



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD

Thursday, 7th November 2024

The House met at 2.30 p.m.

[The Deputy Speaker (Hon. Gladys Boss) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, there is no quorum. Serjeant-at-Arms, ring the Quorum Bell for five minutes.

(The Quorum Bell was rung)

Hon. Members, we now have quorum to transact Business. Serjeant-at-Arms, you may stop the Bell. We may proceed. Clerk-at-the-Table, read out the first Order.

MESSAGES

DECISION OF THE SENATE ON THE NATIONAL ASSEMBLY'S AMENDMENTS TO THE COUNTY GOVERNMENT ADDITIONAL ALLOCATIONS BILL (SENATE BILL NO.19 OF 2024)

Hon. Deputy Speaker: Hon. Members, pursuant to the provisions of Standing Order 41(4), I wish to report to the House that I have received a Message from the Senate regarding its decision on the National Assembly's amendments to the County Governments Additional Allocations Bill (Senate Bill No.19 of 2024).

The Message conveys that, on Wednesday, 23rd October 2024, the Senate considered and rejected the National Assembly's amendments to the County Governments Additional Allocations Bill (Senate Bill No.19 of 2024). You will recall that this House considered and passed the said Bill with amendments on Wednesday, 14th August 2024 and thereafter, I referred the Bill back to the Senate for reconsideration in accordance with the provisions of Article 112(1)(b) of the Constitution.

The rejection by the Senate of the National Assembly's amendments to the County Governments Additional Allocations Bill (Senate Bill No.19 of 2024) effectively committed the Bill to a Mediation Committee pursuant to the provisions of Article 112(2)(b) of the Constitution.

In this regard, the Speaker of the Senate has appointed the following Senators to the Mediation Committee on the Bill:

1. Sen. Tabitha Mutinda
2. Sen. William Kipkorir Cheptumo
3. Sen. George Mungai Mbugua
4. Sen. Abbas Sheikh Mohamed
5. Sen. Gloria Orwoba
6. Sen. Enock Wambua
7. Sen. Moses Kajwang'

8. Sen. Catherine Mumma
9. Sen. Johnes Mwaruma.

Hon. Members, for the Mediation Committee to be fully constituted, the National Assembly is required to appoint nine (9) Members to sit in the Committee. I, therefore, call upon the Leadership of the Majority and Minority Parties in the House to expeditiously nominate Members to represent the National Assembly in the Mediation Committee. At an appropriate time, I will then communicate to the House, the National Assembly Members appointed to the Mediation Committee once finalised.

The House is accordingly guided.

I thank you.

(Several Hon. Members walked into the Chamber)

You may sit down Hon. Members, before I read the next message.

PASSAGE OF THREE BILLS BY THE SENATE

Hon. Deputy Speaker: Hon. Members, Pursuant to Standing Order 41(1), I wish to report to the House that on 6th November 2024, I received three (3) Messages from the Senate regarding the passage of one National Assembly Bill and two Senate Bills.

The first Message states that on 8th October 2024, the Senate considered and passed the Gambling Control Bill (National Assembly Bill No.70 of 2023), with amendments. You will recall that the National Assembly considered and passed the said Bill with amendments on 6th December 2023, following which I referred it to the Senate for consideration. The Second and Third Messages convey that on 8th October 2024, the Senate considered and passed the Tea (Amendment) Bill (Senate Bill No.1 of 2023) and the Maternal, New-born and Child Health Bill (Senate Bill No.17 of 2023) with amendments. The Senate now seeks the concurrence of the National Assembly on the two Bills.

With regard to the Gambling Control Bill (National Assembly Bill No.70 of 2023), the House is now required to consider the Senate amendments to the Bill in line with the Bicameral architecture of our legislative process on Bills concerning county governments. I hereby direct the Clerk to circulate the Senate amendments to the Bill to all Members as required by the Standing Orders. In the meantime, the Message from the Senate, together with the schedule of Senate amendments, stand referred to the Departmental Committee on Sports and Culture for consideration.

In order for the House to commence consideration of the Tea (Amendment) Bill (Senate Bill No.1 of 2023) and the Maternal, New-born and Child Health Bill (Senate Bill No.17 of 2023), I further direct the Clerk to schedule the two Senate Bills for First Reading at the next Sitting. Thereafter, the Tea (Amendment) Bill (Senate Bill No.1 of 2023) will stand committed to the Departmental Committee on Agriculture and Livestock while the Maternal, New-born and Child Health Bill (Senate Bill No.17 of 2023) will stand committed to the Departmental Committee on Health for consideration.

With regard to the Tea (Amendment) Bill (Senate Bills No.1 of 2023), the Speaker of the Senate notified that, pursuant to Standing Order 162(2) of the Senate Standing Orders, Sen. Wakili Hillary Sigei, sponsor of the said Bill, has designated the Member for Konoin, Hon. Brighton Yegon to be co-sponsor of the Bill in the National Assembly. In this regard, Hon. Yegon will be responsible for marshalling consideration of the Bill in the National Assembly. I urge the respective committees to which the three Bills have been referred to, to prioritise their consideration and report to the House as soon as practicable to enable the House to proceed with the next stages of the Bills.

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The House is accordingly guided. I thank you.
Next Order.

PAPERS

Hon. Deputy Speaker: Leader of the Majority Party.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I beg to lay the following Papers on the Table:

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

1. The Kenya Primary Education Equity in Learning (Disbursed Linked Indicator) Programme Credit Number 7067-KE – The Teachers Service Commission.
2. The Study and Capacity Building Fund Project (Grant Nos. CKE 6015, CKE 1043 01F and CKE 1047 01K) - The National Treasury.
3. The National Treasury Capacity Strengthening Project (Grant No.5500155013902 ID No. P-KE K00-011) – The National Treasury.
4. The Ethics and Anti-Corruption Commission Staff House Mortgage and Car Loan Scheme.
5. The Support to Water and Sanitation Services in Peri-Urban Areas (KFW Loan No.BMZ 2013.6543.6 – The Athi Water Works Development Agency.

Hon. Deputy Speaker: Thank you. Next Order.

QUESTIONS AND STATEMENTS

STATEMENT

Hon. Deputy Speaker: The first Statement is by the Member for Bumula, Hon. Wamboka.

DEMISE OF FORMER MP FOR KIMILILI CONSTITUENCY HON. SULEIMAN MURUNGA

Hon. Wanami Wamboka (Bumula, DAP-K): Hon. Deputy Speaker, pursuant to Standing Order 259D(2), I rise with a heavy heart to pay a glowing tribute to the late Hon. Suleiman Kasuti Murunga, former Member of Parliament for Kimilili Constituency, a distinguished statesman and a patriot.

The Hon. Suleiman Murunga passed away at the age of 75 on Wednesday, 30th October 2024 after a short illness at the MP Shah Hospital, Nairobi, where he was undergoing treatment. His death is a profound loss to his family, friends and community, which he served with unwavering commitment and dedication.

The late Hon. Suleiman Murunga was born on 20th September 1949. He began his early education at Lutonyi Primary School and later moved to Pumwani Secondary School, where he sat for his Kenya National Certificate of Education exams.

The late Hon. Suleiman Murunga worked with many organisations, including the Barclays Bank, the Bank of Commerce and Industry, Kaplan & Stratton, the Trademark Bank, and the Giro Commercial Bank. He was also an accomplished businessman as exemplified in his proprietorship of the popular Simmers Restaurant in Nairobi. He later joined politics and served the people of Kimilili for five years, from 2013 to 2017 on a FORD-Kenya party ticket.

He was an active Member of the Health Club and Catering Committee, and also an active debater in the august House.

He will be remembered as a champion of his community, particularly in education, providing bursaries to needy students and effectively utilising the National Government Constituencies Development Fund (NG-CDF) for development and social justice.

As a member of FORD-Kenya, the late Hon. Suleiman Murunga not only represented his constituents with integrity, but also played a pivotal role as the party's Director of Elections, contributing significantly to the political landscape of our nation.

His legacy will be remembered by many whose lives he touched through his service and leadership. I urge my fellow legislators to honour his memory by continuing the work he was passionate about – advancing the interests of the people we represent and strengthening our democracy.

On behalf of this House, I extend our deepest condolences to the family of the late Hon. Suleiman Murunga, his friends, the people of Kimilili Constituency, and the nation at large. As we pray for the soul of Hon. Suleiman Murunga to rest in eternal peace, may we all find solace in the memories of his remarkable life and be inspired by his example.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, before you give your tributes, allow me to re-arrange the Order Paper to dispense with two urgent matters, and then we will come back to the tributes for Hon. Murunga. Call out Orders Nos.8 and 9, and then we shall come back to the tributes.

MOTION

CONSIDERATION OF REPORT ON THE KENYA DRUGS AUTHORITY BILL (National Assembly Bill No.54 of 2022)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Kenya Drugs Authority Bill (National Assembly Bill No.54 of 2022).

(Moved by Hon. (Dr) Robert Pukose on 6.11.2024 – Afternoon Sitting)

(Resumption of consideration interrupted on 6.11.2024 – Afternoon Sitting)

Hon. Members, I will now put the Question for consideration of the Report. My apologies. It looks like my Order Paper was not accurate. Hon. Pukose, had the Question been proposed? Why do you not consult with the Clerks-at-the-Table, and then you tell me? Just consult.

(Hon. (Dr) Robert Pukose consulted with the Clerks-at-the-Table)

Hon. Members, I shall repeat that. I should actually be putting the Question.

(Question put and agreed to)

BILL

Third Reading

THE KENYA DRUGS AUTHORITY BILL
(National Assembly Bill No.54 of 2022)

Hon. Deputy Speaker: Mover.

Hon. (Dr) Robert Pukose (Endebess, UDA): Hon. Deputy Speaker, I beg to move that the Kenya Drugs Authority Bill (National Assembly Bill No.54 of 2022) be now read a Third Time.

I sponsored the Kenya Drugs Authority Bill (National Assembly Bill No.54 of 2022), which was published on 6th October 2022. It went through the First Reading on 3rd May 2023 and was thereafter committed to the Departmental Committee on Health for consideration.

The Second Reading of the Bill was concluded on 18th October 2023. The Bill progressed to the Committee of the whole House, which was concluded yesterday, 6th November 2024. The Departmental Committee on Health, which I am privileged to chair had proposed amendments to improve the Bill, make it more effective, and address emerging issues such as parallel importation of health products and technologies, pharmacovigilance and sports market surveillance.

Noting the pertinent importance of the Bill in promoting and guaranteeing the quality, safety, efficacy and effectiveness of health products and technologies in the country, seven Members, namely, Hon. Peter Kaluma, Hon. (Dr) Otiende Amollo, Hon. Millie Odhiambo, Hon. Irene Mayaka, Hon. Anthony Oluoch, Hon. (Dr) James Nyikal, and Hon. Martin Peters Owino proposed several amendments. This led to a winnowing process for purposes of harmonisation of the proposed amendments from Clause 23. That process culminated in the amendments that the Committee of the whole House considered and approved yesterday.

I must commend my colleagues in the Departmental Committee on Health and other colleagues who took their time to propose amendments, and to participate in the winnowing process and in the Committee of the whole House. Their efforts have immensely improved the Bill for the benefit of all Kenyans and towards the progressive realisation of the right to the highest attainable standard of care guaranteed under Article 43 of the Constitution.

I must restate that this Bill has re-engineered the current drugs regulator, the Pharmacy and Poisons Board, based on international best practices in regulation of human health products and technologies, and will move our country to Maturity Level 3. The Bill also fulfils the country's obligation in the war against poor quality medicines in line with the commitment that Kenya made under the African Union (AU) Treaty for the Establishment of the African Medicines Agency that was ratified by this honourable House.

I want to thank the Members who participated in the debate and who had a keen interest, especially the Leader of the Majority Party, Hon. Ichung'wah, and yourself, Madam Deputy Speaker, for prioritising this Bill to ensure that it saw the light of day. I also thank the Members who participated in the Committee of the whole House yesterday. I also thank the Member for Emuhaya who chaired the Committee of the whole House yesterday.

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

Hon. Deputy Speaker: Hon. Jaldesa, you may proceed.

Hon. (Prof.) Guyo Jaldesa (Moyale, UPIA): Thank you, Hon. Deputy Speaker. On behalf of the Departmental Committee on Health, I beg to second the Third Reading of the Bill. The Kenya Drugs Authority Bill (National Assembly Bill No.54 of 2022) was sponsored by Hon. (Dr) Robert Pukose. It is a very important piece of legislation, which will enhance the health and well-being of Kenyans. It will also address emerging challenges that we are facing as a country in terms of safety of the drugs imported into the country.

I commend Hon. Pukose for conceptualising and introducing the Bill. Our country shall now acquire the World Health Organisation (WHO) Maturity Level 3, which our neighbouring countries are yet to receive.

With the Bill, we shall have safe and effective drugs, vaccines and medical devices. As a healthcare professional, I must indicate that the provision of healthcare services for patients cannot be complete, effective and comprehensive if patients cannot access quality, safe and effective medications.

This Bill is not only timely but also necessary to ensure that the constitutional right to the highest attainable standards of healthcare is achieved.

Hon. Deputy Speaker: Hon. Jaldesa, are you almost done? You are now debating the Bill all over again. You should just second.

Hon. Prof Guyo Jaldesa (Mandera, UPIA): With those remarks, I second the Bill.

(Question proposed)

Hon. Members: Put the question!

Hon. Deputy Speaker: Is it the mood of the House that I put the question?

Hon. Members: Yes.

(Question put and agreed to)

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

MOTION

ADOPTION OF SECOND REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC INSTITUTIONS

THAT, this House adopts the Second Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions, laid on the Table of the House on Thursday, 21st March 2024.

(Moved by Hon. Yusuf Adan on 5.11.2024)

(Debate concluded on 6.11.2024 – Afternoon Sitting)

(Question put and agreed to)

Hon. Deputy Speaker: Hon. Members, as mentioned earlier, I have reordered the Order Paper with your permission. Before we return to the tributes regarding the Statement from the Member for Bumula, Hon. Wamboka, we will first have the Statement from the Leader of the Majority Party. After that, we shall revert to Hon. Wamboka's Statement. Leader of the Majority Party, you may proceed. We understand that you have other duties to attend to.

RESUMPTION OF STATEMENTS

BUSINESS FOR THE WEEK OF 11TH TO 15TH NOVEMBER 2024

Hon. Kimani Ichung'wah (Kikuyu, UDA): Thank you, Hon. Deputy Speaker, for your indulgence. First, allow me to convey my heartfelt condolences to the family, friends and relatives of the late Hon. Murunga, with whom I was fortunate to serve in this House during the 11th Parliament. Indeed, he was a great man and a dedicated Member of this House.

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Additionally, he was a polished businessman who owned one of the most successful businesses along Kenyatta Avenue—Simmers Restaurant, which I would patronise in my youthful years as a student at the University of Nairobi.

I would also like to extend my condolences to the family of the Hon. Opopo, the former Member for Bonchari, who has also passed away.

Thank you once again for allowing me to read my statement and attend to other national duties outside of the House. Pursuant to the provision of Standing Order 44(2)(a), I rise to give the following Statement on behalf of the House Business Committee, which met on Tuesday, 5th November 2024 to prioritise business for consideration during the week.

Hon. Deputy Speaker, I wish to officially welcome Members back from the just concluded short recess going by our Calendar for regular sittings. I also wish to commend the House leadership and Members for their dedication and cooperation exhibited in this Session so far.

As we recollect and appreciate what has been achieved, I wish to point out that the mission of the 13th Parliament is not over yet. We still have a significant number of legislative proposals in the form of Bills, statutory instruments and committee reports that need our very keen attention. Unfortunately, time and tide waits for no man. Therefore, to complete our mission before we head to the long recess at the end of the first week of December, we need the collective efforts of each and every Member and all our committees of this House.

