

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 13<sup>th</sup> April, 2016

The House met at 2.30 p.m.

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

PRAYERS

PETITION

### GAZETTEMENT OF TIGANIA WEST AS HARDSHIP AREA

**Hon. Speaker:** There is a Petition by the Hon Member for Tigania West Constituency which is his normal place of abode. Is he here? He is still in the village? The House starts at 2.30 p.m.

*(Hon. Karithi walked in)*

Yes, Mr. Karithi.

*(An Hon. Member stood in the aisle)*

The Member standing in front of me is in breach of the Standing Orders.

Put your card in, Hon. Karithi. Log in.

**Hon. Karithi:** Thank you, Hon. Speaker.

I have a Public Petition on the gazettelement of Tigania West as a hardship area by the Ministry of Education, Science and Technology.

I, the undersigned, on behalf of the residents of Tigania West Constituency, draw the attention of the House to the following:-

THAT, Tigania West Constituency borders Isiolo and Tharaka Nithi counties;

THAT, Tigania West Constituency is characterised by hardship, poverty, remoteness and hard climatic conditions and poor infrastructure;

THAT, due to the harsh climatic conditions, public learning institutions and the community at large are supplied with relief food;

THAT, primary and secondary schools are not keen to take up postings in these areas since they are not entitled to hardship allowance;

THAT, Isiolo and Tharaka Nithi counties were gazetted as hardship areas thus attracting teachers from Tigania area to take up posts in the neighbouring Tharaka Nithi and Isiolo counties;

THAT, the shortage of teachers in public schools in Tigania West area has led to poor performance;

THAT, efforts to resolve the matter with Ministry of Education, Science and Technology and the Teachers Service Commission have been futile;

THAT, the issues in respect of which this Petition is made are not pending before any court of law, constitutional or statutory bodies.

Therefore, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Education, Research and Technology, recommends that the Cabinet Secretary for the Ministry of Education, Science and Technology in conjunction with the Teachers Service Commission gazettes Tigania West Constituency as a hardship area.

And your Petitioners will forever pray.

Thank you, Hon. Speaker.

**Hon. Speaker:** Do I see a few people like your neighbour, Hon. Linturi want to comment?

**Hon. Linturi:** Thank you, Hon. Speaker.

Let me thank the teachers who found it necessary to bring this Petition through their Member of Parliament. This is because the Petition has made this Hon. Member make history by speaking for the first time, three years after election.

*(Laughter)*

Two, I want to make it clear that the issue of hardship is not a problem that is in Meru alone. It is a problem for the county and other parts of this country. So, I support this Petition. As the Committee engages to look into this Petition, we ask them to also consider areas of Igembe North, Igembe East and those other areas of the lower Igembe South with a view to make sure their issues are addressed when they make their recommendations to the Teachers Service Commission.

**Hon. Aburi:** On a point of order.

**Hon. Speaker:** Resume your seat. There is a point of order from Hon. Mpuru Aburi.

**Hon. Aburi:** Thank you, Hon. Speaker.

Mr. Mithika Linturi must apologise to this House for saying that this is the first time for Mr. Karithi to speak in this House. This is very bad. He has to apologise. It is untrue.

**Hon. Speaker:** Yes? Is it not true?

*(Loud consultations)*

**Hon. Members:** Yes.

**Hon. Speaker:** I am aware that the Hon. Member made his Maiden Speech long ago. He is a robust contributor to debate in this House.

*(Applause)*

Hon. Linturi, you must withdraw that.

**Hon. Linturi:** Hon. Speaker, with all humility, if that is the case because the HANSARD is the custodian of the information of proceedings of this House, then I humbly withdraw.

**Hon. Speaker:** You withdraw?

**Hon. Linturi:** I have.

**Hon. (Ms.) Kajuju:** Thank you, Hon. Speaker. I thank the Member of Parliament for Tigania West for finding it fit to bring this Petition on behalf of the people of Tigania West. I dare say that this affects a large population of Meru County where a number of our schools are facing challenges yet they have not been considered in the special programmes.

Whenever we go to the State Department of Special Programmes to have these schools considered in the hardship programme, they have always said that Meru County is not a county that qualifies for this kind of support. I say this today bearing in mind that we have very special guests from Tigania West who have been on a benchmarking tour in Kisumu and Mombasa to see how the programmes are effected in those other counties. This is important because we have been seeking support from Red Cross and various donors who have supported teachers, students and pupils.

