years ago? If you visit that county, you will still see what you used to see 10 years ago. So, we need to start thinking and challenging county governments that we are providing these resources so that the lives of the people can be made better. In Nyandarua County, I know we have challenges even in our healthcare system. I can give an example of the entire Kipipiri Sub-County where there is no single hospital.

**Hon. David ole Sankok** (Nominated, JP): On a point of Order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, Leader of the Majority Party. Hon. Sankok, you must really state what is out of order. I will not allow Hon. Members to interrupt debate because of points of order that have no basis. I really respect your points of order. Please, quote the Standing Order. How is the Leader of the Majority Party out of order?

**Hon. David ole Sankok** (Nominated, JP): Hon. Temporary Deputy Speaker, I rise on a point of order that the Leader of the Majority Party...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Which Standing Order are you basing your point of order?

**Hon. David ole Sankok** (Nominated, JP): I was stating what is out of order? Let us not tribalise this thing.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, Hon. Sankok! Which Standing Order?

**Hon. David ole Sankok** (Nominated, JP): The Leader of the Majority Party is out of order by misleading this House. I know that Turkana is not the same way it used to be 10 years ago. There are hotels and county government projects that have come up. That is why there are pending bills in Turkana. So, he is misleading the House.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, Hon. Sankok! Hon. Members, you know the rules and procedures of the House. You cannot stand on a point of order to debate. You know you should present evidence to the House and substantiate, Hon. Sankok. You cannot speak from your desk or from where you sit and claim a position that you cannot present to the Members. This is a House of debate and procedures. So, unless you can convince this House that the Leader of the Majority Party is out of order by presenting the information that should be clarified, then we cannot take it. However, you cannot just rise. So, on this one, I want to guide Members. This is not a market place. Do not just rise up because you want to put your point across or you just want to be heard speaking. In fact, I will rule you out of order. Hon. Members, you should substantiate any statement that you make in this House. Hon. Kimunya, carry on.

**Hon. Amos Kimunya** (Kipipiri, JP): Thank you, Hon. Temporary Deputy Speaker. I think it is important that Members get to look at what is happening in this country. When I talk about the people of Turkana not having benefited as much as they should have through development, I am talking of Kenyans living in Turkana. It pains that we have spent so much money in that county and we are still seeing children attending school under trees. We still find that when rains fail, people eat wild fruits! Really? Not with Kshs80 billion having been pumped into that county! One could give examples of different counties where we have seen such problems. As a House, we express these concerns so that governors can know that we are not just giving them this money to start building big empires and white houses. Indeed, they build empires. They show off and drive in big convoys. We are giving them this money so that they can better the lives of the people at the grassroots level in terms of the 14 functions that have been devolved. If we do not tell them this, we will be failing in our duty as a House because we allocate money to the Senate to then allocate across the different counties.

Hon. Temporary Deputy Speaker, I mentioned that much as these functions have been devolved, the county governments cannot act and work in isolation. Governments are interdependent because some functions have been assigned, yet the policy issues have been retained at the centre. It is the kind of thing we should be integrating and looking at, where can we get maximum economies of scale by, perhaps, even helping some of those counties.

I want us to look at the County of Nairobi. The County of Nairobi was devolved, it is right in the centre, it is very developed according to the analysis by some people, but we have seen failure by the devolved government to even clean up Nairobi. You can see what has happened within the Nairobi Metropolitan Services (NMS). It is so clear: It is like day and night in terms of what Major General Mohammed Abdalla Badi has been doing in Nairobi at low cost to make Nairobi a better place. We wish all counties had somebody like General Badi. We wish they had a metropolitan service. Then, our people would not be suffering. We would not be conducting



*Harambees* every time we go to the constituencies because health services in the counties, which are devolved, would be working. We would not be losing our people to COVID-19 because counties are not prepared. I know that there are some counties that are doing very well and we must congratulate them. I will not name them here.

Hon. Temporary Deputy Speaker, besides this interdependence, we have a role by the Senate in terms of safeguarding devolution. They represent the counties. We know that they are doing a good job. What we want to ask them is that protecting the interests of the counties must start with demanding accountability for the funds we are sending them to see a clear linkage between monies going and improvement in the lives of the people. It is not just saying we are protecting the counties, we want to get the money, but that money must translate to better livelihoods. It must translate to better lives of the people.

I just want to emphasize that I have read the Committee's Report and I agree on the issue of pending bills. It is something we need to resolve, especially because our youth are suffering. They took loans to provide services and goods to county governments and they have not been paid. The earlier the governors can sort them, the earlier we can eliminate poverty at that level.

I thank you. With those words, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Very well. Hon. Members, with that, allow me to guide the House that when you are rising on a point of order, and this is the way to go, please be able to state the Standing Order number which gives us the procedures of running the House on how we debate so that we can save on time. Hon. Members, we need to save time for others because of the numbers in this Parliament.

Let me have the Member for Bonchari, Hon. Pavel Oimeke.

**Hon. Pavel Oimeke** (Bonchari, ODM): Thank you, Hon. Temporary Deputy Speaker...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The Members who are near the Member, please, we are still not out of this pandemic.

**Hon. Pavel Oimeke** (Bonchari, ODM): Hon. Temporary Deputy Speaker, you will allow me to address the House without...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): The Chairman, Public Investments Committee (PIC), is just near you. Chairman, please. This is a maiden speech, I understand.

**The Member for Bonchari** (Hon. Pavel Oimeke, ODM): Yes, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): It is your first time to speak in the National Assembly.

**The Member for Bonchari** (Hon. Pavel Oimeke, ODM): Yes, Hon. Temporary Deputy Speaker. Thank you for giving me this opportunity.

I rise to make my maiden speech so that I may be properly initiated to this House. I wish to sincerely thank the people of Bonchari and also the Almighty God for the just concluded by-election in Bonchari.

*(Hon. Kanini Kega consulted loudly)*

Hon. Temporary Deputy Speaker, if you will allow me, I wish to state that...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order! Hon. Members. Hon. Kanini Kega, please, can we give time to the Member for Bonchari who is contributing to

the County Allocation of Revenue Bill (Senate Bill No. 30 of 2021)? Of course, being his maiden speech, there is no interruption.

Carry on Hon. Member.

**The Member for Bonchari** (Hon. Pavel Oimeke, ODM): Thank you, Hon. Temporary Deputy Speaker. I recognise that the County Allocation of Revenue Bill is very critical for the operation of the counties. As has been put by the Chair, the Departmental Committee on Budget and Appropriations, the formula went through a rigorous process and has been anchored in the law that for the next two or three years it will be used. I recognise that the budget for this County Allocation of Revenue Bill is Ksh70 billion. The biggest problem hindering the counties from using that budget is the disbursement mode. I urge this honourable House to engage the National Treasury to disburse the funds in a timely manner to enable the counties to utilise the Bill.