With regard to business scheduled for Tuesday next week, the House is expected to continue with the following Bills, some of which are listed in today's Order Paper:

1. Committee of the whole House on the Statute Law Miscellaneous Amendments Bill (National Assembly Bill No.67 of 2023)
2. Second Reading of the following Bills—
 - (a) The Kenya Roads Board (Amendment) Bill of 2024;
 - (b) The Land Control Bill of 2023;
 - (c) The Higher Education Loans Board (Amendment) Bill of 2022;
 - (d) The Public Finance Management (Amendment) Bill of 2022;
 - (e) The Political Parties (Amendment) Bill of 2022;
 - (f) The Equalization Fund Administration Bill (Senate Bill No.14 of 2023);
 - (g) The Universities (Amendment) Bill of 2023;
 - (h) The Cooperatives Bill of 2024; and,
 - (i) The County Government Revenue Raising Process Bill of 2023.

Additionally, a debate will also be undertaken on the following Motions, should they not be concluded today:

1. Consideration of the Mediated Version of the National Rating Bill of 2022.
2. Consideration of reports on financial statements of state corporations in the Nyanza region.
3. Reports on the alleged unfair trade practices by foreign investors in Kenya.
4. Third report on consideration of the audited accounts of specified state corporations.
5. Report of the Extraordinary Session of the Sixth Pan-African Parliament (PAP).

Hon. Deputy Speaker, in accordance with the provisions of Standing Order 42(a)(v) and (vi), I wish to convey that, as I mentioned yesterday, the Cabinet Secretary for Roads and Transport is scheduled to appear before the House on the afternoon of Wednesday, 13th November 2024 to respond to the following questions:

1. Question by Private Notice No.13 of 2024 by the Member for Gatanga, Hon. Wakili Muriu regarding the status of any negotiations for a concession agreement between the Government and Adani Group regarding the management of Jomo Kenyatta International Airport (JKIA).

I hope the Member for Gatanga will be in the House on Wednesday next week, since he is not here today, just as he was not here yesterday.

2. Question by Private Notice No.14 of 2024 by the Member for Embakasi West, Hon. Mark Mwenje, regarding the provision of a comprehensive report on the amount disbursed to Kenya Rural Roads Authority (KeRRA) for the Financial Year 2023/2024 as of September 2024 for Nairobi City County and the measures being taken to address the inordinate delay.

Hon. Mark Mwenje is here and he has heard.

3. Question No.167 of 2023 by the Member for Baringo Central, Hon. Joshua Kandie, regarding criteria used and applied by the Kenya Roads Board to determine the amount of funds allocated to each constituency.
4. Question No.168 by the Member for Mwingi North, Hon. Paul Nzengu, regarding reasons why a section of the road between Kamuongo Market and Kyuso Market is not tarmacked.
5. Question No.178 by the Member for Kinango, Hon. Gonzi Rai—who is away on official business with the Speaker—regarding the issuance of demolition notices against Mackinnon Road Trading Centre buildings by the Kenya National Highways Authority (KeNHA).
6. Question No.13 of 2024 by the Member for Funyula, Dr Ojiambo Oundo, regarding the current status of Matayos-Ganjala-Nakhasiko-Nangina Road that was tendered under the 10,000-kilometre Low-Volume Seal Roads (LVSr) procured during the commencement of the Financial Year 2017/2018.
7. Question No.14 of 2024 by the Member for Bahati, Hon. Irene Njoki, regarding the status report on the progress and expected timelines for completion of the Lanet Airport Project.
8. Question No.69 of 2024 by the Member for Westlands, Hon. Timothy Wanyonyi, regarding the status details of the approved design of Waiyaki Way, including the road profiles, all road signage, road lighting, service lanes and pedestrian walkways and crossings, and clarify whether the ongoing construction works on the named road are being carried out in accordance with the approved design.
9. Question No.70 of 2024 by the Member for Malava, Hon. Malulu Injendi, regarding the progress report on the construction of Class A1 Kakamega-Kaburengu Road, whose construction commenced in October 2012.
10. Question No.73 of 2024 by the Member for West Mugirango, Hon. Stephen Mogaka, regarding the scope of works assigned to the contracted entity responsible for maintaining Sironga-Bonyunyu Road in West Mugirango constituency.
11. Question No.78 of 2024 by the Member for Luanda, Hon. Dick Maungu, regarding reasons for the delay by the contractor in upgrading Maseno-Kombewa Road to bitumen standard, given the deplorable and impassable condition of the 5.1 km stretch from Maseno to Opasi in Luanda Constituency.
12. Question No.79 of 2024 by the Member for Yatta, Hon. Basil Robert, regarding reasons behind the significant delay in the construction of the Matuu-Ekalakala-Kiwandini Road to Kyasioni Road in Yatta Constituency.
13. Question No.127 of 2024 by the Member for Laikipia North, Hon. Sara Korere—who is always in the House—regarding reasons for the delay in completion of the construction works on Doldol-Nanyuki Road in Laikipia North Constituency.

Concerning what Hon. Sara Korere said yesterday, we will ensure we notify Members whenever a Cabinet Secretary is not going to appear before the House so that they organise themselves.

14. Question No.131 of 2024 by the Member for West Pokot County, the Hon. Rael Kasiwai, regarding the rationale behind the stalling of the Barpelo-Tot-Marich Road Project and the expected date of commencement of the stalled project.

15. Question No.132 of 2024 by the Member for Kajiado South, Hon. Samuel Parashina—I hope he is in the House today— regarding the details on the status of the construction of Illasit-Rombo-Taveta Road.

Hon. Deputy Speaker, I saw him protesting yesterday when I mentioned that he is never in the House. He is not in today again. I hope that he will be in the House next week on Wednesday, 13th November 2024.

16. Question No.133 of 2024 by the Member for Matuga, Hon. Kassim Tandaza, regarding the update on the progress of construction of Kwale-Kinango B92 Road, whose construction commenced on 4th August 2021 and was to be completed on 3rd August 2024.

17. Question No.137 of 2024 by the Member for Igembe Central, Hon. Daniel Karitho Kiili, regarding the construction of Kangeta-Muutine-Kathelwa-Thuuru Road that has stalled since 2016.

18. Question No.138 of 2024 by the Member for Mwingi West, Hon. Charles Ngusya, regarding the status of construction of the remaining 25 kilometre stretch section of the Kibwezi-Kitui-Kabati-Migwani-Mbondoni Road to bitumen standard, which has stalled.

19. Question No.139 of 2024 by the Member for Matayos, Honourable Godfrey Odanga, regarding the status of the Kisumu-Kisian-Busia-Kakira-Malaba,-Busitema-Busia Expressway Project.

20. Question No.140 of 2024 by the Member for Ikolomani, Hon. Bernard Shinali, regarding the construction status of E9127, Mulundu-Shitoli-Malinya-Lusui Road.

21. Question No.141 of 2024 by the Member for Machakos, Hon. Joyce Kamene, regarding the status of the approved designs of Mlolongo-Kware-Katani Road and whether the design adheres to the principle of durability and sustainability of roads serving heavy trucks.

22. Question No.142 of 2024 by the Member for Seme, Hon. Nyikal, regarding the reasons for the delay in the completion of construction works for upgrading to bitumen standard of Maseno-Kombewa-Wang'arot-Kalandini Road, RWC 119, since its commencement in 2016.

23. Question No.143 of 2024 by the Member for Wundanyi, Hon. Danson Mwashako, regarding the funding and delays in the completion of the Mto Mwangodi,-Mbale-Wundanyi-Werugha-Mgange-Bura Road projects.

24. Question No.144 of 2024 by the Member for Kiambu, the Hon. Machua Waithaka regarding measures put in place to ensure road safety on the Thika Superhighway.

25. Question No.145 by the Member for Galole, Hon. Said Buya Hiribae regarding the timeline for completion of the Boji-Masalani Road within Galole Constituency.

In conclusion, the House Business Committee will reconvene on Tuesday, 12th November 2024 to schedule business for the rest of that week.

I now wish to lay this Statement on the Table of the House.

Thank you.

Hon. Kangogo Bowen (Marakwet East, UDA): On a point of order.

Hon. Deputy Speaker: What is your point of order, Hon. Bowen?

Hon. Kangogo Bowen (Marakwet East, UDA): Thank you, Hon. Deputy Speaker. The Leader of the Majority Party cannot be out of order. However, the Statement he has read...

Hon. Deputy Speaker: What is your point of order?

Hon. Kangogo Bowen (Marakwet East, UDA): My point is that 95 per cent of those questions touch on roads. That tells you that...

Hon. Deputy Speaker: That is a point of information.

Hon. Kangogo Bowen (Marakwet East, UDA): Yes, I am on a point of information. The number of questions we have indicates the number of stalled roads in the country. When the Cabinet Secretary comes here, I am sure he will continue to say that the issue is due to lack of resources. The Leader of the Majority Party serves as the link between this House and the Executive. Therefore, there is need to set aside sufficient money to complete the many stalled roads across the country.

Hon. Deputy Speaker: Hon. Bowen, you have prosecuted your point of information. The House that is mandated to set aside the money is the National Assembly. In terms of getting a status report on the roads, we already know that the Cabinet Secretary for Roads and Transport is scheduled to be here next week, Wednesday. So, we shall have an opportunity to raise that with him. Allow us to proceed to the next business.

Hon. Mark Mwenje (Embakasi West, JP): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: What is your point of order, Hon. Mwenje?

Hon. Mark Mwenje (Embakasi West, JP): Hon. Deputy Speaker, I rise on Standing Order 38(2), which states that the Order Paper shall be published on the Parliamentary Website and shall be made available to Members, at least, twelve hours before the House meets but a Supplementary Order Paper shall be made available, at least, one hour before the House meets.

Yesterday, the Leader of the Majority Party mentioned that there were Members who were not here to ask Questions but he was referring to an Order Paper that had already been supplanted by a Supplementary Order Paper. In the event that the Cabinet Secretary does not show up, as per his Statement, a supplementary order paper shall be issued. How then can he stand here and claim that Members are not in the House yet the Supplementary Order Paper had been amended to show that the Cabinet Secretary was not scheduled to answer the Questions? Therefore, it was completely out of order for the Leader of the Majority Party to read names based on an Order Paper that was not rightly before the House. This is because there was a Supplementary Order Paper. In my honest opinion, it is possible that Members who are not in the House at a particular time could be seated in the Members' lounge.

Hon. Deputy Speaker: Hon. Mwenje.

Hon. Mark Mwenje (Embakasi West, JP): Hon. Deputy Speaker, I am still on my point of order. When he says that Members are not in the House, he is not aware that...

Hon. Deputy Speaker: No, you are prosecuting a matter that was prosecuted yesterday.

(Loud consultations)

Hon. Members, it is not for you to say that he is out of order. That is absolutely my prerogative. So, just hold on. Hon. Mwenje, that issue was prosecuted yesterday. You were not present and that is exactly why you did not manage to prosecute it. You cannot be absent from the House and then prosecute against a matter as an afterthought. Let us proceed.

Hon. Members, before we proceed with the Statements, allow me to recognise, in the Public Gallery, the presence of Nyandarua Youth Forum from Ndaragwa Constituency, Nyandarua County.

(Applause)

Hon. Members, I will now allow the next tribute to be read.

Hon. Kimani Ichung'wah (Kikuyu, UDA): On a point of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Kimani Ichung'wah.

Hon. Kimani Ichung'wah (Kikuyu, UDA): Hon. Deputy Speaker, I just need to set the record straight. As a leader, I would not wish to embarrass any Member. What I did yesterday was to remind Members on what we agreed in the leadership conference, which Hon. Mwenje attended. We agreed that we have an obligation to be in the House whether we have business on the Floor or not. In fact, our own Constitution and Standing Orders expect us to transact business in this House in an open and transparent manner for the benefit of members of the public. This is because we are accountable to the people who elected us.

When we come to the House, we do not do so because of the television cameras. The cameras do not capture every corner of this Chamber and, therefore, one cannot tell whether you are in the House or not. As responsible leaders, you are expected to be in the House whether your constituents are watching you or not. You must be in the House to transact business because we are paid to do so. As much as we are no longer paid sitting allowances, we earn a salary to be in the House to legislate on behalf of our people and represent them. Therefore, no Member should take offence because I indicated who was scheduled to be in the House but was not. I wish there was a way we could even be making it known to the world which Members are not in the House at any particular time.

Hon. Deputy Speaker, having sought your permission to leave for other businesses, I beg to leave now.

(Laughter)

Hon. Deputy Speaker: Hon. Members, I will give some guidelines for orderliness in the House. Now that we have already received the tribute statement on the late Suleiman Kasuti Murunga, I will also allow the Member for Emuhaya, Hon. Omboko Milemba, to give his tribute. After that, Members who are interested in giving tributes on both Hon. Murunga and the Harambee Stars player, Austin Oduor Origi, can do so interchangeably. So, if you want to respond to the two tributes, press the intervention button. We will move to other statements thereafter. So, if you are not contributing to any of these two particular ones, remove your card from the intervention button.

Member for Emuhaya, proceed.

DEMISE OF MR AUSTIN ODUOR ORIGI,
FORMER HARAMBEE STARS PLAYER

Hon. Omboko Milemba (Emuhaya, ANC): Thank you, Hon. Deputy Speaker. Before I begin, you really have to deal with the issue of the Leader of the Majority Party versus the Members whose names were mentioned for not having been present to transact business yesterday. But that is another story.

(Loud consultations)

Hon. Deputy Speaker: Order, Hon. Members. It is respectful to be quiet when tributes are being made.

Hon. Omboko Milemba (Emuhaya, ANC): Hon. Deputy Speaker, pursuant to the provisions of Standing Order 43, I wish to make a Statement regarding the passing on of Austin

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‘Makamu’ Oduor Origi on Thursday, 17th October 2024. The late Austin Oduor, a legendary footballer, was born on 21st July 1959 in Nairobi to the late Johanness Origi Onyango and the late Mama Leonida Apondi Origi.

Oduor’s journey as a footballer began in the streets of Ziwani Estate in Nairobi City County, Eastlands area. That is where he and his childhood friends, including Sammy Owino, who later became his teammate and captain at K’Ogalo Football Club, Chao and Davie shared an insatiable passion for football. They crafted makeshift balls from cloth scraps tied together with strings, which they played on the streets and open fields of Ziwani Estate. Reflecting on those early days, his friend and teammate, Sammy ‘Kempes’ Owino, once recounted:

“Austin was special even back then. His ambition, focus and dedication set him apart. We all worked hard but he had that spark, something that told you that he was destined for greatness.”

Oduor schooled at Highway Secondary School and soon after, joined Umeme FC in 1976 before signing with Gor Mahia in 1980. He was mentored by grassroots coaches like Pirate Landino and Otti Father, who helped nurture his football talent from a young age. Coming from a family of distinguished footballers, both locally and internationally, Oduor was also the father of Arnold Origi – Kenya’s long-time first-choice goalkeeper and the only Kenyan to play in Europe for over 15 years. Austin captained K’Ogalo FC for three consecutive premier league titles from 1983 to 1985. His leadership at Gor Mahia peaked in 1987 when he, as vice-captain, led the team to a historic victory in the Mandela Cup against Tunisian giants, Esperance, which earned him the nickname ‘Makamu’, a nod to his role as vice-captain, often deputising for the legendary Sammy ‘Kempes’ Owino.

One of Oduor’s most celebrated moments with Harambee Stars came during the 4th All-African Games in 1987, when he scored the decisive penalty against Malawi, securing Kenya’s place in the finals. Oduor was also a core part of the Harambee Stars team that qualified for the African Cup of Nations for three consecutive times, an achievement yet to be matched. Another fond memory of Oduor’s career was his outstanding man-marking of Liberian legend, George Weah, the 1995 Ballon d’Or winner, during a match in 1989. He stifled all goal scoring opportunities for the legendary George Weah and earned Kenya a 1-0 victory against Liberia.

Hon. Deputy Speaker, Oduor was also a brother to Michael Okoth Origi. He is the first Kenyan to play for top-tier European teams. He was a star of Harambee Stars in the 1990s and 2000s. His brothers, Anthony Origi and Jared Origi, also made their marks in domestic football. Furthermore, he was an uncle to the ex-Liverpool former forward, Divock Origi, who now plays for AC Milan in Italy. He also served as the Chairman of the Gor Mahia Legends Welfare Association. Alongside fellow legends like Tobias Ochola, who was famously known as Jua Kali, he helped establish the Gor Mahia Legends Welfare Association. The late Oduor also created the K’Ogalo Alumni Group, a platform for retired players to connect and support one another.