So, this is a proper Petition that has been brought to this House by Hon. Karithi. I believe that the concerned organs of this Government are going to ensure that this is taken up and Tigania West students, pupils and teachers are taken care of.

Thank you.

**Hon. Speaker:** Do I get an intervention that Hon. Olago Aluoch wants to say something about it? Yes, Hon. Olago Aluoch.

**Hon. Aluoch:** Thank you, Hon. Speaker. Kisumu West may be far away from Tigania, but the issue of classification of this country into hardship and non-hardship areas is very important. As much as the issue is important, it is a pity that Hon. Linturi has brought up an issue that is very localised in Tigania between him and *Mheshimiwa*, but that is not for us to discuss now. The same issue arises in Kisumu County because the teaching fraternity should be having standards so that we know the area they come from and work in. If you are talking about Muhoroni or Kisumu West, we know which parts can be classified as hardship areas. The problem we have, which is similar to this one, is that the Teachers Service Commission (TSC) is not able to classify parts of Kisumu City as areas that should get what is called City Housing Allowance. That is precisely the problem that they have in Tigania. It is time TSC came up with proper criteria for classification of areas so that teachers get what they are truly entitled to.

Thank you.

**Hon. Irea:** Thank you, Hon. Speaker. That Petition has come at the right time. I was a teacher at that place. Some of the residents you see up here visiting Parliament today are some of my students when I was teaching there. Some have become principals of secondary schools. That area is a hardship area. It is between Isiolo and Tharaka, yet Tharaka is classified as a hardship area where teachers who teach there get allowances. Therefore, I support the MP for Tigania East for bringing this Petition because some of the schools there do not have adequate teachers. Teachers go there, find it a hardship area and ask for transfers to move to other schools.

Therefore, I thank the MP. That area should be gazetted immediately as a hardship area. What has transpired between Hon. Karithi and Hon. Mithika Linturi, my colleague here, is part of Meru politics which is playing out between the person who wants to become the Governor and the current Governor. Karithi has spoken in Parliament several times.

I support you when you say that he is robust MP. Tigania people, you are assured that your MP speaks in Parliament. You can see what he is doing. This Petition has come at the right. Therefore, I support the Petition.

Thank you.

**Hon. Speaker:** Once a matter has been brought to the House, it is not a county affair. So, do not localise it. Do I see Hon. Silverse Anami desirous of contributing to this?

**Hon. Anami:** No.

**Hon. Speaker:** Hon. Justice Kemei or is it Pukose?

**Hon. Kemei:** Thank you, Hon. Speaker.

**Hon. (Dr.) Pukose:** Thank you---

**Hon. Speaker:** Hon. Justice Kemei is already on his feet. Okay, you speak Hon. Pukose. Hon. Kemei, I will give you a chance.

**Hon. (Dr.) Pukose:** Thank you, Hon. Speaker. I want to thank Hon. Karithi for passionately pushing for the issues affecting his constituents especially the issue of Tigania West being a hardship area. It is unfortunate that Hon. Linturi who never brought our signatures to the House and read our Petition could trivialise this very important matter.

*(Laughter)*

The issue of teachers is one of the issues that most of us feel, especially in a constituency like Endebess where I border West Pokot. That is hardship area and my people are also feeling the pinch. I want to support Hon. Karithi for this very important Petition.

Thank you.

*(Loud consultations)*

**Hon. Speaker:** The Members from that county, please allow others from other counties to speak. It is not village matter. Let us hear the voice from Sigowet/Soin. Maybe many of you do not even know the names of the constituencies some of your colleagues represent. I am an exception because I know he is a Member for Sigowet/Soin.

**Hon. Kemei:** Thank you, Hon. Speaker, for giving me this chance. I rise in support of the Petition by Hon. Karithi. Some of us who have interest in posting of teachers to hardship areas need to be called by the Departmental Committee on Education, Research and Technology when they are interrogating TSC and the Ministry of Education, Science and Technology. Parts of Soin Division are classified as hardship areas and within those hardship areas, the Ministry of Education, Science and Technology has unilaterally decided that some schools are not hardship areas while those which are neighbouring are hardship areas.

We would wish----

**Hon. Dawood:** Thank you very much, Hon. Speaker. I want to support my colleague, *Mheshimiwa* Karithi, because his constituency neighbours mine. My constituency also neighbours Tharaka Constituency. The lower part of my constituency is a hardship area. There was a time when we used to get relief food. I want to support my colleague and say here in front of teachers from his constituency that I have heard many times Hon. Karithi speaking. It should be removed from the HANSARD that he does not speak because I have heard him speak many times.