The issue of pending bills is actually a problem to the whole country. Most counties have contractors who have not been paid, some for the last five years. Some businesses have collapsed. Some of the directors of these businesses have died due to stress of having borrowed money to fund the contracts. I request this honourable House to come out strongly on this issue of pending bills to ensure that counties and the National Treasury are disbursing the funds to enable payment.

I also want to highlight that the Cabinet Secretary for Finance and National Treasury, Amb. Ukur Yatani, issued a directive that counties pay these bills in time. The directive is dated 30<sup>th</sup> June 2021. I wish that this is obeyed to make sure that Kenyans do not suffer due to non-payment of bills. I also wish to note that the issue of increasing salaries in the counties is a worrying trend, where counties are just paying salaries from that budget, but the percentage that is devoted to development is meagre.

Hon. Temporary Deputy Speaker, allow me once again to send my appreciation to the great people of Bonchari and all those who worked tirelessly in the just concluded super by-election for me to be a Member of this august House. The by-election was super in many respects. The reasons for Bonchari holding a by-election are well known to the Members of this House. I wish to quote from the Holy Bible in Mathew 5:14-16:

"You are the light of the world. A town built on a hill cannot be hidden. Neither do people light a lamp and put it under a bowl. Instead they put it on its stand and it gives light to everyone in the house. In the same way, let your light shine before others that they may see your good deeds and glorify your Father in heaven".

In my career and professional life, many people have tried to put my light off, but our Father in heaven and our Lord Jesus Christ has been steadfast in dismantling these dark forces' plans, and assuring me that the will of God will be done in my life.

*(Applause)*

My detractors and prosecutors know that the Almighty God is my shield, protector and defender. A recent case is my tribulation and persecution at my last call of duty where I served as the CEO/Director General. Let me be crystal clear that putting off someone's light does not mean or guarantee that our light will shine brighter. In fact, the converse is true. Your light will dim more and more. I pray for my detractors. I forgive them and leave vengeance to the Almighty God and our Lord Jesus Christ.

The great people of Bonchari stood up against police intimidation, harassment, rogue display of police power, arrests and house arrests, prosecutions, abuse of power, broad daylight threats and massive and open bribery while most of the police who guarded them watched. The

people of Bonchari still stood up to vote for the best candidate. Indeed, our victory is a clear demonstration of the great people of Bonchari going against autocratic power and the deep state.

*(Applause)*

I stand for reconciliation in order to heal and build a great Bonchari and our beloved country Kenya.

Thank you very much to the great people of Bonchari for standing for democracy. I salute you for the commitment, bravery and loyalty to defend our supreme rights as enshrined in the Constitution of Kenya. I am honoured by your trust, belief and unshakable faith in me and the ODM party. I pledge that your confidence in us shall not be betrayed whatsoever.

The recent by-election in Bonchari demonstrated that power truly belongs to the people. Once again, our victory in the by-election shows the determination of our people to ensure that democracy triumphs in this country. Hon. Members, let us all resolve to enact laws to ensure that every vote counts in any election held in our country. As we exercise power, let me be on record that sovereignty belongs to the great people of Kenya, not to an individual. I pray and hope that what was witnessed in Bonchari and elsewhere will not happen again in our country Kenya.

Allow me to salute the enigma of Kenyan politics, the Right Honourable Raila Amolo Odinga, who is popularly known as *Baba*, for his great, tremendous and personal sacrifice towards the freedom and democracy we presently enjoy as Kenyans. *Baba* was arrested and detained without trial for six years. The fruits of his persecution are the Constitution of Kenya, the freedom of speech and association and the democracy we enjoy together. May God bless *Baba* with a long life. I also pray that *Baba* becomes the President of Kenya through credible and fair general elections in 2022.

Mr. Speaker, my special gratitude goes to the ODM party leadership for the...

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Order, Hon. Member for Bonchari. As much as I respect men, I am a madam. I am Madam Speaker not Mr. Speaker. Carry on. Otherwise, you are not supposed to be interrupted. It is a maiden speech. No other Member can interrupt you apart from the Speaker guiding you.

**The Member for Bonchari** (Hon. Pavel Oimeke, ODM): Hon. Temporary Deputy Speaker, I stand guided. Allow me to repeat that sentence. I would like to salute the enigma of Kenyan politics. *Baba* was arrested and detained without trial for six years. The fruits of his persecutions are the freedoms we enjoy today. I pray to God that *Baba* becomes the President of this country.

Special gratitude goes to the ODM party leadership for discerning the leader in me against all odds, giving me the party ticket and believing that I would deliver to Bonchari for the ODM party.

I wish to sincerely thank the great people of Kisii County. First of all, I appreciate our Governor, His Excellency James Ongwae and also Prof. Sam Ongeri who is the Senator for Kisii County. I also wish to appreciate Hon. Charles Onyantha and the Woman Representative, Hon. Janet Ongera and Hon. Timothy Bosire, who is a former Member of this House and the ODM Party National Treasurer.

I wish to appreciate the ODM Executive Director, Oduor Ong'wen; the ODM Communications Director, Phillip Etale and the Kisii County MCAs, led by Hon. Vincent Boisabi, Hon. Protus Moindi and Hon. Ismael Matundura.

Additionally, I also wish to appreciate Ombati and all churches in Bonchari for supporting my candidature. I look forward to working with all the churches and leaders including the candidates in the just concluded by-elections.

My gratitude goes to the entire ODM family who stood by me and supported me both materially and spiritually through the campaigns. You left your personal engagements to drum up support for my candidature. I wish to confirm that your presence during the campaigns and the by-elections immensely gave me hope for victory.

To safeguard our democracy against intimidation, harassment, blatant disregard of the Constitution of Kenya and the laws of this country and all forms of misuse of state power, state resources and abuse of power by a few individuals, I call upon the Hon. Members of this House to look at the relevant and applicable laws and amend them as necessary.

I also urge Kenyan voters to take cue from the great people of Bonchari that despite the mentioned illegalities committed during the by-elections, they voted to elect a young, energetic, visionary and transformational leader.

Allow me to send a special message to the Abagusii community. We must be recognised. We must recognise that our destiny lies in our own hands. No one should take us for granted at the expense of satisfying his or her bankrupt ideologies. I urge all Abagusii leaders to forgive one another, unite and work together for the prosperity of the entire Gusii community.

As I embark on my duties as a Member of Parliament, I will ensure full implementation of my campaign manifesto. I promise to ensure the completion of stalled projects that were started by the former MP, Hon. Charles Onyancha, and also the late Hon. Oroo Oyioka. I also wish to fast-track the last mile connections in areas without electricity and improve on security and infrastructure.

Additionally, in consultation with the people of Bonchari and the relevant experts, I will prepare and develop a five-year economic development master plan and also develop a five-year educational development master plan to improve and transform education in Bonchari.

I will also continue the implementation of sharing of already-drilled borehole water resources between the communities and institutions in Bonchari. I will also commence the process of virtual produce value addition/cottage industries in Bonchari.