As Austin Oduor is laid to rest at his rural home in Makunga of Kakamega County on Saturday, 9th November 2024, he can be celebrated as a man of hat-trick achievements. They include leading K’Ogalo (Gor Mahia) to three consecutive domestic Premier League titles in 1983, 1984 and 1985; helping Harambee Stars to qualify for the African Cup of Nations three times; and, on a lighter note, being part of the football dynasty of accomplished footballing brothers including Mike Okoth Origi, Anthony Origi and Jared Origi. That is along with the successive generation of his son Arnold Origi and nephew Divock Origi.

I take this early opportunity to condole with the family and friends of the late Austin Oduor, the football fraternity, and the people of Kenya at large for the loss of an extraordinary sportsman, father, leader, elder and football legend. On behalf of Bunge FC that is captained

by Hon. Otiende Amollo, I also take this opportunity to pass our condolences to the family of the late Oduor.

Allow me to say one thing. Many of these legends have been forgotten but Oduor is specifically remembered for three things that I will briefly state. When Josephat Murila stopped being the number 5 for Kenya, it looked like we would never have another player to match his status. Nevertheless, Austin Oduor stepped in very well. I am also an ex-international. During the All-African Games of 1987, when we played against Malawi and the lights went off at one time, which later was said that Kenya had put off the lights because Malawi was beating us, Oduor came up in the next match to score the penalty that made Kenya go to the finals.

Finally, I thank His Excellency the President. He has started recognising these legends. I saw him recognise Allan Thigo with a Head of State Commendation (HSC) two years ago. Thigo is another veteran who played earlier than Oduor. This should go on because we have an array of them living in poverty on the streets. Not all but including Josephat Murila, Mulamba, Abbas, George *Fundi* Onyango among others.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you.

Let us start with the Member for Endebess, Hon. Robert Pukose. Hon. Members, you can give tribute to either of the two.

Hon. (Dr) Robert Pukose (Endebess, UDA): Thank you, Hon. Deputy Speaker. I join Hon. Omboko Milemba and Hon. Wamboko, the Member for Bumula.

Hon. Members: It is Hon. Wamboka.

Hon. (Dr) Robert Pukose (Endebess, UDA): I have said Hon. Wamboka. You know my pronunciation, 'Kwamboka'. I join Hon. Wamboka in passing my condolence to the family of the late Hon. Suleiman Murunga. I served with Hon. Suleiman Murunga in the 11th Parliament. He was a gentleman. I used to go for lunch with him to his place called Simmers. He provided very nice meals at Simmers. The late Hon. Murunga was a good man. He was a very humble, committed and polished businessman.

I was shocked to hear that he passed away after a very short illness. Hon. Murunga would always say 'hi' and chat whenever he came to Parliament or when you met him around Cooperative Bank. This is a very sad moment to the family, relatives and the people of Kimilili. May his soul rest in eternal peace.

Hon. Deputy Speaker: Member for Kwanza, Hon. Ferdinand Wanyonyi.

Hon. Ferdinand Wanyonyi (Kwanza, FORD-K): Thank you very much for giving me a chance to pass my heartfelt condolence on my behalf and my family and the people of Kwanza to the family of the late Suleiman Murunga.

I personally worked with him in the 11th Parliament, as mentioned by Dr Pukose. He was a straightforward and hardworking man. As mentioned, Suleiman Murunga was a very successful businessman in Nairobi. Most of us who were still young learnt a number of good lessons from him. He was running the famous Simmers Restaurant opposite 680 Hotel. Much more, he was a very outgoing person. I remember one time he came to my Kwanza Constituency and even helped me to do some fundraising. Hon. Murunga worked very hard in his constituency. It is safe to say that the current Member of Parliament is Hon. Didmus Barasa, who is not here. I think he will be coming soon. He picked up from where Hon. Murunga left.

As mentioned by Hon. Wamboka, he was the Director of Elections in FORD-Kenya, where I am Deputy Director. He did very well in that position during his time. We had too many Members of Parliament in this House belonging to FORD-Kenya. On my own behalf, that of my family and that of my constituents, I pass my heartfelt condolences to his family. We have a fundraising on the 14th of this month. Hon. Members who are able to help us escort the body to Kimilili are welcome. We will share the Pay Bill Number to those of you who wish to support us escort his body to Kimilili.

Hon. Deputy Speaker: Member for Ndhiwa, Hon. Martin Oloo. Hon. Members, let us keep this to two minutes so that as many Members as possible can have opportunity to condole with the families of the deceased.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Deputy Speaker. It is very sad to lose people at this rate. I condole with the family of Murunga as well as the family of Austin Oduor.

I just want to say a few things about Austin. This is the finest team captain we ever had in Kenya. There are few things that he displayed on the field that we should take as lessons and apply them everywhere we can. He was skilful, disciplined, honest and humble. He was a composed skipper. I thank Hon. Omboko for eulogising our brother for all the talents he displayed when he was in the pitch. Note that he was also a mentor. He mentored too many people. His own child, Arnold Origi, who was a former Harambee Stars Goalkeeper, came out of the mentorship of Austin. His nephew, Divock Origi, a former Liverpool and now AC Milan player, and his brother Michael Okoth are products of his mentorship. He was also a mentor in the pitch. I pray that we do more to footballers and athletes. It is one thing to eulogise them and another thing to recognise and support them when they are still alive.

With those few remarks, I really want to condole with Austin's family. It is during his time that we won the Mandela Cup in 1987, and it was very sweet. May God give courage and comfort to the families of the deceased.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Member for Bungoma County, Hon. Catherine Wambilianga.

Hon. Catherine Wambilianga (Bungoma County, FORD-K): Thank you, Hon. Deputy Speaker. I also join the rest of the Members in remembering our fallen hero, the former Member of Parliament for Kimilili Constituency, Hon. Suleiman Murunga, who hails from my county. He was a very polished politician and business person. He also stood by his people. Most importantly, we remember Hon. Murunga because even though he was Muslim, during funerals and church services, you would not know whether he was a Muslim or a Christian. He was a politician who served the people of Kimilili with diligence. He set up a number of schools and left a legacy in education. We also want to thank the current Member of Parliament, Hon. Didmus, who has succeeded Murunga very well.

As I sit down, I remember Hon. Murunga as a polished business person we all admired. He inspired many politicians in this House to think about business. He has shown us that as a politician, you can also have a business as a side hustle. Polished as he was, we aped him. We condole his family.

I also condole with the family of the late Austin Oduor, who was a footballer. To my brother, Hon. Omboko Milemba, who is also a polished footballer, I am sorry because you have lost a friend. You have been telling us that Oduor was your friend. We, indeed, mourn with you.

Lastly, I want to welcome all of you who will be coming to mourn Hon. Murunga in Bungoma. You are most welcome. I will be there.

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

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

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Makali Mulu.

Hon. (Dr) Makali Mulu (Kitui Central, WDM): Thank you very much, Hon. Temporary Speaker. I join my colleagues in condoling the family of the late Hon. Murunga. You and I served with him in the 11th Parliament. He was a gentleman per excellence. He was cool and very focused.

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On behalf of my family and the good people of Kitui Central, I send our sincere condolences to the people of Kimilili for losing this gentleman, Hon. Murunga. May his soul rest in eternal peace. Amen.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Irene Mayaka.

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. I also stand to send my sincere condolences to the family of the late Hon. Suleiman Murunga and the people of Bungoma County for losing an astute politician. We do pray for his soul to rest in eternal peace.

I also take this opportunity to pass my sincere condolences to the family of the late Austin Origi, aka Makamu. The Member did not tell the House that the late Austin was called Makamu because he was in the Class of 1980 of Gor Mahia FC, and he used to be a super sub. He used to be a *makamu* (a deputy). Any time he was called from the bench, he would perform exceedingly well. Other than that, the late Austin comes from a family of prestige in terms of the soccer world in this country. His elder brother, Mike Okoth, who played for Harambe Stars, was also the most famous goalkeeper of Shabana FC. Besides that, they have their children, Arnold Origi and Divock Origi, who have made great contributions to this country.

On behalf of those of us who are soccer fanatics in this country, we send our most sincere condolences to this family. I urge Members to continue supporting our sports people and soccer players in this country. Let us continue to give them the best. May his soul rest in peace.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Irene Mayaka. Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. Allow me to also send my condolences to the family of Hon. Suleiman Murunga.

He served as a Member of Parliament for Kimilili Constituency when I was a Senator from 2013 to 2017. When I was Speaker of Nairobi City County, I recall that Hon. Murunga lost Simmers Club. It was the most famous club opposite 680 Hotel, where we would go to listen to *Lingala* music. As we send him off, we need to pray to God that his property will go back to his family. What they did was very unfortunate. As much as we condole with the family, it is important for us to remember as Nairobians that it is not easy for any person to come from Western region and run a club in the middle of town. We want to really celebrate him. We thank God for the years he gave Hon. Suleiman Murunga. May he rest in peace.

As Nairobians, we are also celebrating the life of our real Gor Mahia player, Austin Oduor alias Makamu. Those were the real Gor Mahia players who played in the 80s, when we were very young. Umeme FC is where Austin's talents were nurtured. The ghetto sports you see today by many of the young people is because of what Austin and others have done. I hope the Government is not just giving him the best in his burial but will also put in something in Ziwani for the young people to continue playing football. Football is what people understand in Nairobi, especially in all the ghettos.

To the family of Austin...

The Temporary Speaker (Hon. Peter Kaluma): Why are you cutting yourself short before you are cut off? Are you done?

(Hon. Beatrice Elachi spoke off the record)

Give her one minute.

Hon. Beatrice Elachi (Dagoretti North, ODM): Thank you. To the family, we pray that God gives you strength and energy to celebrate him as one of our heroes in the football arena.

Thank you, Hon. Temporary Speaker.

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The Temporary Speaker (Hon. Peter Kaluma): Hon. John Kawanjiku.

Hon. Njuguna Kawanjiku (Kiambaa, UDA): Thank you, Hon. Temporary Speaker. I also want to take this opportunity, on behalf of the people of Kiambaa, to condole with the people of Bungoma and the families of Hon. Murunga and Austin Origi for the loss of these two patriots. They have been patriotic to the country. Hon. Murunga was a Member of the National Assembly. They have contributed immensely on matters affecting our country.

On behalf of the former Members, I take this opportunity to request the Parliamentary Service Commission (PSC) to provide them with a health insurance cover because of their contribution to Parliament and the country. I sit in the Budget and Appropriations Committee. I am aware that there was a time when former Members requested for a health insurance cover. The moment you walk out of the National Assembly, it is very difficult for you to get employed elsewhere. No one will take care of your needs and health issues. We request the PSC to reconsider a seed capital in the coming Budget to provide a health insurance cover for former Members of the National Assembly.

When the Supplementary Estimates are presented here, I would request that we consider the request for seed capital by the former Members of the National Assembly to take care of their health issues. Those Members made serious contributions as far as building this nation is concerned. They were asking for about Ksh1 billion for their insurance health cover. It is nothing much to us. Therefore, in that spirit, I request the House to ensure that former Members have a health insurance cover.

I pay my tribute.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Joshua Kimilu, Member of Parliament for Kaiti.

Hon. Joshua Kimilu (Kaiti, WDM): Thank you, Hon. Temporary Speaker for giving me this opportunity to convey my condolences to the family. I take this opportunity, on behalf of my family, to send condolences to the family of the late former Member and the people of Kimilili.

I did not know the Member of Parliament one-on-one but because he is a colleague of one of our colleagues, we want to tell the family to bear the loss, and that our prayers and condolences will heal them. I read the history of the Hon. Member and found out that he was loved by his constituents. He was a man of his own words. Let me say that *alikua mchapa kazi*. So, I tell the family and the constituents *pole*. We are together in prayers in these difficult times.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): The Vice-Chair of the Departmental Committee on Administration and Internal Affairs, Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I rise to eulogise two great Kenyans. I served with Hon. Suleiman Murunga in the 11th Parliament. He is somebody who brought simplicity and finesse leadership. Wherever I saw him around, I always thought Hon. Murunga was a Member of Parliament in Nairobi because most of the time he would walk from one place to another within the Central Business District. Another thing I came across was that he was an easy person to get along with. Sometimes I used to ask him whether he was in government or in opposition. Across the political divide, he never had that separation.

On Austin Oduor, in the days when we had the Kenya Broadcasting Corporation (KBC) as the only broadcasting house in Kenya, we would hear, “Austin *ana mpira*, Austin *ana mpira*.” These gentlemen did it for the country during their time. They never did it for anything. They were among the poorest, if you looked around. They came from less endowed families but their greatness is that they put Kenya on the map. Football was football when those guys played their hearts out, and everybody enjoyed it. Let alone these times when there is a lot of money. Nowadays people do not fight over players but over money.

The Temporary Speaker (Hon. Peter Kaluma): I will invoke my powers under Standing Order 1 to give Hon. Dido Raso an additional minute.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Temporary Speaker. I really thank Hon. Omboko Milemba and Hon. Wamboka for bringing these two eulogies or messages of condolences to the House. We may not give much, but sounding it from the Floor of the House of the National Assembly, it sends a message to this country that they contributed something.

May their souls rest in eternal peace.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Japheth Nyakundi.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker. I also want to convey my heartfelt condolences, on behalf of the people of Kitutu Chache North, to the family of Hon. Suleiman Murunga, who was the former Member of Parliament for Kimilili. I knew Hon. Murunga through his son, Brian. Hon. Murunga was an astute businessman in Nairobi who had a serious club in the green City of Nairobi. So, I want to convey my condolences on behalf of my people and wish the family a befitting send-off as they send him to rest.

Secondly, I also want to convey my sincere condolences to Austin Origi, the Gor Mahia footballer, on behalf of the people of Kitutu Chache North. I never knew him, but he was a footballer. He is one of the people who made sure that our country, in terms of football, was in the map. So, I want to convey my sincere condolences on behalf of my people.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Chairperson of the Departmental Committee on Education, Hon. Julius Melly.

Hon. Julius Melly (Tinderet, UDA): Thank you, Hon. Temporary Speaker. I stand on behalf of the people of Tinderet to convey my sincere condolences to the late Hon. Suleiman Murunga, whom I served with in the 11th Parliament.

As indicated by my colleagues, Hon. Murunga was a humble leader, an astute politician and more importantly, a businessman per excellence. In this city, he actually did his work well. I convey my condolences to the family, the people of Kimilili, and to the current sitting Member of Parliament, because he has lost his constituent who happens to be a former Member of Parliament.

Hon. Temporary Speaker, Austin Oduor and the ilk of his time played with a lot of passion. They displayed so much commitment and patriotism that ought to be emulated by players of the current generation. If the football fraternity in this country had picked up from where Austin left and continued with the same tempo, this country would be at the level of the international community in matters football. We laud them and pass our condolences to the family, relatives and the football fraternity of this country for the loss of Austin Oduor.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Lastly, Hon. Onyango K'oyoo, Member of Parliament for Muhoroni.

Hon. James K'oyoo (Muhoroni, ODM): Thank you very much, Hon. Temporary Speaker for giving me this opportunity. I want to seize this opportunity to pass my unreserved condolences, on behalf of myself and the people of Muhoroni, for the sad loss of my colleague, former Member of Parliament for Kimilili, Hon. Suleiman Murunga.

I knew Suleiman Murunga as a banker, who later on became a businessman in Nairobi. He did us proud because for a long time it was mistaken that only members of one community were good businessmen who could run their business successfully in Nairobi. Hon. Murunga corrected that notion and started his business and pushed it very far. Far that he had a lot of success in his businesses and he went a long way to employ people from upcountry and from within Kenya and beyond.

Hon. Temporary Speaker, I was present at the Harambee for the departed soul of Austin Oduor of Gor Mahia. I said I cut my political teeth from Gor Mahia because as they were playing, we were the young outfit that was guarding the players. I knew Austin very closely as a dedicated player. He had a lot of self-discipline. He is a man who gave all to his team and country.