If the hardship allowance is going to be given, we should have fairness in it. Many of our constituencies border the hardship areas. Just one kilometre away from my border, the schools in

Tharaka get hardship allowance and my schools do not get it. I believe the lower part of my constituency should be gazetted as hardship area.

Thank you.

**Hon. Speaker:** That should suffice to move to the next Order. Allow me to recognise the presence of Tigania West Head Teachers Association from Meru County in the Public Gallery.

*(Applause)*

The Petition is referred to the Departmental Committee on Education, Research and Technology.

Next Order.

**Hon. A.B. Duale:** Hon. Speaker, I beg to lay the following Papers on the Table:-

The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June, 2015, and the certificates therein:-

- (1) Ministry of Information, Communication and Technology - Revenue Statement;
- (2) Communication Authority of Kenya;
- (3) Communication Authority of Kenya Universal Service Fund;
- (4) Jomo Kenyatta Foundation;
- (5) Ministry of Lands, Housing and Urban Development - Revenue Statement;
- (6) Kenya Broadcasting Corporation;
- (7) Kenya Yearbook Editorial Board;
- (8) Commission for University Education;
- (9) Nyayo Tea Zone Development Corporation;
- (10) Mwea Rice Mills Limited;
- (11) Kenya Railways Corporation;
- (12) Prisons Industries Revolving Fund; and
- (13) Kenya Cultural Centre.

The Report of the Auditor-General on the Financial Statements of the National Gender and Equality Commission - Norwegian Fund Project for the 14 months ending 30<sup>th</sup> September, 2015 and the certificate therein.

The Annual Report and Financial Statements of the Kenya Post Office Savings Bank for the year ended 30<sup>th</sup> June, 2013.

The Annual Report and Financial Statements of the Kenya Universities and Colleges Central Placement Service for the year ended 30<sup>th</sup> June, 2014.

The Annual Report and Financial Statements of the Transition Authority for the year ended 30<sup>th</sup> June, 2015.

**Hon. Speaker:** Let us have the Chairperson of the Mediation Committee on the Climate Change Bill, 2014, Hon. Dr. Wilbur Ottichilo.

**Hon. (Dr.) Ottichilo:** Hon. Speaker, I beg to lay the following Paper on the Table:-

The Report of the Mediation Committee on the Climate Change Bill (National Assembly Bill No.1 of 2014).

**Hon. Speaker:** Next we will have the Chairperson of the Departmental Committee on Labour and Social Welfare, Hon. Were.

**Hon. Were:** Hon. Speaker, I beg to lay the following Papers on the Table:-

Reports of the Departmental Committee on Labour and Social Welfare on:-

- (1) Sessional Paper No.6 of 2014 on the National Children Policy;
- (2) Sessional Paper No.1 of 2015 on the National Policy on Elimination of Child Labour;
- (3) 41<sup>st</sup> African Regional Labour Administration Centre (ARLAC) Governing Council Meeting and High-Level Symposium on Social Protection in Victoria Falls, Zimbabwe;
- (4) Study Visit to Philippines and the United Arab Emirates on Administration of Foreign Employment and Management of Labour Migration;
- (5) 9<sup>th</sup> International Association of Athletics Federation (IAAF) World Youth Championship in Cali, Colombia; and
- (6) The 15<sup>th</sup> World Athletics Championship in Beijing, China.

**Hon. Speaker:** The Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. Chepkong'a.

**Hon. Chepkong'a:** Hon. Speaker, I beg to lay the following Papers on the Table:-

The Reports of the Departmental Committee on Justice and Legal Affairs on:-

- (1) Petition by the National Victims and Survivors Network on the Truth, Justice and Reconciliation Commission Report;
- (2) Petition by the residents of Tharaka Nithi County on alleged non-refunded cash bails by Marimanti Law Courts. This was presented on behalf of the residents by Hon. Beatrice Nyaga. It was the most successful Petition. Arising from this Petition, the Judiciary, in the Supplementary Budget, has made provision of Kshs1.2 million to refund those very poor people who had paid their cash bail but it was taken as part of the revenue of the Judiciary. The money will be repaid immediately we pass the Supplementary Budget;
- (3) Petition on the Mau Mau War Veterans and the recognition of the armed struggle.