Finally, allow me to send special greetings to all Kenyans from all walks of life for all the forms of support they offered me during the Bonchari super by-election. I wish to acknowledge the congratulatory messages I received from friends, relatives and Kenyans upon my victory in Bonchari. As we prepare for the future, I urge all of us to dedicate our energies to the service of the great people of Kenya, leaving a clean record of transformational leadership and alleviation of poverty amongst our people. This will happen through enactment of new transformational laws and effective oversight of existing laws.

As I conclude, I thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to make my maiden speech and Hon. Members for their attention. I look forward to work with your office, as I embark on my political journey. God bless the great people of Bonchari and our country, Kenya.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Very well. Congratulations Member for Bonchari, on making your maiden speech. You are young and energetic. You are welcome to the National Assembly of the 12<sup>th</sup> Parliament.

Hon. Members, let us have the Member for Igembe Central, Hon. Iringo Kubai.

**Hon. Kubai Iringo** (Igembe Central, JP): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to the County Allocation of Revenue Bill (Senate Bill No. 30 of 2021).

Let me thank the Senate for coming up with the formula of sharing revenue and allocating the money to each and every county in this country. It took some time because there was a stalemate. At least, they came up with a formula of distributing revenue to the counties. Our role is to pass the Bill, so that this money can trickle down to our counties for development. With devolution, this is the money which should be felt at the grassroots level in the village and each and every corner of our country. The NG-CDF also trickles to each and every corner of this country. When this money goes to the county assemblies, it is allocated and distributed accordingly.

I urge the Senate that, in future, it should be doing these things on time so that money is released to the counties on time. When this money goes to the counties, there will be another process in the county assembly to allocate it to the wards and various programmes which also takes some time. The National Treasury should release the money appropriately within time, so that we do not have the problem of pending bills that we have in most of our counties now.

Pending bills have been mentioned in this House this evening. They have become a thorn in the flesh within the counties. Many people blame the governors or Members of the County Executive Committee (CECs) who are in charge of finance. Many people who are given contracts use their resources. They borrow money from the banks and then they give collateral of their properties. After doing the job which was allocated to them, it takes too long to pay them until the banks start demanding for payment. They put a lot of interest on it because they become bad debts. This becomes a burden to the companies or individuals who did this work. At the end, the people who do the contracts do not benefit. Instead, they go into a monetary loss. Others become sick and get a lot of stress. Therefore, there should be timely release of money, so that all projects can be done on time. Once the counties receive this money, they should pay all the pending bills, so that they can start on a fresh and clean slate. In the process, they can allocate that money to other needy cases.

Each county has its issues, problems and unique needs. The semi-arid and arid counties have infrastructure and water issues. It is up to the individual county assemblies to allocate money where it rightly belongs. They should allocate their money where development will be seen and the common *mwananchi* will benefit. Through my experience in Meru County, I emphasise that they should allocate enough money in infrastructure. We have very poor or dilapidated roads in Meru County which is quite hilly. People do not get to their homes. They use motorbikes or go on foot. Meru County has ward fund which should be allocated to repair small roads which go to the villages, schools and churches, so that people can move on well. We were told that 22 per cent and 10 per cent of Kenya Rural Roads Authority's (KeRRA) money which goes to the constituencies is usually used to construct roads which connect the constituencies. However, there are those small roads which interconnect villages which need to be constructed.

I also want to emphasise that they should allocate more money in health which has become a problem. We need more health centres and facilities to be close to the people more than the churches or schools. Each and every ward should have at least one, two or three health centres. People should not travel to go and seek medical assistance or services from far away. There are some people in my place like expectant mothers who sometimes travel for almost 15 kilometres, so that they can get to the nearest health centre or facility to be served or get babies. Sometimes,

they get babies in the vehicles when they are on their way to health centres. I urge the counties to make sure that they put up these facilities and allocate enough money on the same.

There is also an issue of water. There is perennial problem of water, especially in the arid areas. There is a big chunk of an area in my county which is affected, especially in Igembe North, Igembe Central, Tigania East, Tigania West and Buuri. Those five constituencies have a big chunk which connects us with our sisters and brothers in Isiolo County. It is quite arid. We require a lot of water. Enough money should be allocated for water. Sometimes I get surprised when counties say that they have no money. At the end of the day, they purchase 10 or 20 Prados or Land Cruisers at the expense of a borehole, dispensary or any other facility. This money should be used prudently. Most of this money should go to development because this is where we need it most.

We have Early Childhood Development (ECD) classes which are under the county governments. They are neglected. Most of our schools do not have them. I urge the county governments to allocate enough funds to put up good classrooms for our toddlers who go to school. Sometimes they learn in very poor facilities. They are very young. They need to be taken very seriously. They are very delicate. They need proper classes to start their education journey. Therefore, they should put up enough classrooms and allocate funds for teachers. If you go to my constituency, and I believe in many others, you will find that there are schools where parents employ teachers for the nursery school kids. They usually employ some who are not qualified. They need to be trained. The counties should allocate enough money to pay these teachers.

In the last session of this Parliament, we passed a Bill that stated that nursery school teachers should be trained. They should also be knowledgeable. We should not give our children to people who are not fully baked to teach them when they are starting their education. If they do not start well, they will have a problem when they go up the education ladder. Therefore, we also need to look into that aspect.

Hon. Temporary Deputy Speaker, finally, let us, at least, start from the National Treasury, the Senate, this august House, county assemblies to the departments of our local governments, have a timeframe within which to allocate the funds and follow the due process in sharing the money so that we do not talk about delays in paying bills and other things. I urge that we use money prudently so that we develop our country and leave it better than we found it.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): I give the Floor to the Nominated Member Ghati Dennitah.

**Hon. (Ms.) Dennitah Ghati** (Nominated, ODM): Hon. Temporary Deputy Speaker, thank you for giving me an opportunity to support the County Allocation of Revenue Bill, 2021 that has been brought here from the Senate. I thank the Senate for the timely release of this Report.

The Bill basically makes provisions for the allocation of revenue from the funds and revenue that has been collected nationally among the various devolved units, our counties. I know in most of our counties governors are serving their last terms. I challenge the governors, especially those serving their second terms to think about the legacy they will leave. For the last several years, in this House, we have been fighting for increased county revenue allocations. It was only last year when we had the discussion in this House and in the Senate. We said that money released to the counties should be not less than what was allocated to the counties in the previous financial years. This is the spirit as we can see.

In Financial Year 2021/2022, the counties were allocated Ksh370 billion. This is an increase from the current financial year's allocation of Ksh316 billion. This is the spirit that the Building Bridges Initiative (BBI) has been trying to cultivate. It even proposes 35 per cent of

revenue to be allocated to the counties. At the end of the day, resources must reach the people at the grassroots. I ask myself why people oppose the BBI. We are almost reaching the allocation of 35 per cent that the BBI has been propagating all this time. We want to see governors leaving legacies in our counties.

I come from Migori County and Migori County is my business in this House. We are aware that I have ably represented Migori County as their Woman representative before. I represent persons living with disabilities from Migori in this House, as a person living with disability. I still know the challenges that affect the people of Migori. Migori County has been allocated Kshs8 billion in the 2021/2022 Financial Year. As a woman, as a leader and as a Member of Parliament from Migori, I would like to see my governor utilising this money to address the challenges that continue to face my people of Migori.