I was closely associated with the Gor Mahia team that won the Mandela Cup in 1987 and Austin Oduor was the captain. He captained Gor Mahia to success and he was there for a very long time. It was a trying moment for him. The Luo people believed that if you want to aspire for a serious leadership position in this country, and more so in Luo land or towns, you have something to do with Gor Mahia.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, on behalf of the Speaker of the National Assembly, the Right Hon. Moses Masika Wetang'ula, together with the tributes already registered by the Members who have spoken, we condole with the families of these two Kenyan patriots: Hon. Suleiman Kasuti Murunga and Mr Austin Oduor Origi. They contributed, in their great ways, in serving this country. May God strengthen and comfort their families.

In their last honour, I request all of us to be up standing in a moment of silence.

(Hon. Members observed a moment of silence)

May God rest their souls in eternal peace.

Next is the Statement by the Member for Aldai, Hon. Marianne Kitany.

REQUEST FOR STATEMENT

INSECURITY IN ALDAI CONSTITUENCY

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs regarding the rise of insecurity in Aldai Constituency.

Article 29 of the Constitution provides that every person has the right to freedom and security. Sadly, there has been a recent rise of insecurity in Aldai Constituency. This is caused by a recent change in security personnel at the sub-county level. The shift has led to incidents of unexplained cases of cattle rustling and murder. For instance, Mr Elkana Kiplagat of identification card No.0447870 was murdered on Thursday, 31st October 2024 while returning home from work.

On 13th October 2024, Ms Philister Jelimo of identification card No.32321228 from Chebonge Village in Emgwen Constituency was found murdered at Kondus Bridge in Koyo Ndurio Ward. Additionally, there have been rising cases of cattle rustling, with a recent case where 30 herds of cattle were stolen from four different homes. These incidents have left the families in a state of fear and agony.

It is against this background that I request for a Statement from the Chairperson of the Departmental Committee on Administration and Internal Affairs on the following—

1. A report on the status of investigations into the incidences of insecurity, including the deaths of Mr Elkana Kiplagat and Ms Philister Jelimo.
2. The actions being taken to ensure the perpetrators of the crimes are arrested and prosecuted without delay.
3. The measures being put in place to curb insecurity and cattle rustling in the constituency.

4. A report on the recent changes in security personnel at the sub-county level, and whether the insecurity incidences could be linked to the changes.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Chairman of the Departmental Committee on Administration and Internal Affairs, Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. This morning, we had an extensive discussion with the Inspector-General of Police and commanders of the National Police Service. The major reason of our discussion, to the extent that we went into camera, was to address the rising insecurity. We believe it is being perpetrated by criminal syndicates.

I have heard what the Member for Aldai has raised. I request you to give us two weeks, and we will provide a comprehensive answer to her Statement. Meanwhile, I must add that police officers are generally doing a good job. However, within the police force, we have seen rogue elements who are either not doing their job or are acting outside the law. But that is a discussion for another time. Considering her Statement is important, we, as a Committee, must address it. We request for two weeks.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Marianne Kitany.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Speaker, two weeks are adequate. With regard to the person murdered from Emgwen Constituency, maybe, the Member wants to say something.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Josses Lelmengit has just told me this is a lady from his constituency, but she was murdered in your constituency. I have told him that in terms of procedure, it will be better we wait for the Statement to come from the relevant agency so that we can engage deeply. I hope you will agree with that. You need to confirm that two weeks are good for you to get that report from the police officers. I can confirm to you that I also sit in that Committee. So, what the Vice-Chairman has said about the investigations which were going on this morning, I can confirm I sat through.

Hon. Marianne Kitany (Aldai, UDA): Hon. Temporary Speaker, two weeks will be good. I will attend the funeral of one of them tomorrow. It will be nice for the public to know that action is being taken.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Member for Emgwen, what is burning so much?

Hon. Josses Lelmengit (Emgwen, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute to this issue that was raised by Hon. Marianne, concerning Ms Philister Jelimo who was murdered. She was an innocent lady, and she comes from a very humble background. I do not know how the family is coping with it. As we wait for two weeks, we need a detailed report on what the Government, through the Ministry of Interior and National Administration, is doing.

The Temporary Speaker (Hon. Peter Kaluma): The Statement will be given in two weeks' time, through the Chairman of the Departmental Committee on Administration and Internal Affairs.

Hon. Irene Mayaka.

STATEMENT

RECOGNITION OF HON. HULDA MOMANYI HITSLEY

Hon. Irene Mayaka (Nominated, ODM): Thank you, Hon. Temporary Speaker. Pursuant to the provisions of Standing Order 43, I rise with great pride to notify the House of the incredible achievement of Hon. Hulda Momanyi Hitsley on her historic victory by being elected as a Member of the Minnesota House of Representatives, United States of America (USA), in the recent elections.

Hon. Hitsley's success is a shining example of courage and determination. It brings immense pride not only to her community, but also to the entire nation of Kenya on the unlimited potential of our people to achieve greatness beyond our borders. Her achievement resonates far beyond Minnesota. It is a profound inspiration to women leaders across Africa and Kenya, especially those who aspire to make an impact in public service. Her journey from Nyamemiso Village, Magombo Ward, Nyamira County in Kenya to a prominent legislative position in the USA demonstrates that with ambition, resilience and hard work, there are no limits of what one can achieve.

Her victory signals an important step forward for gender inclusion in politics, showing that the barriers of women's leadership can and must be broken. Hon. Hitsley stands as a role model for young women and girls everywhere who dream of creating positive change within their communities and beyond. I wholeheartedly congratulate her on her well-deserved success.

I am doing this on my behalf and that of the Member for Kitutu Masaba, Hon. Clive Gisairo, and the entire Abagusii nation. I wish her every success in the Minnesota House of Representatives. May her leadership continue to inspire future generations of African women and girls to pursue their goals with confidence and purpose.

When I was speaking to the Hon. Lady today, she expressed a message of cooperation to every Kenyan leader within these borders and beyond. She promised to work with us, and invited all of us to Minnesota.

The Temporary Speaker (Hon. Peter Kaluma): I will allow a few Hon. Members to record their recognition, appreciation and congratulations for this great achievement by a Kenyan-born living in the USA. She is Kenyan. Next is the Minority Whip, Hon. Millie Odhiambo-Mabona.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. Unless, you speak in an American accent, you will not be allowed to speak. On behalf of the people of Suba North and Kenyans at large, I want to congratulate Hon. Huldah for this win. She is a Kenyan immigrant who went to the USA. Unless, you speak the way I am speaking, you have no business going to the USA. On a more serious note, I am very happy.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Millie Mabona the Standing Order provisions are clear.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes.

The Temporary Speaker (Hon. Peter Kaluma): You start in a language, you should continue to the end.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): I can finish in the American accent because I am a graduate of New York University. One talent that God has given me is picking accents wherever I go. If I go to Kisii, I will speak in a Kisii accent. If I go to USA, I will speak in an American accent. Just before I came here, I was listening to Huldah and I think that is what has influenced the way I am speaking right now.

Now, let me speak as the Member for Suba North. Huldah is the first Kenyan-born to be elected in the USA. We know that Obama was elected and his father was from Kogelo. Actually, he was not born in Kenya. Even though that was an issue in America, they were saying that he was born in Kenya, but his father was born in Kenya.

Huldah is Kenyan-born. As a Kenyan woman, I am extremely proud. For those of us who were rooting for Hon. Kamala even though I know you are a Trump guy, she did not win. At least, this has given us a little bit of consolation even though we know that America is a

little behind in terms of democratisation. Kenya is setting the pace and we are telling America to follow us. Even in terms of representation of women, we are ahead. America may have been ahead in democracy, but Africa is fast overtaking them. We will tell them how things are done.

I know my time is up. We saw they also play *kanungo* because they realised that all Kenyans were behind her. She is a Kisii and we celebrate they produced an excellent person. The Abagusii, Abasuba, *Abamillie* are happy.

The Temporary Speaker (Hon. Peter Kaluma): Our Minority Whip is so learned and widely gifted. Next is Hon. Sylvanus Osoro, the Majority Whip.

Hon. Sylvanus Osoro (South Mugirango, ODM): Thank you, Hon. Temporary Speaker. I am unlucky because my Kisii accent will not allow me to speak like Hon. Millie. I want to join my colleagues, Hon. Millie and Hon. Irene Mayaka, in congratulating the good lady, Hon. Momanyi for winning her seat.

I have had two encounters with her in USA. The first one was when Hon. Baya and I visited Texas in 2023 upon transition. The Gusii community living in the US requested to hold a meeting. Hon. Momanyi came all the way from Minnesota to Texas where we held the meeting. She was the Master of Ceremony (MC). At that point, nobody knew she would win a seat.

Fast forward, in the recent visit by His Excellency the President to Washington DC, I was privileged to accompany him. While in the White House, a tall, slender lady and very beautiful approached me and asked me if I remembered her. I told her I could not. She told me, if I did not mind, we could have some Omogusii delicacy at the Swahili restaurant in Washington DC.

She treated Hon. Opiyo Wandayi who was the Leader of the Minority Party and is now a Cabinet Secretary and I for dinner. At this point, she told us that she was going for that seat. In fact, if Hon. Opiyo was here today, he would have told you that nobody saw it coming. The way she expressed her interest with simplicity, you could not imagine at the end, she would garner 65 percent and become victorious.

This shows that no one is limited and we can achieve something. We are all self-driven towards achieving something. This stood out yesterday when she was being interviewed by a local media. She has not lost her identity and still speaks Swahili and Ekegusii. This in itself is quiet appealing. People go to study in India, but when they come back, they do not have an Indian accent. It is funny that when people go to the US they come back with an American accent. Even with an American accent, she still speaks Ekegusii very well. This is very commendable. It shows that we need to appreciate our cultures, history and ties. The sky is the limit. I can see the first female President of the USA in Hon. Huldah Momanyi.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Next is Hon. Donya Dorice.

Hon. Dorice Donya (Kisii County, WDM). Thank you, Hon. Temporary Speaker. For clarity, it is good to be proud of your accent. Huldah Momanyi is Omogusii and was born in Nyamira. Hilsley is the name of her husband. She reminds me of Maraga, the former Chief Justice, and the late Senior Chief, Simeon Nyachae. These are Kisiiis. We are proud to be Kenyans. Nothing is out of order when you recognise your people. It is not wrong.

I stand to congratulate Huldah. Despite, the fact that we have beautiful leaders and good schools in Kisii like Nyambaria High which led in the last KCSE, we lack water and electricity. So, when Huldah visits, maybe she can give a donation so that my people can dig boreholes. It is good when you get such an opportunity to do something small for your people.

We are very happy, and we danced the whole night. In fact, I am urging the Kisii women to have more babies and name them Huldah. Hon. Osoro work hard so that your wife can be blessed with a baby girl and name her Huldah. We need more girls named Huldah.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, I will allow the compliments to be recorded in not more than two minutes. Except Hon. Ndindi Nyoro who will speak next for three minutes.

Hon. Ndindi Nyoro (Kiharu, UDA): Thank you very much, Hon. Temporary Speaker. I also rise to congratulate our very eloquent and intelligent lady in the United States of America. This goes to show that the human capital in Kenya is actually the best in the world.

(Applause)

When you travel outside Kenya to any region in the world, you are likely to get the best professionals being people from Kenya. This is not just in politics. If you go across Africa, everywhere we have had reset of economies, for example in Rwanda, you will find Kenyans. Currently, Ethiopia is setting up its financial market, and you will find that it is Kenyans who are doing the work.

I also want to take this opportunity to congratulate the 45th President and 47th President-elect of the United States of America, Hon. Donald Trump. If you go through history, Republicans are always better in terms of policies concerning Kenya, Africa, and the entire global south. What the global south economies like Kenya will need is not tokenism, but a thriving world economy, and that only happens when the USA is responding.

I want to be empirical. The previous administration had to raise the interest rate 11 times consecutively, from barely 0 per cent to 0.5 per cent and 5.25 per cent. This may sound like jargon, but the ramifications are here in this Parliament. When we allocate money, we may find out that we are allocating a lot of money for debt. Some of this money allocated for debt service is based on the interest rate, and the interest rate in the Federal Reserve also percolates to our own capital markets. It is usually said that when the economy of the world sneezes or coughs, the other economies catch cold. I want to believe that going forward, the USA will be more responsible in the exercise of its power, especially given the fact that its currency is the global reserve.

Hon. Temporary Speaker, yesterday after the win, we saw the markets across the world respond. We saw Dow Jones and global markets respond positively because every person in the world knows that Republicans are better for the economy of the world and the global south. We look for very good...

The Temporary Speaker (Hon. Peter Kaluma): Why did you disconnect Hon. Ndindi Nyoro when talking about Trump?

Hon. Ndindi Nyoro (Kiharu, UDA): I was just trying to say that the laboratory of economics is history. The only place to see how things work is to look at how they have worked before. If you compare democratic regimes in terms of the Democrats and the Republicans, you will find that when Republicans are in power in the USA, the economies of the global south perform better. After the win by the Republicans, we saw a positive response in the markets in the USA and across the world.

However, there is only one pitfall. As I finish, again when there are sentiments of a strengthening economy in the USA, the dollar tends to become stronger. Unfortunately, when the dollar becomes stronger, it means it is in respect to other currencies, but I want to report to this House that even looking at the tendency of the Kenya shillings against the greenback from yesterday, it shows the Kenyan fundamentals have been grounded and even when the dollar is strengthening, our shilling is also strengthening.

Lastly, we also hope that the USA will not bring about a lot of economic wars, especially with China. We do not expect to see tariff wars because they also affect our economies. So, we expect that going forward, we will see sunshine where the same USA

economy has poured cold water into the economies. We foresee that going forward, we will have warmth in the economies like Kenya and see progress across all the world economies.

I thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Chair of the Budget Appropriations Committee. Hon. Jerusha Momanyi.

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Temporary Speaker, for giving me this opportunity to celebrate this brilliant girl called Huldah Nyamisa. She is called Nyamisa Momanyi and comes from my village. You all know that I am called Momanyi Jerusha, which means we share that name from the same parents.

I want to congratulate this girl because she has taken our name to the top until we are not able to explain. We are very happy. The people of Nyamira County are very happy. The people of Kenya are very happy too.

Hon. Silvanus Osoro (South Mugirango, UDA): On a point of order, Hon. Temporary Speaker.

Hon. Jerusha Momanyi (Nyamira County, JP): Hon. Temporary Speaker, what is out of order? Hon. Osoro, please, it is my time.

The Temporary Speaker (Hon. Peter Kaluma): Yes, Hon. Osoro.

Hon. Silvanus Osoro (South Mugirango, UDA): Thank you, Hon. Temporary Speaker. I really appreciate the ownership of that great name “Momanyi” by Hon. Jerusha. However, is she in order to say that they share the parents with Hon. Huldah? I doubt it. What I know is that it is actually a clan name and a very common name in Gusii. It is not a preserve of Hon. Jerusha Momanyi. They are not related, they just come from the same area.

(Laughter)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Osoro, for avoidance of doubt, in Africa we do not have cousins, we have brothers and sisters. Continue, Hon. Jerusha Momanyi.

Hon. Jerusha Momanyi (Nyamira County, JP): Sure, Hon. Temporary Speaker. Thank you for informing Hon. Osoro. He should know that whoever is called by your name and comes from your village is your sister or brother. I am very grateful that Hon. Huldah...

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Give Hon. Jerusha Momanyi one minute to conclude. This is her sister.

(Laughter)

Hon. Jerusha Momanyi (Nyamira County, JP): We are very happy, and that is the reason Hon. Osoro is just as excited as I am. I urge every Kenyan living anywhere in this world to come out and contest for elective posts because we have been proven as Kenyans and the people from Nyamira that we know how to do the work. Wherever we are, if given the job, we can do it. Because of the hard work of Hon. Huldah, her high resilience, and the love she had for her people, she has been elected. We wish her the best and success as she moves along and we know that with her, we have the future president.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Antoney Kibagendi.