### NOTICE OF MOTION

**Hon. (Dr.) Ottichilo:** Hon. Speaker, I beg to give notice of the following Motion:-

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order No.150, this House adopts the Report of the Mediation Committee on its consideration of the Climate Change Bill (National Assembly Bill No.1 of 2014), laid on the Table of the House today, Wednesday 13<sup>th</sup> April 2016, and approves the mediated version of the Climate Change Bill, 2014.

### STATEMENTS

#### STATUS OF BUSINESS PENDING BEFORE THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

**Hon. Chepkong'a:** Thank you, Hon. Speaker. This is to report on the business that has been referred to the Committee by the House and yourself, Hon. Speaker. The Bills that are pending before the Committee that were tabled and forwarded to the Committee are as follows:-

- (1) The Presidential Memorandum on Small Claims Court Bill, 2015. We dealt with it and it was brought to the House. We tabled it and it was discussed and passed.
- (2) The Political Parties (Amendment) Bill, 2016. It is pending in the House for discussion. It has been on the Order Papers;
- (3) The Election Laws (Amendment) (No.3) Bill (National Assembly Bill No.63 of 2015). It is also before the House for discussion.
- (4) The Mediation Committee Report on the Statute Laws (Miscellaneous Amendments) Bill, 2013. We tabled it and it was approved by the House;

*(Loud consultations)*

**Hon. Speaker:** Order Members, especially those who have the habit of communicating across the aisles! I have in mind the Member facing me directly, the Hon. Member for Mbita. Is it Mbita or Suba?

**Hon. (Ms.) Odhiambo-Mabona:** Both.

**Hon. Speaker:** Hon. Millie Odhiambo, I know you want to consult your colleagues across the aisle, especially the Member for Igembe South. Why do you not approach him and sit next to him so that you do not have to shout? He is not harmful.

*(Laughter)*

**Hon. Speaker:** Proceed.

**Hon. Chepkong'a:** Thank you, Hon. Speaker. As you were communicating with her, you were wondering whether she was the Member of Parliament for Mbita or Suba. She said she represents both. I am just wondering why Hon. Mbadi is not claiming his seat. The seat has been ceded to Hon. Millie Odhiambo.

**Hon. Speaker:** Hon. Millie Odhiambo, what is out of order now?

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Speaker. There are two things which are out of order. I am exceptionally smart and it is causing jitters on the side of---I cannot complete that statement.

The other issue that is out of order is that my constituency has traditionally been referred to as "Mbita". There was a High Court decision that changed the name to "Suba North". So, as we speak, there are Government documents that still refer to it as Mbita and other documents that refer to it as Suba North. Being half Suba and half Luo, I would have loved it to be called "Mbita Suba North" or "Suba North Mbita" but unfortunately, the court decided to only call it "Suba North". I know Hon. Mbadi will be happy if it is Suba North but I am half Luo and half Suba so I would want to have it both. That is what it is.

*(Loud consultations)*

**Hon. Speaker:** I am unlikely to make any ruling save to point out that for purposes of the screen, you are Member for Mbita. What I see here on the screen shows you to be Member for Mbita. There is nothing else out of order, surely. Let us do business and avoid side shows about people who are smart or shaggy.

*(Laughter)*

You can discuss that in Nyayo Stadium or some such like places.

**Hon. Members:** What are the standards?

**Hon. Speaker:** You cannot involve me. Hon. Chepkong'a.

**Hon. Chepkong'a:** Hon. Speaker, the Committee also recently received the Public Appointments (County Assemblies Approval) Bill, 2014, Senate Bill, for consideration. It is undergoing public participation. We should be tabling our report in due course.

We have tabled some Petitions that have been pending before the Committee this afternoon. We now only have one Petition that is pending. That is the Petition on the alleged murder of Gladys Ritho. We have sought the Attorney-General's and the Director of Public Prosecutions' comments on the matter. We will also be considering the Petition by Hon. Chris Omulele whom we have invited to appear before the Committee on Thursday this week. We hope we will meet him tomorrow. The Committee has also considered the Petition by Johnson Kobia and discovered that the issues raised by the Petitioner are central in a criminal case in Meru courts.

*(Hon. A.B. Duale and Hon. Midiwo consulted loudly)*

**Hon. Speaker:** Hon. Leader of the Majority Party and the Deputy Leader of the Minority Party you cannot be the ones communicating across the aisle so loudly. I am sure the two of you can approach each other and whisper.