Looking at how the money has been allocated, I realise that money has been set aside for those issues that continue to face people on a daily basis: healthcare, early childhood education, water and agriculture. Migori County, like any other county, is agricultural. I want to see my governor and other governors giving priority to the needs of the people over themselves.

Healthcare is devolved. It is high time the governors looked into issues of healthcare from a gender perspective. We cannot talk about healthcare when we allocate 17 per cent of funds for healthcare without addressing reproductive and maternal health issues. Healthcare in this country is a big issue. We can no longer, in this era, talk about healthcare without looking into issues of mental health. The President has talked about mental health and everybody in the world talks about mental health. Our governors must understand the issues in healthcare so that the 17 per cent that is allocated to the counties can be used to cater for mental health units in the counties.

We must also look at issues of persons with disabilities in our counties. When we talk about healthcare, every county must have rehabilitation centres. Persons with disabilities live in counties and belong to counties. Many counties have never been responsible for their persons with disabilities. They leave matters to do with persons with disabilities to Nairobi. They travel all the way from Migingo to Nairobi looking for wheelchairs. It is high time that the governors understood that persons with disabilities belong to the counties. We must be serious.

My colleagues have spoken about another devolved function: Early Childhood Development Education. It is huge. Early Childhood Development teachers in almost every county are not recognised anywhere by their county governments, yet they provide the basic education requirements for our children as a foundation. I see the challenges that continue to face our people right from our homesteads. The money should not go to address big things for the national Government. Early Childhood Development teachers must be recognised. They are usually underpaid and overworked, yet they lay the best foundation for our children. As Members of Parliament, we must protect ECD teachers in this country and allocation must be given.

With the 2021/2022 Budget, if governors were to be sharp and clever, they could revolutionise development in the country, but there are some governors whose work is to steal public funds and employ relatives. What business is that? This is a lot of money that can develop this country.

On the issue of pending bills, we have seen contractors in our counties crying because they have supplied goods and services to county governments, but they have not been paid for the last one year. Some have been divorced by their wives and some have been kicked out of their homes. For some, you cannot know that they are contractors who were given Kshs10 million worth of projects to implement. They are crying and appealing for *Harambee*. Pending bills, as has been described by the Cabinet Secretary for the National Treasury and Planning, have to be prioritised

by the counties and be cleared before 30<sup>th</sup> June. The money must be released very fast so that counties are able to help people.

The Senate has also brought all these issues together to be addressed. Migori County will get Kshs8 billion from the Kshs6 billion it had received in the last financial year. That is a lot of money. I throw a challenge to my governor that he has to develop places he has never developed. Some of us come from counties that are extremely cosmopolitan. Migori is one such county right from Rongo, Isebania, Sirare border to Mara and Tarime. That is my county. We want to see governors as they leave office leave legacies of equitable development. Moving forward, that should happen with NG-CDF. It brought the Equalisation Fund. The Equalisation Fund was established to help where the NG-CDF did not reach. We now have funds that go to counties. How then can this House or the Senate come up with another mechanism that can provide conditional grants or non-conditional funds to support other areas that have not gotten this kind of development? So, I throw this challenge to governors to ensure they pay their staff. We even have MCAs who are crying. For the last four or five months, Hon. MCAs have not received salaries. County Executive Committee Members (CECMs) have not received salaries. Contractors have not received their money. We must develop mechanisms that ensure prudent disbursement of this money so that development can be felt in every corner of this country.

I support this Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): Well said, Hon. Dennitah. Let me have the Member representing the County of Lamu, the County Woman Representative.

**Hon. (Ms.) Ruweida Obo** (Lamu CWR, JP): Asante Mhe. Naibu Spika wa Muda kwa kunipatia nafasi na mimi nichangie.

Naunga mkono kaunti zipate pesa. Lakini kaunti zikipata pesa hizo, zilipe madeni yao kwanza. Kama wenzangu walivyotangulia kuzungumza, wanakandarasi wengi wanapata shida. Wengine walichukua mikopo na wengine pia wana familia. Kwa hivyo, ni muhimu mwanzo wawalipe kisha waendeleo na mengine.

Pia, nizungumze kuhusu pesa zinazostahili kupelekwa kwa pensheni. Kaunti zinafaa zipeleke pesa hizo mwanzo. Ni kwa sababu wao wanakata kwa wafanyakazi kisha hawazipeleki kule. Hiyo ni kama kombora ambalo linangojea kupasuka. Itafika wakati wale wafanyakazi wa kaunti hawatalipwa pensheni yao. Hiyo itakuwa ni vibaya sana kwa sababu mtu amefanya kazi akitoa jasho lake na kujua amejipanga akienda uzeeni. Kisha, aende akose pesa hizo. Imekuwa shida kwa haya mashirika ya pensheni kwa sababu wanaomba kaunti wawalipe, hawalipi. Na si kaunti zote.

Kuna kaunti zinalipa vizuri lakini kuna kaunti hazilipi. Labda hapa itatubidi tutunge sheria ili zile kaunti hazilipi basi wafanyakazi wao wasilipwe. Ni kwa sababu kuna kaunti zingine zinachukua na kukimbia kulipa na wanaona wafanyakazi wao wanalipwa. Labda tutunge sheria ili pesa za pensheni zikatwe kabla hazijafika kwa kaunti au wafanyakazi ambao kaunti zao hazilipi wasilipwe. Maanake hii ni shida kubwa na italeti shida kwa wafanyakazi wa kaunti.

Nikizungumzia upande wa ile *formula* inatumika hapa, mwanzo ningependa kumshukuru Mwenyezi Mungu na nimshukuru Rais wetu Uhuru Kenyatta kwa sababu ya kujenga bandari ya Lamu. Sisi hapa kilio changu kimesikika. Siku zote nikiwa hapa nang'ang'ania na nasikia uchungu watu wakisema kwamba wako wengi na sisi tuko wachache. Nikiona uchungu tukiambiwa tuko wachache. Nashukuru kwa hii Poti ya Lamu kujengwa. Hili la kusema tuko wachache litaenda kwenye kaburi la sahai. Sasa wengine watalia wao kwa sababu mtakuja kule Poti ya Lamu na tutakuwa na watu wengi na hesabu ni yetu. Inshallah, mgao huu utaweza kuja kwa formula hii.



Itatusaidia sisi muliokuwa mkituona wachache. Saa hii inshallah, tutakuwa wengi Mungu akipenda.

Kaunti wakipata pesa hizi wahakikishe wamezitumia vizuri kwa afya, kwa sababu afya ni kwa kila kitu. Pia, watumie nafasi hiyo kwenda kuhamasisha na kuwaeleza wananchi, haswa akina mama, mambo ya afya. Afya sio kujenga hospitali tu bali pia kujua huduma zinazopeanwa.