Hon. Antoney Kibagendi (Kitutu Chache South, ODM): Thank you, Hon. Temporary Speaker, for giving me this opportunity to congratulate my sister, Hon. Huldah Momanyi. She is an excellent community leader who understands that leadership is not about taking advantage

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of people, but making a difference right where you are planted. She is the immediate former Chairlady of the *mwanyagetinge* community group in Minnesota in Brooklyn Park. You know what I am saying?

(Laughter)

When I visited Minnesota sometime back, I got a chance to be introduced to this wonderful lady by a gentleman called Mr. Sammy Ireri. During that time, this lady was again preparing to run for a seat around Brooklyn Park but she was not successful. Because of her resilience and determination, she has been elected. I believe this wonderful lady has consistently shifted from seeking societal legitimacy or validation to constructing what I can call a meaningful legacy by bringing together the Kenyan communities living in Minnesota. We have a lot of people from Liberia, from Somali and the Kenyan community there that she has put together to fight for their rights. So, we appreciate her and we hope this wonderful lady will go on to become an even bigger star and rise.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Beatrice Elachi.

Hon. Beatrice Elachi (Dagoretti North, ODM): Allow me to also ride on and appreciate Hon. Mayaka for allowing us to celebrate a Kenyan lady, Hulder, who has also broken a record. She vied on a Democratic Farmer Labour Party. I just want to tell her that she went the Kenyan way. It is an affiliate of the Democrats Party. This lady was vying against a Liberian woman. It shows the resilience of the immigrants and that they are committed to build America and make it great.

I am hoping President Trump will appreciate Africa. That he will look in his eyes and realise we are people who love people the way the Republicans do. As she goes into the Congress with her values of equitability in housing and access to health, we shall see a good policy on reproductive health from the Republicans. Equally, they will remember the embassy that we have where many Kenyans have gone and suffered. We need to have a policy that says that, if indeed, I am not going to get my visa, then they can charge us consultancy. I am hoping the Republicans will do that and refund people money not like the way we have lost money at the Embassy of USA.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Japheth Nyakundi.

Hon. Japheth Nyakundi (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker. I also take this opportunity to ride on Hon. Mayaka in congratulating Hulder Momanyi for being elected to the House of Representatives in Minnesota - to be specific, Minneapolis. Everything is fine. I want to take this opportunity to congratulate her more sincerely because this clearly shows that women have space in leadership. It also clearly shows that the Kenyan labour market is working out of this country.

I congratulate her and tell the women of this country that you have a space in leadership wherever you are. Come out as women leaders and come out as women in society, to ask for leadership positions because I believe that women are the best leaders out of here.

Thank you, Hon. Temporary Speaker for this opportunity.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omany.

Hon. Catherine Omany (Busia County, ODM): Thank you, Hon. Temporary Speaker. I am here to celebrate because when you look at her photo, she looks like me. Yes, and she is so daring. Being black and being a woman and an immigrant, making it in the United States America. I hope when Trump says he is going to deport people, he is not going to deport our Hulder. Otherwise, there will be trouble. The whole world will stop because racism in today's world should not be encouraged. So, I hope by her being elected in that Parliament, she is going to calm Trump so that he does not do whatever he said.

Secondly, I want to also say that...

Hon. Silvanus Osoro (South Mugirango, UDA): On a point of order.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Osoro, what is out of order?

Hon. Catherine Omany (Busia County, ODM): Osoro just wants to interfere.

The Temporary Speaker (Hon. Peter Kaluma): Take your seat, Hon. Omany.

Hon. Silvanus Osoro (South Mugirango, UDA): Hon. Temporary Speaker, is the Member in order to impute improper motive on the President-elect of the United States of America, the 45th and the 47th President - President Trump, elected by the majority, and has won all the seats at all levels? Is she in order to impute improper motive that he intends to deport Hulder? I mean, can she table evidence? It is not possible. In fact, if it was Kamala, she would have deported Hulder.

Hon. Catherine Omany (Busia County, ODM): Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omany, remember the United States of America is a friendly nation.

Hon. Catherine Omany (Busia County, ODM): One of Trump's policies was to deport immigrants. I am only quoting what President Trump said. It is in his policy. I beg Hon. Osoro to go and read it.

The Temporary Speaker (Hon. Peter Kaluma): The policy of President Trump is to deport illegal immigrants, not all immigrants. Least of all, no president of the United States can deport a lawful citizen of the United States of America.

Hon. Catherine Omany (Busia County, ODM): Hon. Temporary Speaker, you are biased because you love him.

(Laughter)

Okay. Let me add illegal.

(Laughter)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omany, that last statement must be withdrawn. The Speaker is neutral.

Hon. Catherine Omany (Busia County, ODM): I have withdrawn and apologised.

(Laughter)

This young girl, our Hulder, I beg our brothers from Kisii not to say that she is theirs. She is a Kenyan. We have had the murima fever, and we do not want to go to Gusii fever. I only want to mention that she is a Kenyan who happens to have gone abroad and got elected. So, let us all celebrate as Kenyans.

(Members spoke off the record)

The Temporary Speaker (Hon. Peter Kaluma): The Whip of the Minority Party, the nature of this engagement does not allow any more points of order.

Hon. Dido Russell, you want to say something in recognition of this excellence?

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Temporary Speaker. I join my colleagues in congratulating Hulder. In fact, last year in October 2023, we visited the Minnesota State Parliament and she was among those who contacted us. Actually, for the first time, we were able to see first-hand that the three arms of the Government can sit in the same building. During that time, we were told that she was working closely with the governor of that State.

She has broken the glass ceiling because she is not an American. She is a Kenyan-American. For her to discover those new horizons, it is no mean feat. It is a great achievement and so we congratulate her.

(A Member spoke off the record)

She is not a Kenyan. Now, she is an American.

So, thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Yes, because Hon. Chepkonga is engaged, I want to give... Do so in the shortest time possible. After that, we are going to the Statement by Hon. Mulyungi.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker. I am speaking on behalf of Hon. Makilap.

(A Member spoke off the record)

You are not biased. I am speaking on his behalf.

The Temporary Speaker (Hon. Peter Kaluma): Did I hear a Member shout that the presiding officer is biased?

Hon. Samwel Chepkonga (Ainabkoi, UDA): No, you are not biased.

The Temporary Speaker (Hon. Peter Kaluma): Could that Member have the courage to stand when the Speaker is up and say so? The Speaker is never biased. The Speaker is an impartial, neutral presiding officer of the House.

(Loud consultations)

Hon. Chepkonga will be heard in silence.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker.

(Loud consultations)

Protect me from Hon. Makilap and Hon. Millie. You know Hon. Millie is a very good lawyer and she should maintain that integrity. You do not want to lose her.

The Temporary Speaker (Hon. Peter Kaluma): Order! Hon. Chepkonga will be heard in silence.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Temporary Speaker. May I take this opportunity to congratulate Representative Hulder Momanyi. You know, I see people calling her Hon. She is called Representative Hulder Momanyi.

This tells you that the American dream is real. It is the land of opportunities where a Kenyan would go to the U.S. and be elected. I want to remind you that the first Kenyan American President, Barack Obama, was elected as the 44th President of the United States of America (USA). I was in Minnesota, which has the twin cities of Minneapolis and Saint Paul, in 1997. I was there for five weeks. I was taken around Minneapolis by the Kisii community. There were over 10,000 Kisii in Minneapolis around 27 years ago. You know they have been giving birth. Currently, they must be in the region of 50,000. So, electing a Kisii as a Member of the House of Representatives is easy. I want to congratulate the Kisii who live in Minneapolis, Minnesota. For those who have never been there, it is a lovely city. During winter, you do not need to come out of...

The Temporary Speaker (Hon. Peter Kaluma): Give Hon. Chepkonga one more minute. I know he was easily distracted by the Chief Whip of the Minority Party.

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Hon. Samwel Chepkonga (Ainabkoi, UDA): Absolutely. Thank you very much, Hon. Temporary Speaker. I appreciate it. I visited that city during winter. You can walk around in Minnesota without falling. It is like you are walking above the ground. They have created rules for different buildings. It is a very modern city. We are truly grateful that one of our own has been elected in a first-class city like that.

Secondly, as you know, Minnesota is a twin city with Eldoret City. Before Eldoret became a city, we already had a relationship with Minnesota. I studied at the University of Nairobi. Hon. Millie should know that the only university we had back then was the University of Nairobi.

(Hon. Millie Odhiambo-Mabona spoke off the record)

No problem. You went to the American University.

I want to congratulate Hon. Momanyi. I do not even want to use her first name. I will use her second name, Representative Momanyi. For that name to be spoken in the USA is a great feat. I also want to congratulate Donald Trump. Just like you and I, his party does not support the LGBTQ. The other party was a problem. In fact, it is good that Trump won so that President Museveni can have some breathing room and Uganda can implement its anti-LGBTQ laws.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): I want us to go to the Statement by Hon. Owen. Hon. Owen, we now want to consider the main business. When you stand as the Deputy Leader of the Majority Party, the Speaker faces difficulties getting you to sit down. Can you give your Statement in no more than two minutes? We now want to consider the main business.

Hon. Owen Baya (Kilifi North, UDA): I will do that. Hon. Temporary Speaker, I want to join my colleagues in congratulating Huldah, whom I met in Texas. She is a fine lady who will carry the Kenyan flag high. We wish her all the best. She may have no influence at all on what happens in the USA. She has been elected to the State legislature, not the Congress of the United States of America. Her value is more to the people of Minneapolis, Minnesota. Therefore, we need to say as much. We are building hype and expectation around someone who is like a member of a county assembly. That is what it is. It is a State legislature.

(Loud consultations)

The Temporary Speaker (Hon. Peter Kaluma): Hon. Owen Baya, take your seat.

Hon. Ali Raso (Saku, UDA): Hon. Temporary Speaker, the Deputy Leader of the Majority Party has stood in his place to cast aspersions on the success of a lady in far waters. Is he in order to say that the State legislature is just like a county assembly? That is not the Kenyan equivalent. That is the State of Minnesota, which is much bigger than the Republic of Kenya.

The Temporary Speaker (Hon. Peter Kaluma): Deputy Leader of the Majority Party, I know you want to withdraw that part of your Statement. It is a big achievement for an immigrant.

Hon. Owen Baya (Kilifi North, UDA): Yes, Hon. Temporary Speaker. It is such a significant achievement for a Kenyan to be elected to the State legislature.

Hon. Ndindi Nyoro keeps saying things that cannot be empirically measured. The Republicans were previously in office. Africa may have favour with the Republicans, but Africans suffer because the Republicans have a soft spot for African strongmen.

(Applause)

They do not push for the democratisation of Africa. They support strongmen and dictators in Africa.

Secondly, Republicans are known for a lean government.

(Loud consultations)

A lean government means that it will cut funding for education, healthcare, and social care. Those are facts. A Republican president in the USA means that although they will not give grants to Africa, they will be giving loans at very high rates, which means that economies in Africa will struggle. That is correct. Economies in Africa struggle when there is a Republican in the White House. They will give you very expensive loans. They will stifle trade with China. They will ensure that no other country...

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, we are recording our compliments to a Kenyan who has won an election. We are not here to diagnose the policies of the Democrats and the Republicans. You know how to approach that matter if you want to go in that direction. Let us have Hon. Mulyungi.

REQUEST FOR STATEMENT

UTILISATION OF FUNDS FOR SINKING OF BOREHOLES IN MWINGI CENTRAL CONSTITUENCY

Hon. Gideon Mulyungi (Mwingi Central, WDM): Thank you, Hon. Temporary Speaker. I am not in the USA. I want to speak on another subject.

Hon. Temporary Speaker, pursuant to Standing Order 44(2)(c), I wish to seek a Statement from the Chairperson of the Departmental Committee on Blue Economy and Irrigation regarding the utilisation of funds allocated for the sinking of boreholes in Mwingi Central Constituency. During the Financial Year 2023/2024, this House allocated money for the construction of boreholes across the country to alleviate the challenge of water shortages, especially in arid and semi-arid areas.

As part of Parliament's endeavour to facilitate access for ordinary Kenyans to their economic rights as envisaged in Article 43(1)(d) of the Constitution, the House graciously provided funding for two boreholes, one at Kavuko Primary School and another at Kalesi Primary School in Mwingi Central Constituency. Each borehole was allocated Ksh10 million. The National Treasury released the money to the implementing agency, Tanathi Water Works Development Agency. Of note is that this money was allocated following the area residents' outcry during public participation in Kitui County in the 2023/2024 Budget.

The implementing agency commenced drilling the two boreholes. They drilled to the point of finding water and abandoned the works before completion, citing lack of funds. The area is very dry, and residents usually walk 10 kilometres to fetch water from the few seasonal rivers, which also dry up during prolonged dry seasons like now. Therefore, the boreholes would have greatly eased the residents' burden of searching for water.

It is against this background that I now seek a Statement from the Chairperson, and in particular, request for the following information:

1. Why the implementation of the project was started without the public participation of the local stakeholders and area residents, who had requested the project in the first place.

2. Why construction of the two boreholes was halted before completion, despite full funding having been allocated by Parliament and released for the purpose by the National Treasury.
3. When and how the boreholes were procured, details of contractors awarded the tenders, contract sums, and scope of the contract.
4. When the exercise will be completed, and whether this could be expedited to alleviate the challenge of accessing water by the area residents.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Mulyungi, which Committee is your Request for Statement directed to?

Hon. Gideon Mulyungi (Mwingi Central, WDM): The Chairperson for the Departmental Committee on Blue Economy and Irrigation.

The Temporary Speaker (Hon. Peter Kaluma): Chairperson of the relevant Committee. Is Hon. Rozaah Buyu on that Committee? Give her the microphone.

Hon. Rozaah Buyu (Kisumu West, ODM): Thank you, Hon. Temporary Speaker.

I want to confirm that I am a Member of that Committee. My Chairperson is engaged somewhere and is not in the House. I will relay the Question to him, and he will take due action as expected.

The Temporary Speaker (Hon. Peter Kaluma): By what time Hon. Rozaah Buyu?

Hon. Rozaah Buyu (Kisumu West, ODM): By the end of today, I will have relayed the Message to him, and he will, therefore...

The Temporary Speaker (Hon. Peter Kaluma): When should the House expect a response?

Hon. Rozaah Buyu (Kisumu West, ODM): Would I be in order to request for two weeks?

The Temporary Speaker (Hon. Peter Kaluma): Two weeks, Hon. Mulyungi?

Hon. Gideon Mulyungi (Mwingi Central, WDM): That is okay.

The Temporary Speaker (Hon. Peter Kaluma): That is fine. Relay the Message and let us have the response in two weeks.

Hon. Rozaah Buyu (Kisumu West, ODM): Thank you, Hon. Temporary Speaker.

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

The Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations is to respond to the Statement request by Hon. Catherine Omanyu. Hon. Kirima, do you have the response?

Hon. Moses Kirima (Central Imenti, UDA): I do.

The Temporary Speaker (Hon. Peter Kaluma): Give Hon. Kirima the microphone.

STATEMENT

HARASSMENT OF KENYAN FISHERMEN IN LAKE VICTORIA

Hon. Moses Kirima (Central Imenti, UDA): Thank you, Hon. Temporary Speaker.

On behalf of the Chairman of the Departmental Committee on Defence, Intelligence and Foreign Relations, and pursuant to Standing Order 44(2), Hon. Catherine Omanyu sought a Statement on the harassment, arrests and detention of Kenyan fishermen by Ugandan authorities at the Kenya-Uganda border areas of Lake Victoria. She specifically raised the following concerns in her request for a Statement:

1. Steps being taken by the Ministry with the Government of Uganda to ensure that Kenyan fishermen in Lake Victoria are treated with respect and dignity, and that any disputes over fishing rights are resolved amicably and peacefully.

2. Strategies put in place by the Ministry to work with the Lake Victoria Fisheries Organisation and other stakeholders to harmonise the fishing policies and procedures in the lake, and to provide adequate support and protection to the Kenyan fishermen.
3. Measures put in place to embrace security and surveillance in Lake Victoria and to collaborate with Ugandan authorities to prevent and punish any acts of harassment and extortion against Kenyan fishermen by Ugandan authorities.

The Committee engaged the Office of the Prime Cabinet Secretary and the Ministry of Foreign and Diaspora Affairs on the above concerns raised by Hon. Catherine Omanyo.

I, therefore, wish to respond to the issues as follows. On the steps being taken by the Ministry to engage with the Government of Uganda to ensure that Kenyan fishermen in Lake Victoria are treated with respect and dignity, and that any disputes over fishing rights are resolved amicably and peacefully, the Kenyan Embassy and its diplomatic staff have effectively, mediated specific disputes by engaging with the Ugandan Ministry of Foreign Affairs, during the Kenyan-Uganda Joint Ministerial Meeting held in Nairobi from 12th to 14th May 2024. The meeting stressed the need to address harassment of fishermen in Lake Victoria. It underscored the need to harmonise fishing laws and streamline the issues of fishing permits to improve accessibility. In 2022, the two countries also signed the Defence Cooperation Agreement to address the harassment of Kenyan fishermen in Lake Victoria.

The Ministry of Foreign and Diaspora Affairs is actively overworking alongside other line ministries to ensure the effective implementation of these resolutions. Kenyan missions in Kampala and Dar es Salaam continue to protect Kenyan interests by liaising with authorities to ensure consular access to detained citizens. Furthermore, these missions collaborate closely with the Diaspora Associations of Kenya in Uganda and Tanzania, maintaining continuous updates from association officials on the status of any detained Kenyans. Security committees within countries bordering Lake Victoria have been briefed to remain vigilant in safeguarding the welfare of their citizens. All reported cases of arrests have been diligently followed up with the aim of securing justice for these affected people.

On the strategies put in place by the Ministry to work with the Lake Victoria Fisheries Organisation and other stakeholders to harmonise the fishing policies and procedures on the lake and to provide adequate support and protection to Kenyan fishermen, Kenya remains a committed member of the Lake Victoria Fisheries Organisation, an institution governed by the East African Community Treaty. Issues on Lake Victoria are primarily addressed at the bilateral level. Existing disputes concerning arrests have not necessarily been escalated to regional forums.

Kenya has established a robust mechanism to safeguard its interests under Lake Victoria, including frequent patrols by the Kenyan Coast Guards in collaboration with Tanzania and Ugandan counterparts. These coordinated patrols are intended to foster peace and equitable utilisation of the resources in Lake Victoria.

On the measures put in place to ensure security and surveillance in Lake Victoria and to collaborate with Ugandan authorities to prevent and punish any acts of harassment or extortion against Kenyan fishermen by Ugandan authorities, and in areas where jurisdiction lies within Kenyan waters, Kenyan authorities are fully empowered to investigate incidents and resolve issues through both administrative and diplomatic avenues. The regional administration ensures the safety and security of Kenyan citizens conducting business on Lake Victoria, and incidents involving foreign entity matters are escalated through the Kenyan High Commission in Uganda or the Ugandan High Commission in Kenya for a diplomatic response.

I, thereby, submit. Thank you, Hon. Temporary Speaker, for this opportunity on behalf of the Chairman, Hon. Nelson Koech.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omanyo.

Hon. Joseph Makilap (Baringo North, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Catherine Omany.

(Hon. Joseph Makilap rose in his place and spoke off the record)

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

The Temporary Speaker (Hon. Peter Kaluma): Hon. Makilap, when you stand on a point of order and are not recognised, you return to your seat and remain silent because it would be disorderly if you continue in that manner.

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

I was recently with the fishermen, and a lot has improved since I read the Statement. I thank the Departmental Committee Defence, Intelligence and Foreign Relations for having stepped in and done some real work to harmonise the situation. It would be good that Uganda and Kenya, as good neighbours, do not intimidate each other. Instead, we should do things that will accommodate each other so that irrespective of whether you are Ugandan or Kenyan, you can do business in either of the countries. That way, we will enjoy and progress in harmony.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Millie Odhiambo, I know matters Blue Economy will not pass your attention.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Yes.

The Temporary Speaker (Hon. Peter Kaluma): Do you have something to say?

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker, for acknowledging that I come from Suba North.

The issues that Hon. Catherine Omany has raised affect my constituency very much, mainly because it borders Tanzania and Uganda at Remba, Ringiti and Mfangano Islands. The issue of harassment of fishermen is very common. Hon. Temporary Speaker, I know that even you are somehow affected. We have even raised this issue with His Excellency the President, who indicated that they will undertake diplomatic action to ensure it does not re-occur.

Maybe Hon. Omany did not indicate this, but there are times that our fishermen are forced to eat raw fish when they are taken or arrested in the waters. Therefore, I would only encourage them that there was a time when the Government took action. There was a Mr Macharia, who was a commissioner in Homa Bay County. If my memory serves me right, he was transferred to Nakuru County. He did an excellent job. He involved all leaders at that level, including Members of Parliament, Governors and the Ugandan counterparts. This went down very much. We even had good numbers of Ugandan counterparts.

I am just encouraging the Hon. Member since I am in the Departmental Committee on Defence, Intelligence and Foreign Relations, and I will raise it there. While we are still waiting for that so that our fishermen are not harassed, we could go back to that system. As Hon. Members, we are willing to have those quarterly meetings because it reduces the level of harassment, killings, jailings and hefty fines. When one boat is confiscated, they are fined up to Ksh100,000. Sometimes, they call you as their Member of Parliament but you cannot pay for ten boats which is Ksh1 million. How can you deal with such things?

Therefore, Hon. Temporary Speaker, the Hon. Member could pick that up so that even as we raise it in the Committee, those will be short-time measures to deal with those concerns.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Member of Parliament for Funyula Constituency.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Hon. Temporary Speaker, thank you for this opportunity.

Firstly, whatever happens in Budalangi in the form of harassment also happens in Funyula. Therefore, whatever answer he has provided touches more or less on Funyula. Hon. Temporary Speaker, we want to make it very clear that we are tired of harassment from the Uganda Defense Forces, which call themselves UDF.

The amount of harassment and torture that our members go through is unbearable. As Hon. Millie Odhiambo has said, the cost to our fishermen and us Members of Parliament is now becoming unbearable. I know there have been concerted efforts between the two Governments to resolve the matter. However, it seems the level of discipline among the UDF soldiers is too low because of the bad conditions they live in. Those UDF soldiers often undertake those raids on their own without authorisation by their seniors in Uganda. They harass and arrest our fishermen so that they can get money as a form of survival because they have no means of making money. They are never paid salaries and allowances.

Hon. Temporary Speaker, I must commend the County Commander and County Commissioner of Busia because they have often tried to assist. The cost of bail that is asked from Uganda is obnoxious and extremely high, and our people cannot afford it. The other strategy they use is to take those small boats, damage, destroy and burn them. It is unbearable for a poor man from Funyula or Budalangi to have spent almost Ksh30,000 or Ksh50,000 to fix a boat for survival and livelihood, and then it is damaged. It is now part of the problems enhancing poverty in our area.

This time around, we hope those concerted efforts will bear fruit since I know there are massive complaints even on the Ugandan side. The other day, the Governor, a Member of Parliament (Hon Wanjala), and I were at a place called Sigulu, where we went to launch the water bus. The Ugandan Fishermen also complained bitterly of harassment by the UDF soldiers. I am aware that they indicated, to a certain extent, that they have passed some regulations in their Parliament to be given to fisheries officers, who are now going to take the soldiers out of the lake and entrust policing and monitoring to ensure that fishing regulations are adhered to. We just hope that will solve the problem.

Let me conclude by saying that the fish in Lake Victoria has no passport, and it is not stamped whether it is Kenyan, Ugandan or Tanzanian. It did not come from the River Nile from wherever nor through backflow. It is fish that belongs to the people of the East African Community (EAC). Many times, the breeding is in Kenya. For example, the fish that goes to the Ugandan side breed somewhere called Sigalame, where River Sio enters Lake Victoria. They only breed and then feed in the deeper waters in Uganda. Therefore, when we follow our fish, we are not committing any offence at all. There are no demarcated borders in the lake.

Consequently, you cannot tell when you are in Uganda or still in Kenya or Tanzania. The EAC, did not come about for the sake of it. It was supposed to bring unity and harmony.

We continuously urge the Committee to deal with this matter conclusively because I have raised it before. The answers have been given, but nothing has happened.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Kirima, your responses appear satisfactory. If there are any more inquiries, investigations or engagements that Hon. Members want on the matter, the Committee can move with them *suo moto*, and you will still retain the mandate.

Thank you very much.

Hon. Members, I want us to go to the next order. Hon. Tj Kajwang' what is the matter today?

Hon. Tj Kajwang' (Ruaraka, ODM): Hon. Temporary Speaker, I am waiting for House Business. I was here at 2.30 p.m., but up to now, the House has not transacted a single business.

The Temporary Speaker (Hon. Peter Kaluma): Next order. The Speaker is able to notice if there is a matter of concern for every Hon. Member. Thank you, Hon. TJ Kajwang'. Clerks-at-the-Table, can you call the next order?

BILL

Second Reading

THE KENYA ROADS BOARD (AMENDMENT) BILL (National Assembly Bill No.18 of 2024)

(Hon. Millie Odhiambo-Mabona Spoke off the record)

Has it been moved? The Kenya Roads Board (Amendment) Bill, National Assembly Bill No.18 of 2024. That is the Bill being moved, Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): It is Hon. Deputy Leader of the Majority Party. Thank you very much, Hon. Temporary Speaker.

(Laughter)

The Temporary Speaker (Hon. Peter Kaluma): I am sorry, I meant Whip of the Minority Party. Sorry, Hon. Owen Baya.

Hon. Owen Baya (Kilifi North, UDA): Hon. Temporary Speaker, I beg to move that the Kenya Roads Board (Amendment) Bill (National Assembly Bill No.18 of 2024) be now read a Second Time.

Hon. Temporary Speaker, this is a very important piece of legislation. It is a very small Bill, but the amendments we want to make are significant and have high ramifications.

I am happy that Hon. Tj Kajwang reminded us that we need to go into business. We do too many preliminaries in this House as opposed to business. I am happy that you have noticed that we need to go into business now. The Kenya Roads Board (Amendment) Bill of 2024 is a fantastic piece of legislation. I just want to say what it is in a nutshell so that we can understand, and as I move in the notes, we should know what we are talking about.

The Kenya Roads Board (KRB), as it stands right now has 13 members. We must reduce the number of board members to align ourselves to the Mwongozo Code of Governance, so that we get to the required number. Therefore, in this amendment, we are seeking to delete the word 'eight' and substitute with the word 'five'. This is to ensure that we just have five board members in the Kenya Roads Board (KRB).

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

[The Temporary Speaker (Hon. David Ochieng') took the Chair]

In the Schedule, the Bill seeks to remove some of the organisations that are supposed to sponsor members to the Board. Which are these organisations that are losing membership? We are removing three; the Kenya Institute of Surveyors of Kenya, League of Kenya Women Voters, and the Kenya Association of Tour Operators. We are removing those three and remaining with five. We then add with the other four to make them nine, and we are aligned. Simple. I do not want to use very many words in moving this Bill. It is as simple as that.

(Hon. Millie Odhiambo-Mabona spoke off the record)

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Hon. Temporary Speaker, I like the question that Hon. Millie is asking: Which institutions will be nominating? When we remove the three as I have suggested, the nominating institutions will be the Kenya Institute of Engineers of Kenya, the Automobile Association of Kenya, and the Kenya Association of Manufacturers and you know its leadership. We delete just those three and remain with the Kenya Institute of Certified Public Accountants and the Kenya Transport Association.

It is as simple as it is and I do not wish to belabour the point. I thank the Departmental Committee on Transport and Infrastructure for a job well done in compliance with constitutional and procedural requirements. The Committee sat long hours to consider the Bill and it has given us these amendments.

I also want to restate that we are trying to realign this law to the Mwongozo Code and the Constitution of Kenya so that all our other parastatals have fewer members so as to reduce governance, the number of people and the huge allowances paid to them. We must align. I just want to reemphasize that we are proposing to delete the word 'eight' and substitute with 'five' in Paragraph h. This amendment reduces the number of persons that are to be nominated by representative organisations for appointment to the Board from eight to five.

I beg to move and request the Member for Bureti...

The Temporary Speaker (Hon. David Ochieng'): Before you move, does the Board then have five members or there are other members of the Board?

Hon. Owen Baya (Kilifi North, UDA): Of course. There are other members that come in like the Principal Secretaries and all the others to make them nine. Thank you.

I beg to move and ask the Member for Bureti, a Member of the Departmental Committee on Transport and Infrastructure, to second.

Thank you, Hon. Temporary Speaker.

Hon. Kibet Komingoi (Bureti, UDA): Thank you very much, Hon. Temporary Speaker. As I second this Bill, two things come to mind. The proposal by Mwongozo, the Code of Governance for State Corporations, provides for between seven and nine directors. The Kenya Roads Board has 13 directors. First, the reduction is to align to the Mwongozo Code of Governance. Some of the nominating bodies do not have any positions to nominate these people. The reduction is meant to create a lean and efficient Board that is able to carry out its mandate well.

Secondly, as you have read through the Bill, the amendment seeks to clean up the Bill so as to align it to the Constitution of Kenya, 2010 by removing a word like 'Minister' and replacing it with the words 'Cabinet Secretary'.

To that extent, I second.

(Question proposed)

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, join me in recognising and welcoming students from Ngoswani Boarding Community School, Narok West Constituency in Narok County. They are welcome to follow the proceedings of the House this evening.

(Hon. TJ Kajwang' spoke off the record)

Hon. TJ, are you contributing?

Hon. TJ Kajwang' (Ruaraka, ODM): Yes, I am, Hon. Temporary Speaker. The Member for Kisumu West is wondering that everything that has been going on has not been business. I want to tell her that business begins when we do legislation. This is now real

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business. All those that we have been engaged with since 2:30 p.m. has been something else, and not business.

[The Temporary Speaker (Hon. David Ochieng') left the Chair]

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

Hon. Temporary Speaker, if you look at the memorandum and the Bill itself, you will note that the Institute of Surveyors of Kenya, the League of Kenyan Women Voters and Kenyan Association of Tour Operators, have been listed under Schedule 7(1) as organisations that will nominate members to the Board. At the point at which we transacted this business, I remember you and I were in this House. We may not have had regard to the Mwongozo Code, and we may have considered persons who have nothing to do with the roads sub-sector, such as Institute of Surveyors, Kenyan Association of Tour Operators and League of Kenyan Women Voters, who I do not think are a legal entity in the first place to be recognised in legislation. This was a badly drafted Bill at that time.

If you cared to look at what was the infamous Finance Bill, you will note that it had these issues as miscellaneous amendments, but you know the fate of the Finance Bill as the court of law decided that it was unconstitutional. To that extent, we had a problem of legislation that we could not midwife these amendments in miscellaneous law. We are now bringing them as a standalone legislation to be able to clean up that Act and the Kenya Roads Board, because these have financial implications. When you have 13 directors, they would have to be paid or facilitated to do their work. When you have 13 directors, there is decisional problems, because they are unable to make decisions where nine people would have made that decision.

Hon. Members, this is a straightforward kind of legislation to clean the Kenya Roads Board. KRB is the Board that collects Roads Maintenance Levy Fund (RMLF), which we need for the construction of roads in our constituencies, and so on. Therefore, the Leader of the Majority Party is trying to correct these structural and decision problems. I support this.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Could the Members who want to speak go to intervention so that we can easily separate them from the other Members? The Whip of the Minority Party.

Hon. Millie Odhiambo-Mabona (Suba North, ODM): Thank you, Hon. Temporary Speaker. I wish to support the Bill with amendments. I will be very brief, just as the Bill is.

I agree with Hon. Baya that the issues that we were dealing with earlier on were not considered as substantive business. The substantive business of the House begins now. Before I became Whip of the Minority Party, many Members used to tell me that they would meet me at around this time because that is when I would come in when it is time for substantive business of the House.