Kuna changamoto sehemu za kwetu. Kuna watu hawafikii zile hospitali. Hospitali kama ya King Fahd iliyoko pale, kutoka Kiunga mpaka kule ni Kshs2000. Sasa tunawaomba hawa Magavana wahakikishe kila wodi imefikiwa. Kwetu haiendi hata kwa wodi. Kama wodi ya Kiunga, Ndau na Kiwayu iko kwa wodi moja na ni Kiunga. Hospitali kubwa ikiwa Kiunga haimsaidii mtu wa Ndau. Itabidi yule mtu wa Ndau afadhali aende Lamu kuliko kurudi Kiunga. Kwa hivyo, sehemu zetu zina changamoto za usafiri.

Hawa magavana wamepewa hii nafasi maanake kila ukitaka kuzungumzia afya wanakuambia hii si kazi yako. Lakini, ni kazi yao. Basi wafanye ile inayostahili kufanyika angalau hivi visiwa vipate huduma nzuri ya afya. Maanake ikiwa kama kwenye kisiwa hakuna daktari, huwa ni shida sana. Inabidi watu wasafiri wakizidiwa na magonjwa usiku au bahari ni chafu. Hivyo si sawa. Kila mtu anafaa ajihisi ni Mkenya na zile huduma zimfikie alipo.

Upande wa maji, maji ni uhai na tunasema siku zote. Magavana wamepewa nafasi. Twajua pia sisi wa Serikali Kuu tuna nafasi na majukumu yetu. Tunang'ang'ana kwa upande wetu, lakini kaunti wao wamepewa hii nafasi. Sisi hata tuing'ang'ana kwa Serikali Kuu, kisha hupewa wao kufanya.

Kwa hivyo, tunawaomba magavana, wakipewa pesa hizi, wazitumie vizuri na maji yawafikie watu. Wanaopata shida zaidi ni akina mama na watoto. Ikiwa mwanamke ataulizwa, badala ya kujenga ataenda kwenye maji na afya. Lakini wengi wa magavana ni wanaume ndio maana tunataka tubadilishe hawa magavana wengi wawe wanawake maanake wanawake ndio wanafikiria sana hizi huduma kuliko wanaume. Wanaume wanataka kujenga, kujenga, kujenga.

Asante Bi. Spika. Kuna mengi ya kuzungumza lakini wacha niwapatie wenzangu nafasi wazungumze.

**The Temporary Deputy Speaker** (Hon. (Ms.) Jessica Mbalu): *Asante. Tutakuja huko tukuwe wengi.* The next Member is the Member for Isiolo County, Hon. Jaldesa Dida.

**Hon. (Ms.) Rehema Jaldesa** (Isiolo CWR, JP): Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to also add my voice to this very important Bill.

The County Allocation of Revenue Bill, 2020, by the Senate which gives a total allocation of Kshs370 billion as an equitable share to county governments is a Bill that I will support with a very heavy heart because I may not have an opportunity to amend it. Therefore, the best I can do is to support and give my contribution and say what I feel should have been done in the interest of the people of Isiolo.

The horizontal distribution of equitable share among 47 counties has been and will always remain a very controversial discussion. As was said by the Mover, the Chairman of the Budget and Appropriations Committee, I do not want to go into the pros and the cons of it.

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

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

However, I must say some few things. It will be absurd to imagine that we can achieve any meaningful development in this country when we continue to marginalise some parts of this country. That is why my brother - the nominee 001 who is always very passionate about the rights of the marginalised, the people with disabilities and the pastoralists - spoke so passionately. I wish I had that kind of passion to address this matter.

When you look at the parameters of how these funds are distributed, especially the weights assigned, you will realise that 18 per cent is assigned to population, 17 per cent to health index, 10 per cent to agriculture and 8 per cent to land mass, without considering that all those weights, in one way or another, are based on population. When they assume that the number of hospitals in Nairobi, Kiambu or Siaya is the same as the number of hospitals in Isiolo, it is misplaced. In my county, you can even take two hours to access a health centre. Never forget it is a rough road. The only tarmac road within my county is the one that starts from Nairobi, goes through Thika, past Karatina to Nyeri to Isiolo and then to Moyale. That is where it ends. I do not have even one kilometre of a tarmac road from that main road and yet, 17 per cent of funds allocated to health are the same across counties. That is very sad. Likewise, 10 per cent is allocated to agriculture. Whereas Isiolo County has a huge chunk of land, we have a water challenge. We do not have water to do farming through irrigation. The people who struggle to do farming by using the river water for irrigation do not have access to markets because we do not have roads. And here you allocate a uniform 10 per cent of funds. It is very sad and unfair. That is why, as much as I support the Government and I am elected on the ruling party ticket, I stood here and opposed the BBI Bill. It is because of the marginalisation that the BBI would continue to bring to my people.

It is important and timely that we pass this Bill so that counties can get money. Every time I go to Isiolo, I come back to Nairobi a very sad mother and leader. That is because I am approached by county government staff that have not been paid for six months. They are mothers, fathers and bread-winners. Their statutory deductions are never submitted to the relevant bodies. I know NHIF contributions are deducted from the staff of Isiolo County Government, but it is never submitted to NHIF. Therefore, they cannot enjoy the benefit of the NHIF cover. That is why we have lost confidence in the bodies that are supposed to ensure accountability in this country, especially the EACC. The Commission has become another cartel in this country. Governors who have corruption cases have representatives in its offices. They rush there with briefcases full of money. The Commission has become an office where justice is sold to the highest bidder. If I am told to substantiate, I can do so because we get reports from the Controller of Budget and from the Office of the Auditor-General. A governor is proved to have stolen money, but no action is taken. That is why we feel very sad. I was talking with the Majority Whip and I said sometimes my people say we would be better off without the county government. I could associate with what the Leader of the Majority Party said about some counties being worse off than when we did not have county governments.

Our hospitals are in a very sorry state. Two days ago, I lost one boy while two are still nursing injuries in a hospital because of a shoddy job that was done by the county government, leading to a water tank falling on the three boys. One of them lost his life while two others are fighting for their lives. As we pass this Bill, we must put to task institutions like EACC, DCI and those who are mandated to ensure that accountability of public resources is taken seriously. As a House, we must rise to the occasion. We have failed in our roles.

I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Nyikal, just like many Members, I am impressed that you have been very patient. I thought you were sitting in the same place that you sat in the last Sitting.

Hon. Member, Nominee 001, I know you are patient too. However, let me give Hon. Nyikal the Floor.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity.

I rise to support the County Allocation of Revenue, Bill because the counties need money. We created a devolved system, which is the counties, because we wanted them to get services closer to the people. It is important that they get money on time.

My colleagues have narrated many issues where people are not getting money. There are many problems and services are not given and business people are not being paid. In these Covid-19 pandemic times, counties need money.

Having listened to the Chair and my other colleagues, I find serious policy issues that deal with how we manage our devolution that still need to be addressed.

We have a formula for doing Division of Revenue Allocation at the county level. We also know how this formula brought a lot of issues in the Senate.

Last year, it was the Division of Revenue Bill that brought issues. Luckily, we have gone through that. We had a problem with the formula which seemed to stress two things: the number of people and the expanse of the region. It is true that if you have 100,000 people to serve who live in, say, ten square kilometre in an urban setting, and another 100,000 people who live in 200 square kilometers, the services that they need can be provided at extremely different courses. Therefore, considering the number of people and the expanse is important. What has been missing, however, and all the Members are saying it, is a proper formula. As it is, they are flat rates and they do not take into consideration the needs of individual counties. We have seen this before. That is what the problem is in the Division of Revenue Bill. The budgeting process starts at the counties to a large extent when the money has been divided. You then wonder, other than the formula, has anyone looked at the needs of the counties?

Hon. Speaker, the Chair of the Budget and Appropriations Committee is here. I would like to say that we must, as a country, try to see whether, apart from the formula we have put in place annually... It should be important to find out what the needs are of individual counties exactly the same way as we do with the national Government when we are dealing with the departments and agencies. By the time we sit here with the Budget Policy Statement (BPS), we are quite clear of what the needs are. We do not give them what they need, but it gives us some guidance. So, if we have that formula which is tampered with actual needs, we will go a long way. That is one issue that we need to raise.

There is another issue that comes with almost every Member who is speaking that, what the counties are doing are different from county to county. There are a lot of complaints that counties are not offering the services as expected and people are complaining about the quality of services. We have a national issue that we have not addressed. The national Government, in respect to devolve functions, is still supposed to look at standards and policies, while the counties are supposed to do the implementation and offer their services. Do we have in our Constitution as it is all the structures we have put in place, a mechanism for enforcing those policies? If one county is operating against the national policy, what can be done for example in areas such as health? If one county is operating below standards, what can be done? We know instances where efforts by the national Government to enforce this were flatly refused. It was told it is not their domain.

Members have said this and so we must look at how the national policies and standards are going to be enforced at the county level without taking over the functions of the counties. That is something we have not looked into.

We have the inter-governmental relations structures but, again, they do not have the enforcement capacity. The Director of Budget also, at times, attempts to withhold funds when certain things have not been done but, again, it is not clear. So, there is a policy issue and my view generally is that if you find something recurring similarly in the same way in several structures, you have a policy issue that should be looked into.

The other issue that we were not looking into when we were giving these funds is the county revenue raising process. Do we look at how much funds the counties raise on their own? If you look at the national Government budget structure, we have the A-in-A for the departments and ministries. We take into consideration their ability to raise money and they are taken to task on how much money they have raised. First of all, they will miss it but then it will be one of the targets they failed. In the case of the counties, do we put any targets which they are held accountable for and by whom?

I see that as devolution is progressing, there are many structural issues, policy and management issues that we have to look at particularly between the national and the county governments and the inter-county government relations instruments. I think these instruments are not helping.

There are issues that were raised by the Chairman on pending bills. It is horrible. I know businessmen who have sold their cars. I know people whose children are in schools and lack fees. I know people who borrowed money from banks, done business with counties and have not been paid. That is not what we intended when we went for devolution. Why is this happening? Is it because they did not have enough money or we do not give them enough money? Is it that the formula that we are working with is not appropriate? Is there a problem of budgeting versus their planning? Who then is going to help them if this is happening all over? Is it the procurement and payment process? For example, in health, I know the reason why the Kenya Medical Supplies Agency (KEMSA) is not paid by the counties. It is because there is nobody chasing their vouchers for them. I think the people doing roads and buildings just stand at the window and talk to the finance officers. Those are actually orphaned vouchers and, therefore, we need to put structures in place.

We also raised the issue of lack of transparency and, again, Members have talked about the role of the Ethics and Anti-Corruption Commission (EACC). We need some other structures even before we go to that level. You cannot have a system that is just based on punishment after the event. We need a system that monitors and corrects things as we go by. So, this is something we need to re-look into. On the process of privatisation, health is suffering and we have to think of ring-fencing the health funds. That is because, once again, those may be among the vouchers which nobody is chasing and, therefore, cannot be serviced.

Hon. Temporary Deputy Speaker, I support the Bill.

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

**Hon. Benard Shinali** (Ikolomani, JP): Thank you, Hon. Temporary Speaker. I rise to support the County Allocation of Revenue Bill 2021/22. My colleagues have talked a lot on this Bill. I wish to look at just two issues to add onto what they have said. The first one is as we look at the Bill; we find monies that are sent to the counties recurrent expenditure always surpasses the

ceiling. This is against the whole proposal of having 30 per cent recurrent and 70 per cent development. The maximum should be 50 per cent recurrent and 50 per cent development.

Looking at the county assemblies, there is the same issue of surpassing recurrent expenditure. As we continue looking through the expenditure of county assemblies, we realise that there are pending bills coming up. You wonder how county assemblies would accumulate such pending bills. The information I have come by is that the county assemblies hold their meetings in local hotels and do not pay. This is because when funds come to the counties, they are held by county governments and they do not release them immediately. Sometimes, they are used to hoodwink MCAs to support the governor or force them to pass certain bills for the county.

The point I am making is that there should be structures such that when monies are sent to county assemblies, this is done directly and not through the county government executive because this will be better fiscal discipline. Right now, monies are sent to counties and they are not channeled to the intended pending bills. The money is diverted to be spent by the Executive on the recurrent expenditure which only suits the county executive. This has really affected the business people in the counties. Those are coming up local business people. They have borrowed loans from commercial banks to set up businesses. They get tenders from the county governments and then they are not paid their monies. The businesses collapse and the business people are auctioned. It is only fair that there is a proper structure of how pending bills will be the first charge on the monies sent to the counties.

If the way the counties are being run right now, especially those with second term governors, continues; we might not realise any meaningful development in our counties. The second term governors are aware that it is time for them to save money and make as much as possible and move on. It will be prudent for this House to allocate more funds to the Office of the Director of Public Prosecutions (DPP), the Ethics and Anti-Corruption Commission (EACC) and the Directorate of Criminal Investigations (DCI) and, if possible, devolve those offices to the counties so that they can be effective. The EACC and DPP have lean staff and since we devolved services to the counties, we have, in a way, devolved corruption. This is because corruption has shifted quite a lot from the national Government to the counties. It is time it is looked into so that corruption is curbed.

Lastly, we have serious marginalisation in the counties because, maybe, the governors or the Executive feel that they were not voted for in certain corners of the county. Therefore, they sideline those areas when it comes to development of the counties. I would want the Ward Development Fund to be put in place so that it does not become a favour from a governor and give money to a County Ward Fund. It should be standardised so that every ward knows what it is going to get to build its own dispensaries and other amenities. This is a very important aspect we need to look into because people from large counties like Kakamega with 12 constituencies, among many other counties that I know, have seen this happening. There have been disagreements between the governors and members of county assemblies, especially where we have different parties. We have seen it affect the development in the areas they come from. Hence, the issue of the Ward Development Fund comes in handy. A good example is the NG-CDF because, if we did not have NG-CDF, some areas of this country would not be having any development. We have the same happening when governors are distributing development projects in their counties.