Hon. Temporary Speaker, that does not mean that the issues that were being raised earlier are not substantive. For instance, we have spoken about issues of fishermen and that is substantive in itself. It is like in a meeting where there is always an agenda and Any Other Business (AOB). It is just that Parliament begins with AOB then goes to the substantive agenda.

I agree with the Mover of the Bill that some of the people who were placed in the Board did not have any reason to be there. I know that I support women and the women's agenda, but having the League of Kenya Women Voters in the Kenya Roads Board does not really make sense. It would make sense if they are in a space that is political in nature or has something to do with women and representation. They are definitely registered, so they are a legal institute. Perhaps they may not be a body that is governmental or semi-governmental in nature, but they

are definitely registered and in the wrong place. That is the reason why I will propose amendments.

I know even though we want to follow the Mwongozo guidelines, we must also still ensure that we have the two-thirds gender rule observed. We know that the leadership at the Kenya Association of Manufacturers is a woman. However, they are not cemented there. They will serve their time and they will move. We never know whether the leader next time will be the Cabinet Secretary for Mining or something else. We do not know. The person who will come after that may be a man. If we say that it is the CEO who comes in but we do not ingrain the issue of gender, it means we can have a system where every person sitting is of male gender.

There are a lot of good things coming out of Africa, so let us set the agenda for the world. Let us do the right things for the world by setting up good governance standards. If countries like America cannot do it, who said that the South cannot set the agenda? Let us set the agenda by telling them that we are more inclusive. We are gender inclusive, we are inclusive of youth, and persons with disabilities. The amendment that I am going to bring has to do with inclusion because there are parts that we may not change, like the gender of the Principal Secretary because they are appointed. When we are talking about these bodies, then you can tell them to appoint in a manner that reflects the ethnic face of Kenya, or rather the face of Kenya by ethnicity, that represents gender, youth, age and all those factors.

I support with amendments.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Members, this is a very straightforward one. I thought we should be concluding in less than ten minutes. Who wants to speak? We should be done with this one as fast as possible.

The Hon. Mwashako.

Hon. Danson Mwashako (Wudanyi, WDM): Thank you very much Hon. Temporary Speaker. As you and the Mover have alluded, this is a straightforward Bill, but I just want to add my voice on a few things.

The Kenya Roads Board is a very important Board in this country. We look forward to seeing that the Board managing the road sector in this country has the right people. Changing the numbers from 13 to nine in line with the Mwongozo principle is a good thing. It does not only save the country money, but also makes decision making easier and faster.

When it comes to corporate governance, as Parliament, we must raise our voice so that as the boards take office they must realise that they are not there to run day-to-day issues but to manage and take care of all the stakeholders in the sector they operate in. Therefore, the board that will run the road sector in this country, as envisaged in the proposed Bill, should ensure that it has equity and equality at the same time.

We know for a fact that we have very many pending road projects. We know challenges that we have had with the bodies under Kenya Roads Board, that is Kenya Rural Roads Authority (KeRRA), the Kenya Urban Roads Authority (KURA), and Kenya National Highways Authority (KeNHA). Kenya Roads Board has a bigger mandate to make sure that even the resources that go to these authorities are well balanced. We find that almost most funds are going to KeNHA while KeRRA has very many roads that it is not able to manage and maintain. Additionally, KeRRA is not able to improve roads under it. Kenya Roads Board plays a bigger mandate to make sure that the authorities under it get resources that facilitate its work and also manage equity, because we have had hue and cry where some areas of this country have been complaining that they do not get the resources for roads in their areas. Kenya Roads Board needs to be above board and bring to Parliament reports that show how the roads' budget cuts across the entire country.

I have had this discussion not only with a number of Members here but also with the Deputy Leader of the Majority Party. There are areas of this country that every year and every budget are allocated billions of Shillings while other areas, constituencies and counties are

allocated less than Ksh100 million while another constituency has Ksh40 billion. This Board that we are talking about here today must be above board and endeavour to bring in the aspect of equity in this country so that every Kenyan and every region of this country can feel that the Board members are able to rise above where they come from. There is this understanding that money flows to where a member of the Kenya Roads Board comes from. Corporate governance will detail that they rise above board, look at the country as one and look at areas that are marginalised and have remained behind. For instance, there are constituencies in this country that have no tarmac roads, and yet, if we follow through we realise that Kenya Roads Board does not even realise that there are constituencies in this country that do not have tarmac roads. They allocate money to counties that are already developed.

As I support this Bill, we should get the right people to sit in these boards so that we can get this country moving to the next level, where every board in this country is able to practise the principles of good corporate governance.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): The Hon. Eric Muchangi.

Hon. Muchangi Karemba (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. I will begin by saying that this is a very straightforward Bill. It seeks to align the composition of the Board to the Mwongozo Code of Governance. Therefore, it is going to save our country a lot of resources, bring about order, and also expunge or remove those that are not very necessary in the Board. I believe that this is what is required of us to do as Parliament, to align this Board to what is expected of the Constitution.

Having said that, the Kenya Roads Board has a lot to do because from what I see from my constituency, and especially where we have the county government and the national Government being expected to do the roads within our jurisdiction, there is a lot of conflict sometimes that occur when the county government insists that some roads will be attended to by the national Government but when we see what they are doing, the county government and the governors want to take all the share of the resources that can be utilised by the offices of the Members of Parliament or the constituencies to ensure that our roads are done properly and timely.

I recommend that going forward, as a House, we need to look at how entities like KURA and KeRRA operate. KeRRA has a Constituency Roads Committee that allows the offices of Members of Parliament to properly and adequately oversee the implementation of road projects in our constituencies but there are always challenges when it comes to KURA. They are domiciled mostly in Nairobi and sometimes in offices in the regions that are not very much in touch with our constituencies. There are challenges in overseeing those roads. That does not always go very well with the people. The Kenya Roads Board has a lot to do.

I support this Bill. Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Makilap.

Hon. Joseph Makilap (Baringo North, UDA): Thank you, Hon. Temporary Speaker, for giving me this opportunity to contribute. I have abandoned what I was about to do because of the goodwill of the Leader of the Majority Party.

First of all, I support the Kenya Roads Board (Amendment) Bill. This is the right way to go as we follow the Mwongozo principle of management of our parastatals. There is need to have a very lean and qualified Board that will discharge its duties in a fair and transparent manner. Boards of parastatals shall stop being dumping grounds of politicians or entities which go there to look for money or other things. We need to professionalise them to ensure efficiency and effectiveness in their mandate. I am passionate about the Kenya Roads Board because it was the brainchild of the Member for Baringo North, Hon. (Eng) Andrew Kiptum, in 1997. His brain has revolutionised the roads sector. It is from his idea that we now have extended authorities from the Kenya Roads Board like KeRRA, KURA and KeNHA. By extension, this

Board disburses resources to Kenya Wildlife Service (KWS) roads that serve in our game parks.

This tells us that this Board has a higher mandate to ensure that the resources reach the authorities in good time. This is the body that disburses Roads Maintenance Levy Fund which is the additional money that we charge on fuel. We want to see growth of infrastructure. The roads across the Republic of Kenya should spread as far as possible to the areas that are perceived as marginalised. The fuel that Kenyans use in their vehicles today has a component close to Ksh25. These resources must reach all the corners of our country through KeRRA, KURA, KeNHA and KWS.

I agree with the Member who spoke before me. The Kenya Roads Board must not become corrupt or have people who want to be enticed by the authorities, so that they allocate money based on their friendship with the Directors-General of the road authorities. It should not become a negotiation tool where you negotiate what must go to KURA and KeNHA. We need to revise the sharing formula of the resources to KURA, KeNHA and KeRRA because there are many roads that serve Kenyans under KeRRA.

Most of the urban roads were constructed a long time ago. Hon. Temporary Speaker, the Leader of the Majority Party needs to pay attention to this. This Board must now review classification of roads, so that they bring more roads that are under county governments. They are poorly managed and impassable. They should bring them back to KeRRA, so that they can finance them. The roads that are constructed by KeRRA in our constituencies are done properly. However, county governments do not construct roads properly. When they find a road that is constructed by KeRRA, they put a banner to indicate that they are the ones that have done it. The Leader of the Majority Party has come back. This point is very important. We need to re-classify our roads, so that they can go to KeRRA and KeNHA. We need to bring more roads from the county governments because they are unable to construct them. This is the Board that must do it. Reducing the numbers and making it effective and qualified means we shall have an efficient Board.

I also call upon the Leader of the Majority Party and Government to go ahead and sort out other Boards that have excess members and not in accordance to Mwongozo. This will save more money for medicine and infrastructure of schools. The Competency Based Curriculum (CBC) is strained because of lack of resources. If we reduce the number of members of Boards, we shall have enough savings to finance other programmes that are critical in this country.

Hon. Temporary Speaker, this is a straightforward Bill. I call upon the Leader of the Majority Party and Government to expeditiously move and bring amendments in all other boards, so that they are reduced to the correct numbers and become effective.

I support the Bill.

The Temporary Speaker (Hon. Peter Kaluma): Thank you, Hon. Makilap. Hon. Rindikiri Mugambi. He will be followed by Hon. Gichimu who will be the last to contribute before the Mover replies.

Hon. Mugambi Rindikiri (Buuri, UDA): Thank you, Hon. Temporary Speaker. The matter at hand is very critical in the running of the corporate institutions of this country. At the outset, I support the amendment that has been brought forward. I am more concerned with the performance of State corporations, but not with the number of members in our Boards.

The Kenya Roads Board plays a very critical role in managing finances that have been collected from taxpayers through the Fuel Levy. It runs a secret business because you never know when they will classify the roads. You do not hear open communication that they are carrying out classification of roads. This is a worrying trend. As we move forward, I call upon the Kenya Roads Board to come up with a schedule of classification of roads. If you go there right now, you will find some roads are classified wrongly. This is where these people are focused on. The classification is based on how the Board is influenced by certain political

quotas. The Kenya Roads Board is totally silent on the areas that roads are supposed to be under KeNHA, KURA and KeRRA. We do not know how they operate. In as much as we want to reduce the number of members of the Board, we are requesting for efficiency in managing our resources.

We cannot allow an institution to continue favouring certain areas and omitting others for years. It takes Members of Parliament to canvass, so that the Kenya Roads Board re-look the roads in their constituencies. There are three roads in Buuri Constituency which are supposed to be under KeNHA. It has taken almost five years for the Kenya Roads Board to visit these areas and classify them. To date, the report has not been released.

Hon. Temporary Speaker, we should be concerned about utilisation of the money sent to various agencies. This is especially, the money channelled for development of roads through counties. We cannot be giving money and never find out how it was utilised. It is a failure of KRB not to find out how the money channelled to counties is utilised. I think KRB is very keen on what KeRRA, KURA and KeNHA does. However, they are not keen on the money given to county governments. They just ask for photographs and are satisfied. I am calling upon KRB to not go to bed with the Council of Governors (CoG).

We have seen KeRRA issuing circulars to regional managers not to utilise money allocated under the 22 per cent. Where is KRB, and yet this is their responsibility? KeRRA has no authority to reduce money allocated from 22 per cent to 10 per cent unless, there is explicit authority from KRB. Our organisations must have efficient systems to enable them to offer better services to the citizens of this country. The road sector is very emotive. Everywhere you go in this country, everybody is saying they cannot sell their milk, go to the market or travel because the roads are not maintained. I do not believe the role of KRB is only dividing money. It is upon it to find out how it is utilised by these organisations.

We also need to find out why KRB has so much authority. As if the Cabinet Secretary is the one in control of where the money goes some counties or constituencies are given up to Ksh80 billion. We should empower KRB to go beyond the normal allocation. This is because many roads need to be upgraded. They cannot always wait for Members of Parliament to assist as if they are the only ones with feelings. KRB and the agencies under them have no feelings. Members of Parliament have now resorted to funding roads and inspecting them. I believe they have a moral business responsibility of going to KeRRA, KeNHA and KeRRA to oversee how money is utilised. Many roads have potholes yet money has been allocated. That is why Hon. Members are insisting the need to look at how this money is utilised. We can reduce the number of board members as per the proposed amendments but that will not solve the problem. Removing the sitting allowance of four people is insignificant. What we need is better performance by KRB.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Thank you. Hon. Members, there are two proposed amendments to this Bill. One is replacing the word ‘Minister’ with ‘Cabinet Secretary’ and the other is a single amendment to Section 7. I do not know why you are debating for too long. Hon. Gichimu make your contribution as brief as possible so that the Mover can reply and we move on to other business in the Order Paper. Hon. Naomi Waqo will speak after you and then the Mover will reply.

Hon. Gichimu Githinji (Gichugu, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute on this Bill. I also abide with the sentiments of Hon. Members in support of the amendments to the Kenya Roads Board Act, 2019. As you have clearly indicated, the Bill is very straightforward. It is just amending the number of Board members of KRB and making it leaner as well as, conforming with the *Mwongozo* guidelines on the parastatal membership of boards.

There are two critical roles played by KRB, one is classification of the roads and the other one is sharing of funds to various departments or Semi-Autonomous Government Agencies (SAGAS) in the roads sector like KeRRA, KURA and KeNHA. Matters of oversight lie with us parliamentarians. What KRB needs to do even after this amendment is to have a database of all the roads in Kenya so that Members of Parliament are not caught in between the demands of the constituents. The citizens of this country have been asking which roads are supposed to be done by the national Government or county governments. A clear database will make work very easy and there will be responsibility in terms of maintaining roads and putting murrum on rural roads in our constituencies.

It is also very important for KRB to make it easy for KeRRA, KURA and KeNHA to classify roads. This is because some roads cut across various constituencies and counties yet, they have never been classified as KeNHA roads so as to be tarmacked. These are some of the gaps that KRB needs to look into and address. They also need to follow up on stalled roads and ensure that resources are availed to various agencies so that those roads can be tarmacked. I am talking on behalf of the people of Gichugu. There are many roads which have stalled in my constituency. I believe with good management in terms of distribution of resources to KeRRA these roads will be completed.

The other amendment is straightforward. I need not to belabour it. The correction is so as to abide by the Constitution by replacing the word “Minister” with “Cabinet Secretary”. These amendments are straightforward as you have said. As a House, we have a responsibility to follow up on the performance of KRB.

Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute. I beg to support.

Hon. (Dr) Naomi Waqo (Marsabit County, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to add my voice to this very brief and important Bill. In brief, the Bill proposes, mainly, two amendments. It proposes an amendment on the membership and a change of the word ‘Minister’ to ‘Cabinet Secretary’. We know very well that a lot of money has been going into roads and their maintenance. This is the Kenya Roads Board (Amendment) Bill and I believe that reducing the members from 13 to 9 is a good thing because we want effectiveness. As we do that, I suggest that we get people who are qualified and experienced while ensuring regional balance so that we can have the face of Kenya. When we say people who are experienced, most of the time people think of the older generation, who have been there for many years. Today, we have young people who are qualified and have experience but are denied opportunities because of the age limit that we put when we advertise jobs in different boards. I suggest that young people should also be represented in the nine we are providing for. Of course, they must have good qualifications so that they can add value to the Board.

Hon. Temporary Speaker, the word ‘Minister’, according to our 2010 Constitution, needs to be changed to Cabinet Secretary. It is long overdue. It needs to happen as soon as possible so that it can be relevant to our context today. The work of the Board is to oversee the road network, to coordinate its development, rehabilitate and maintain using its funds. Unfortunately, when you look at what is happening in our country, especially where I come from, we do not have roads.

In fact, we are lucky that during the time of the late President Kibaki, we got a road, which is serving us well, but all the feeder roads no longer exist. After the last heavy rains, maintenance of the roads has been very poor. People have no roads and now that we are expecting rain, this Board needs to be serious and put into consideration the work that needs to be done regarding the road networks and coordinate properly to ensure every county is given an opportunity to serve its people well.