Hon. Temporary Deputy Speaker, I want to sum up by commenting on the issue of Early Childhood Development and Education (ECDE) teachers. ECDE teachers earn different salaries in all counties. Even as they earn right now, it is not known whether they are employed on permanent basis or on casual basis. The distribution of teacher to student ratio is also not

standardised. It would be better if those services are brought to the Teachers Service Commission (TSC) and the national Government so that we have a standardised education system throughout the country.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Let us have Hon. Gideon Ochanda, Member for Bondo.

**Hon. Gideon Ochanda** (Bondo, ODM): Thank you, Hon. Speaker. My microphone was apparently on for the entire time that Hon. Shinali was giving his comments.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Is that why we heard some private conversation?

**Hon. Gideon Ochanda** (Bondo, ODM): Maybe and maybe not. Hon. Temporary Deputy Speaker, on this, I have only two or three reasons why I support the Bill. One, it has caused unnecessary noise in the country. It has brought a lot of delays in terms of how counties are supposed to get their funds. That is why I want to support it.

Secondly, I am supporting it because it is domiciled in the Senate. It is not necessarily our Bill. If I were to look at this critically, the parameters that have been brought around for purposes of horizontal distribution of county resources need to be looked into very seriously. The Senate was disregarding very many other things that the Constitution has. The Constitution is very clear in terms of how extra resources are given out to many other parts of the country. I know that there is a problem in terms of, for example, how equalisation funds have been utilised or are used. There is a big problem. There are billions of monies that have been placed each year but hardly get transferred to those specific places. So, when we get to parameters where we are using health, we get to parameters where we are using roads or infrastructure, there is a problem.

Our Constitution has acknowledged very seriously that we have developed over a period of time in a skewed manner. There are areas that have benefitted historically. There are areas that have not benefitted historically and they have been marginalised over a period of time, sometimes by virtue or dint of their distances from the centre or by nature of their cultures. So, there have been those kinds of problems. The Constitution recognised that there are those historical injustices that have been meted out on a number of communities before. It is because of that, that specific funds were created to sort out those kinds of things. For the Senate to now come up and agree on a parameter that is going to be using services as a measure or as a yardstick for placing resources to various counties, there is a problem. There is a very big problem. You cannot use health.

Historically, there are places where they have had health infrastructure properly placed for a very long period of time. There are areas where the health infrastructure has historically not been there. Using county allocations to address that this time round is like trying to double-allocate resources to those kinds of areas. Those areas are properly recognised under the Equalisation Fund arrangement. It is upon this House to make sure that the Equalisation Fund works. When equalisation works, it is supposed to address those historical issues such as water, electricity and the infrastructure that we are now trying to use as parameters for purposes of distributing money across counties.

That is where there is a big anomaly. When we start using parameters like health to give money that is a big problem. That is the area where we needed to be very clear. Whom are those services for? That is why I was closer to those who were saying that we should allocate money based on the number of people. It is people who are supposed to be given services. We should count and get to know the number of people and the kind of services required. We would then allocate money based on the needs of the people. That is the exact purpose of the Constitution.

Our needs will never be the same again. Counties have different needs and priorities. Lamu is different from Busia. Baringo is different from Narok. That is exactly why those counties are supposed to have different governments for purposes of how they want to look at their priorities. At this point, I still do not see the parameters that have been developed and approved by the Senate as being useful to this country. It is something that must still be revisited.

Getting down to the usage of money at the county levels, there is a much bigger problem. Something needs to be looked into. I do not know whether the time for the national Government, which definitely has a constitutional mandate to help counties, has expired. The national Government was supposed to support the building of capacities of county governments to see what exactly they are supposed to do or what they must do.

The budget process in counties needs to be a replica of the budget process that we do in the National Assembly under the national Government. It is not very easy because our budget process is guided and timed. We are usually sure that the Budget Policy Statement (BPS) will be there by March. We will be given indicators in terms of the directions that we are supposed to go. We know that, that is the priority of the nation and those are the main agendas. That kind of arrangement is not there in the counties. Counties do not have Budget Policy Statement. They fully rely on what they call the County Integrated Development Plans (CIDPs) which are sometimes very irrelevant because they are copied from one county to the other. They are also very irrelevant because of the time that they are brought out. In many cases, they are not respected.

Beyond that, counties are using almost 30 per cent of their time on what they call public participation and how they will allocate their monies. The Senate allocates money like we are doing at the moment. Once money gets to a county, that county starts getting into its own processes. That process is not properly guided in many counties.

In my philosophy and the way I know governments are supposed to be, it is normally said that the Government is “man writ large”. The Government is a person that is made big. It is supposed to think big for the people. If you have a budget and resources and you want an individual who has completely no idea of how a government runs to guide where to allocate resources, there is a problem. That is a major problem in the counties, particularly in their budget process. Something really needs to be looked into. The capacity of the county governments in terms of the steps that we go through and how we come up with our budget as a national Government and in this House needs to be improved for purposes of making sure that, at least, their budgets work. As at now, things are haywire. In fact, a lot of the monies that we are talking about and allocating... I believe that the pending bills are so massive because many of them are not structured in a sense of priorities. Many are just allocated. For instance, the county just decides that we are going to do road A. It is so *ad hoc*. It is brought up either in the executive meeting or wherever. The contractor starts to construct the road the following day. Things are done in a very *ad hoc* manner. By the end of the day, the build-up on pending bills becomes a norm. We expect it in every county because this is exactly what is happening. However, it is not right.

Hon. Temporary Deputy Speaker, there are things that counties are supposed to do. We allocated some money here for certain purposes, for example, construction of village polytechnics. If you go to some of those counties, you will be shocked. There are some monies which we allocate as conditional grants for constructing village polytechnics, but they are not there. For example, out of the ones that I know in my constituency which are eight, only one is almost fully operational. The others are either dead or one is operating up to the level of a quarter, in terms of what they do. Out of eight village polytechnics, only one and half work in my constituency. If you replicate that

in six or five other constituencies in the county, then you will realise that they are all dead. They will not be there.

Two, look at them in terms of where they are placed. The 100 per cent transition policy takes everybody to Form One. What are village polytechnics for? They are supposed to absorb the candidates who finish Class Eight and Form Two. Everybody goes to Form One now. What are they for? Those are some of the things that we have to re-think.

Thank you very much, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Waweru Kiarie, Member for Dagoretti South.

**Hon. John Kiarie** (Dagoretti South, JP): Thank you very much, Hon. Temporary Deputy Speaker. I am really honoured to contribute to the County Allocation of Revenue Bill (Senate Bill No. 30 of 2021). I understand that this budget-making season is very important for this House. It is premised on the principle that there should be no taxation without representation. This makes this business that we are doing here today very important. I dare say that it is one of the most important businesses that this House transacts.

I support the Report by the Committee which is chaired by Hon. Kanini Kega. I commend them for the good job that they have done. The County Allocation of Revenue Bill is introduced in accordance with the provisions of Article 218 of the Constitution, which distributes the monies or national cake to the 47 counties equitably. The Senate has already passed this Bill. I know that they are just seeking concurrence with the National Assembly.

Hon. Kanini Kega's Committee noted two very key things. One is the issue of pending bills. There are people who conducted business with the Nairobi City County. However, they are being auctioned today. They are dying of lifestyle diseases like heart attack and high blood pressure. They have so much pressure because of the monies that have not been paid. This is an important issue that was noted by this Committee.

The second issue that the Committee noted is that the county debt ceilings were improved on account of personal emoluments and settlement of outstanding bills. That is not why I rose. I did it for the matters that concern Nairobi City County. We debated the annual Budget Estimates this morning which allocated close to Kshs8.9 billion to Nairobi City County. On average, that is Kshs9 billion which is allocated to the Nairobi City County from the national Budget. We are talking about the county allocation of revenue now. Close to Kshs19.2 billion will be pumped into this City. Without even raising a finger, just from parking fees, land rates and other revenues that the Nairobi City County collects, it will collect a further Kshs12 to 15 billion. In total, that is close to Kshs42 billion in this financial year. It begs the question then: Will I see development projects in Dagoretti South Constituency to the tune of Kshs2 billion? When you go to Dagoretti South Constituency today, you will see the impact of Kshs100 million of the NG-CDF. So, will I be seeing the Kshs42 billion in Dagoretti South Constituency in this financial year?

Nairobi is also in a peculiar situation because we understand that there has been a transfer of critical functions to the Nairobi Metropolitan Services. The legality of this transfer is not a discussion for today, even though I understand that there is a case alive in our courts where the issue of the legality of Nairobi Metropolitan Services is being prosecuted. While it is of national interest that the people of Nairobi receive the services they require, it is also important that, as they are being given those services by the Nairobi Metropolitan Services, it be in line with all the attendant set of values which are espoused in Article 10 of our Constitution. They include the rule of law, democracy and participation of the people. They also include human dignity so much so that as much as I want the garbage outside Ndururua Primary School cleared, I still would love it



to be done in a legal way which involves the people of Nairobi City in a way they have a voice as they are taxed.

As the transfer of services to Nairobi Metropolitan Services was happening, the guiding principle which should have been followed should have been one that ensures we are able to oversee the monies that are allocated to the Nairobi Metropolitan Services. But as it is now, the framework that was used for the transfer is not fully provided for in the Constitution, which has left the situation in Nairobi to be at best unclear, if not opaque. The deed of transfer of functions did nothing to provide for the disbursement modalities of the monies we shall be sending to the Nairobi City County.

This confusion spells doom for the institutions that are supposed to oversee the monies that I have talked about: monies to the tune of Kshs42 billion being pumped to Nairobi City in this financial year. If there is money allocated to the Nairobi City through the Office of the President, how will the County Assembly of Nairobi oversee that? On the flipside, if there is money being allocated to the County of Nairobi in an emasculated assembly, we know the situation of Nairobi County Assembly today, how can Parliament be able to go to the Assembly and oversee the Kshs19 billion that will be sent there? In essence, the county assembly will not be able to oversee the Kshs9 billion that will be allocated to the Office of the President. This Parliament will not be in a position to oversee the Kshs19 billion plus over Kshs12 billion that will be allocated to the county assembly. The best case scenario in my mind should have been a situation where, if we are transferring the critical functions to an entity like the Nairobi Metropolitan Services, it should have been done in such a way that the monies go to the Ministry of Devolution which we will be able to oversee. The Ministry of Devolution will transfer those monies to the line ministries that are responsible for the transferred functions. Anything beyond that leaves a loophole for all manner of hanky-panky to happen.

The people of Nairobi see the efforts of the Nairobi Metropolitan Services especially in the CBD. However, there is much more that needs to be done in terms of the sewerage in our estates, feeder roads and in terms of agriculture, which is a devolved function. People do not understand that agriculture is happening in this City. In places like Dagoretti South Constituency, we have very serious farmers doing their work. So, even as we are talking about the successes of NMS, it ought to be in line with the Constitution so that even Kenyans who are investing heavily in this City are able to account for the monies that have been invested. I believe that through this County Allocation of Revenue Bill, we shall unblock the big issue of this payment of pending bills which in turn shall pump some money into people's pockets.

With that, I would like to support the work of the Committee and also support this County Allocation of Revenue Bill. Thank you very much, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Waweru, those from the villages think that you do not farm here. We thought you farm concrete but now they know. Somebody like Hon. Nyamai Rachael now knows. It is your turn to speak.

**Hon. (Ms.) Rachael Nyamai** (Kitui South, JP): Thank you, Hon. Temporary Deputy Speaker. I would like to take this opportunity also to support the County Allocation of Revenue Bill and also to thank the Budget and Appropriations Committee for the good work that they have been doing, with various Select Committees within very strict timelines.

This Bill is going to provide equitable share of revenue to our counties. I take note that it has allocated a good chunk of it to my county of Kitui. I have just confirmed that it is Kshs10.3 billion out of the Kshs370 billion. This is an increment and I believe that it is in the right direction. The national Government has promised that more and more funds will be sent to the counties. I

would like to also note that this is an increment with regard to all counties. The allocation has moved from Kshs316 billion to Kshs370 billion. I hope this money will make a difference within our counties with regard to functions that have already been devolved, especially matters of the county health functions, agriculture, provision of water, and provision of clean markets which is a very big concern today. As you know very well, those dirty markets are also linked to poor health within our counties. Also on the matter of our roads, you are aware that they have been clearly classified to KeNHA and KeRRA. We deal with some of them. Some of our county roads are in very bad conditions, among other functions.

As I support what many of my colleagues have said, I would like to take note of lack of transparency in declaration and also payment of pending bills. This is not a unique subject in our country these days. That is because most of our businesspeople within our constituencies are suffering. Since the 11<sup>th</sup> Parliament, they have not been paid. This has caused terrible situations within families where children cannot go to school. People who were relatively wealthy cannot even afford their healthcare. It is a matter that needs to be discussed. I am happy to also note that the Cabinet Secretary was very clear that this should be the first charge. I want to believe that our counties, and specifically my county, will take this into consideration and ensure that all the people who have pending bills are paid and do not care about their political situations at this time. I am saying this because I am aware of people who are going through hell because of pending bills.

I would also like to say that it is important for the Senate to, at the same time, take clear consideration and take their time to scrutinise those pending bills.

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Order, Hon. Nyamai. It is 9.30 p.m. The House must rise. Nevertheless, your space is not gone. When this is scheduled next, you will have your six minutes to conclude your piece.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. Patrick Mariru): Hon. Members, the time being 9.30 p.m., this House stands adjourned until tomorrow, Wednesday, 16<sup>th</sup> June 2021 at 2.30 p.m.

The House rose at 9.30 p.m.