When we talk about the national and county governments, we have a challenge because sometimes even the county governments do not do their work. That is why today I urge both the county and national governments, through the Kenya Roads Board, to give this attention because without good road networks and infrastructure, we cannot have any development. Even in times of crisis, when people do not have roads or they have not been maintained, they cannot get the services that they need. Proper attention and accountability needs to be given. The people in charge have not been good stewards yet we know that a lot of money has been going to this Board for the maintenance, building and development of roads. If we can all be accountable, now that we have very limited resources, Kenya can grow very fast.

I support the amendment to reduce the members and that members who will be appointed or nominated should have the face of Kenya, including gender balance and incorporate our youth who are knowledgeable enough and have a lot of value to add to the Board.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): There being no more interest, I now call upon the Mover to reply.

Hon. Owen Baya (Kilifi North, UDA): Thank you very much, Hon. Temporary Speaker, for the opportunity to debate this Bill to completion. This is a very essential piece of legislation and I thank every Member who has contributed and given their wisdom. I think the idea of inclusivity and gender balance by Hon. Millie Odhiambo in nominating institutions must be maintained. I think that is an important thing that we must note so that when we get to Third Reading, we can incorporate it.

Additionally, Hon. Temporary Speaker, I like the discussion on the roles of Kenya Roads Board. Apart from just classifying roads, they also ensure an equitable distribution of resources. If we allow these Semi Autonomous Government Agencies (SAGAs) like KeRRA, KURA, and KeNHA to distribute money without supervision from the allocator, you end up with an unequal situation where some constituencies have Ksh14 billion while other constituencies only have Ksh100 million.

Hon. Temporary Speaker, it speaks loudly to the issues that we discussed in Naivasha. This should not be a House that perpetuates inequality. It should not. The committees that we have set should not perpetuate inequality by voting to disfranchise other members of the community just because they probably do not have the opportunity to become chairpersons or sit in committees that share resources. There are three types of committees in this House. There are Committees that share resources, Committees that look at how resources have been spent and Committees that look at governance issues. Now, it would be very unfortunate to sit in these other two, where money has already been spent and requires an audit and where you look at other parliamentary issues.

As the Swahili people say, '*mtegemea nundu huondoka na mafuta*'. When they sit in those committees, they leave with more fat than those of us who do not sit in those committees and we must end that. It speaks to governance, accountability, and integrity. If Members of Parliament demand such of other people, then it must also be demanded of us as we sit in those committees.

Hon. Temporary Speaker, I can promise you in the coming weeks, we will debate those committees in this House and post resolutions for those committees so that this issue of governance... If we are infusing governance at the Kenya Roads Board, we must infuse proper governance and sharing of resources within certain committees that share resources. I thank you for the debate. It has been a good debate and we look forward to bringing this to the Committee of the whole House. We should fast track those amendments so that the Kenya Roads Board has new life and new governance structures to develop our country.

I beg to reply.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): For the convenience of the House, the question to this Bill will be put the next time it will be scheduled to be transacted by the House Business Committee.

(Putting of the Question deferred)

Next order.

MOTION

APPROVAL OF THE MEDIATED VERSION OF THE NATIONAL RATING BILL (NATIONAL ASSEMBLY BILL NO.55 OF 2022)

The Temporary Speaker (Hon. Peter Kaluma): Mover.

Hon. Josses Lelmengit (Emgwen, UDA): Thank you, Hon. Temporary Speaker. I beg to move:

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House adopts the Report of the Mediation Committee on the National Rating Bill (National Assembly Bill No.55 of 2022), laid on the Table of the House on Tuesday, 5th November 2024, and approves the Mediated version of the National Rating Bill (National Assembly Bill No.55 of 2022).

Hon. Temporary Speaker, the Bill is sponsored by the Leader of the Majority Party and seeks to enhance property rating systems at the county level and align national and county interests in property taxation.

The Mediation Committee was formed under Article 112(2)(b) of the Constitution to reconcile the differences arising from the amendments proposed by the Senate to the Bill. The Senate proposed the amendment's key Clauses in the Bill which changes primarily intended to enhance clarity, streamline processes and ensure cooperative governance between national and county levels. The Mediation Committee has reviewed each of these amendments carefully, deliberated extensively and made informed resolutions.

On the key areas of agreement and mediation, under Clause 2 definitions, the Mediation Committee agreed to revise the definition of the valuation roll and insert the definition of the Chief Government valuer proposed by the Senate to improve clarity. However, the Mediation Committee did not adopt the Senate's proposal to redefine occupier as existing proficiency sufficiently defined the term.

On Clauses 12, 20, 30 and 32, the Mediation Committee agreed with the amendments proposed by the Senate regarding consultation with the Council of Governors to foster collaboration and accountability between national and county levels. Under Clause 32, the Mediation Committee adopted the amendments proposed by the Senate that require county assemblies to approve valuation roles within the specified timeframe, adding predictability to the property valuation process.

Some clauses have not been adopted and there are various reasons. Under Clause 56, the Mediation Committee did not adopt the amendments proposed by the Senate to standardise technological systems across counties for valuation role preparation. Respecting counties' autonomy to choose suitable systems based on individual needs.

Under Article 34, the Mediation Committee proposed an alternative approach amendment proposal from the Senate by redrafting Sub-clause 6 to establish a structured process for handling objections to valuations involving the County Valuation Board before disputes escalate to a tribunal.

New clauses were inserted for an enhanced framework; New Clause 24A on the Chief Government Valuer. The Committee adopted the proposal to introduce a clause to establish the office of the Chief Government Valuer to provide an advisory role essential for consistent national guidance on property valuation. New Clause 30A on supplementary valuation role. The Mediation Committee adopted amendments proposed by the Senate to delete and separate certain sub-clauses under Clause 30 and redraft them as Clause 30A which will contain specific provisions regulating the preparation of supplementary roles to enhance clarity.

In conclusion and recommendation, after a thorough process of analysis and negotiations, the Mediation Committee believes that the proposed resolutions balance the interests of both Houses and serve the purpose of advancing efficient property rating across the counties.

I urge this House to adopt the Report of the Mediation Committee as it represents a collaborative effort to strengthen governance in property rating and valuation, ensuring accountability and consistency across our counties.

I move and request Hon. George Ndung'u, who is a Member of the Departmental Committee on Lands to second.

The Temporary Speaker (Hon. Peter Kaluma): Hon. George Ndung'u, to second.

Hon. George Koimhuri (Juja, UDA): Thank you, Hon. Temporary Speaker.

I rise to second this Mediation Committee Report on the National Rating Bill, 2022.

(Question proposed)

The Temporary Speaker (Hon. Peter Kaluma): Hon. (Dr) Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): Thank you, Hon. Temporary Speaker.

Let me commend the Committee for coming up with the mediated version of the National Rating Bill.

I am a happy man today because a number of amendments had been moved when the Bill was in the Committee of the whole House in this National Assembly when I was seated here. The Chairman was either Hon. Martha or Hon. David. When disregarding the nature of Parliament, they disregarded all my amendments amid heckling and booing that was typical then of this Parliament. I am happy many of those amendments have found their way back into the Bill. That is why we always say when we walk into that Door to take an Oath to become Members of Parliament, we come here with different professional leanings. We have some technical ideas that can help move this country to the next level.

This is my forte. This is my area of practice. When I stood here and told them how we could do it to make it work better, many of them thought it was the typical abrasive nature that we deal with other things. I am happy that it is a better version compared to what we passed here. Much more can be done to improve the Bill.

My only concern, and this is a matter which probably with the fullness of time, we might have to address. Council of Governors does not exist in the Constitution. It is not a Commission under Chapter 256 on Commissions. I wonder on what basis even the Cabinet Secretary would consult them. What is the framework? What views would they give that can find their way into regulations? That is something I leave to the lawyers to deal with. In the fullness of time, we must define this mongrel called the Council of Governors. We should just treat them like any other Kenyan who can come and give their views here and there. Nevertheless, it is commendable work, and we can work on it.

Again, I want to go on record: Rating is a county function. And that is an escapable provision of our Constitution. Ideally, when you are legislating on behalf of the county government, I would have imagined this should have taken the position of an adoptive law, that the county governments can adopt this as a model document and modify it to suit the

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circumstances as the situation might be. There is some sense of it in this Bill where the issue of rates and the rest is left to the county legislation. Truly speaking, a rating Bill of this nature...

The Temporary Speaker (Hon. Peter Kaluma): Mover, I hope you are listening to Hon. (Dr) Wilberforce Oundo.

Hon. (Dr) Ojiambo Oundo (Funyula, ODM): A rating Bill of this nature is an adoptive Law. In the wisdom, I just hope nobody will go to court and make Parliament look as if it does not have legal minds in this matter.

Thank you. Good job. I support this mediated version. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Does Hon. Cynthia Muge want to contribute to this? Give her the mic.

Hon. Cynthia Muge (Nandi County, UDA): Yes, Hon. Temporary Speaker. I appreciate the opportunity given to me to contribute to this Motion.

Land issues are emotive in this country. I want to appreciate the Report that has gone through the Mediation Committee. I am a supporter of devolution and for it to work, the devolved units must be facilitated. The national Government provides most of the capacity building in the counties while the National Assembly focuses on matters legislation. In support of this, I have realised that county governments and the national Government co-exist and work interdependently; they depend on each other. This is because at some point, even if you are an officer of the National Government, at some point you must liaise with someone who works with the county government.

On this matter of the National Rating Bill and the functions that cover it, I am happy that the county assemblies have been given a role, through the mediated version of the Bill. This way they can ratify and go through the valuation role when it is taken to the county assemblies. Further, we will also capture the nitty-gritties and the specific situations and scenarios that play out in different counties in our country. That is very commendable.

Previously, this Bill used to have the functions of a valuer but did not create the office of the valuer. I am happy that through this Bill, we have established the Office of the Chief Government Valuer. There was a very hot contest among the people who went to the School of Built Environment, including myself, on who should be this valuer; a quantity surveyor or a surveyor. I am happy that the responsibility to choose who fits in this office has been given to the Public Service Commission who will put into perspective the exact roles of the office and the officers who are supposed to work there. This will bring to an end the pull and push between who should be a valuer in this office. This is one of the very good amendments that have been done to this Bill.

I also appreciate the involvement of the COG. For a very long time we have had court battles in the courts by the governors. The only reason that they cite is lack of involvement. I am glad that this Bill has endeavoured to cure that disease that we have dealt with for too many years in this country since the inception of devolution. The COG will be given a say through their structures. As much as my counterpart, Hon. Oundo, says that they are not recognised in the Constitution, we endeavour to have a seamless working relationship so that we can stop going to the courts. We should entrench the structure of the COG into the laws and the Constitution of this country so that we stop the small fights that cause delays, hurt service delivery to the people of Kenya and do not serve the interests of the people as a whole. I support this Bill and hope that the Members of this House will also support it so that the people in the devolved system can also access these services.

In our counties, the valuer, as was previously, is one person that is not clearly defined. You cannot pin him to a constituency or to a sub-county because some sub-counties have more than one Assistant County Commissioner (ACC) while others have only one ACC. This will help us to structure the office and make it accessible to many people. As you know, the land dealings, especially in the recent days, have increased and the office is getting busier than it

was previously. This service needs to be taken down to the lowest level of devolution so that we can cure the fraud that is involved in land. It will also cure the lack of knowledge because the closer the office, the closer the services and civic education so that our people can also know the procedure and cost. The people need to know why they pay a certain amount of money when they live in town and not pay money when using the land for other purposes other than commercial.

I support this Bill and hope that the Members of this House will also support it so that we can take those services back home and also make sure that the people who are given the opportunity, especially in that office, are qualified and can tackle the land issues.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Cynthia Muge, thank you for that eloquent contribution. However, you have answered one limb of the issues that Dr Wilberforce Oundo, a known expert in this area, was raising. The other part is still remaining. If I heard him clearly, he is asking whether the National Assembly could be legislating for counties in areas where each county should be having their own county assembly enacting a law that is specific to their needs.

I do not know whether that is for you or the mover to respond. I was just stressing it with you because of your eloquent articulation of the matters and prior career background.

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker. I must confess that I do not have a very satisfactory answer to Hon. Oundo who happens to be an expert in this sector. However, having worked and legislated in the county assembly previously, and since devolution came in, the function of building capacity in the county governments and the county assemblies, lies in the national Government because it has established structures.

The prayer in the county assembly has a very small difference with the prayer that is done in the National Assembly. We might not really know how to deal with the specific issues in the counties, but we must provide a structure that every county assembly should adopt and make it better to suit their situation. Of course, we cannot legislate for the county assemblies, but we can lead the way because we are the bigger House.

The Temporary Speaker (Hon. Peter Kaluma): Thank you very much. Let us have Hon. Rindikiri Mugambi.

Hon. Mugambi Rindikiri (Buuri, UDA): Hon. Temporary Speaker, I do not have much but I must commend the Committee for finding it good that we go through this process of arbitration and coming up with a compromise on the way forward.

It is true that land is very emotive and there are too many disparities in the way various counties are operating at the moment. For instance, in one county, you could have one constituency called a town or an urban centre and another one called a market or a city. All these bring differences in letting.

In matters of registration, it is important that we have a competent person with a capacity to manage the process, such that we have a unified way, not very much accommodative, of letting within various counties.

Therefore, I support and congratulate the Committee. However, I still have a problem, and just like Dr Oundo asked, is the Council of Governors a legal entity? That is the bigger question. They are executing a lot of influence in decision making by the legislative body, the National Assembly, and county assembly. We must be very careful. It is okay to get their views but their influence should not surpass the legislative Arm of the two Houses. That is the biggest problem and it is something that we must deal with going forward.

We can listen to them as one entity, but we cannot take them an authority because in legal terms, they are not recognised as such in the Constitution.

Thank you.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Geoffrey Ruku, Member for Mbeere North, do you want to contribute to this?

Hon. Ruku GK (Mbeere North, DP): No.

The Temporary Speaker (Hon. Peter Kaluma): You are in line for the next issue. Certainly not on this one.

There being no further interest, I call upon the mover to reply.

Hon. Josses Lelmengit (Emgwen, UDA): Hon. Temporary Speaker, I beg to reply.

The Mediation Committee reviewed each clause and the amendments in this Bill. For the first time I sat in the Mediation Committee comprising the Senate and National Assembly Members. I really thank them for their input in coming up with these harmonised amendments.

This Bill seeks to incorporate county governments through the COG with the national Government to consult while preparing valuation roles. As suggested and supported by the Members, a lot of input has gone into this from experienced people working in the county governments and the national Government. I believe this Bill has been put together by people well versed with the National Rating Bill.

I, therefore, beg to reply. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): The Chairperson Mediation Committee on the National Rating Bill, let me start by commending you for representing the National Assembly and the institution of Parliament well in the mediation team. I know this is your first term in Parliament, I can assure you I know not of any Member who has had the occasion at first term to so ably chair and present the mediated version of the Bill between our two Houses of Parliament: National Assembly and the Senate.

Congratulations. I am happy with this far that you have done. For the convenience of the House, the Question to the Motion appearing on the Order Paper as No.11 will be put when it will be scheduled next with the consideration of the House Business Committee.

(Putting of the Question deferred)

Hon. George Koimburi (Juja, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Peter Kaluma): Hon. Koimburi, what is out of order?

Hon. George Koimburi (Juja, UDA): Thank you, Hon. Temporary Speaker, I rise on a point of order under Standing Order 35. There is no quorum in the House. Thank you.

The Temporary Speaker (Hon. Peter Kaluma): You mentioned Standing Order 35 on the matter of quorum. Alright, ring the quorum bell for 10 minutes.

(The Quorum Bell was rung)

Could the Deputy Whip of the Majority Party and Hon. (Dr) Oundo approach the Hon. Temporary Speaker?

(Hon. Owen Baya, Hon. Naomi Waqo, Hon. (Dr) Ojiambo Oundo and Hon. Josses Lelmengit consulted the Hon. Temporary Speaker)

(The Quorum Bell was rung)

ADJOURNMENT

The Temporary Speaker (Hon. Peter Kaluma): Stop the bell. Hon. Members, the time being 6.29 p.m., this House stands adjourned until Tuesday, 12th November 2024, at 2.30 p.m.

The House rose at 6.29 p.m.

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