**Hon. Chepkong'a:** The final Petition that is pending before the Committee is the one by the National Nurses Association of Kenya which was concluded by the Departmental Committee on Health but was referred to us. Most of the issues that were raised in the Petition have already been captured in the Health Bill. So, we will be making a report in due course.

There are legislative proposals pending before the Committee. They are as follows:- The Judicature Act (Amendment) Bill, 2016 by Hon. Irungu Kangata; the Constitution of Kenya (Amendment) Bill, 2016 by Hon. Ababu Namwamba and the Constitution of Kenya (Amendment) Bill of 2016 by Hon. Alice Wahome. We are subjecting these proposals to due process of consultation and we have forwarded them to the Kenya Law Reform Commission (KLRC) and the Attorney-General for their comments. We are awaiting those comments. Once we receive them, the Committee will deliberate on them and make the necessary decision. We also have the Traditional Courts Bill 2016, by Hon. Abdikadir Ahmed. We are also dealing with it in the same manner.

That is all the business pending before the House. We will continue updating as and when we are required to do so.

Thank you, Hon. Speaker.

**Hon. Speaker:** Very well. Unless there is somebody who has an issue on what has been reported, I can allow two or three minutes. Hon. Olago Aluoch.

**Hon. Aluoch:** Hon. Speaker, I have the privilege of serving in the Departmental Committee on Justice and Legal Affairs and I stand here with a very heavy heart. I have listened very keenly to my Chairman and I notice that my Government Proceedings (Amendment) Bill is not listed. That is a matter that is very serious because I am proposing to amend the Government Proceedings Bill very fundamentally. I know it has gone to the Executive and the Attorney-



General and they are very jittery and hostile to it. I have raised it many times with the Committee and it never comes up. Today, I know for sure that my Chairman does not want it to come up. Can he explain to the House why it is not listed as one of the pending matters?

**Hon. Speaker:** As one of the businesses pending or legislative proposals. Any other Hon. Member who has something before that Committee which they would like to raise? Hon. Chepkong'a could respond to Hon. John Olago Aluoch's question.

**Hon. Chepkong'a:** Hon. Speaker, you know my senior is very forceful and dare I say vociferous on presentation of his legislative proposal. This is a matter that we have discussed with Hon. Aluoch a number of times. It is a matter that is pending in the Committee. It has been there since 2014, I believe. We had agreed that we will invite the Attorney-General to appear before the Committee so that he can canvass those issues. A number of occasions when we have made an attempt to do so, the Attorney-General was outside the country. I undertake, since he is a Member of the Committee, to deal with it bilaterally between him and myself. I am sure we will conclude this matter. We belong to the same profession. I see no fight in this. This is not a major issue although it is a major issue to him. His Bill has major repercussions to the economy of this country. So, that is the reason we are taking a little bit of time because he is seeking to remove the protection on attachment of Government properties on civil debts judgements. Those are issue the Attorney-General said he would like to deal with personally. I am sure Hon. Aluoch as a lawyer knows it. He also admits that we need to agree on the way forward.

I undertake that in the next two weeks we should bring a report to the House. Thank you, Hon. Speaker.

**Hon. Speaker:** Sit in the Committee, discuss and agree on what report to be brought to the House relating to the proposal. Has the Bill been published?

**Hon. Chepkong'a:** Not yet.

**Hon. Speaker:** It is in that other stage. Hon. Aluoch, since you are a Member of the Committee you should raise the matter in the Committee so that you can get a definite date when the Attorney-General or whomever they may desire to depute to appear before the Committee and discuss whatever issues, misgivings or concerns they may have so that you can proceed to the next level. You should be able to discuss before the Committee some of the issues that Hon. Chepkong'a has raised among others. So, proceed and discuss it and let the proposal proceed.

Hon. David Were.

#### STATUS OF BUSINESS PENDING BEFORE THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE

**Hon. Were:** Hon. Speaker, the following is the status report of business pending before the Departmental Committee on Labour and Social Welfare. We had two sessional papers; Sessional Paper No.6 of 2014 on the National Children Policy and Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour. They have been concluded and I have just tabled them.

On foreign trips, we have the following reports:-

- 1) High-Level Symposium on Social Protection held in Victoria Falls, Zimbabwe.
- 2) A study visit to Philippines and to United Arab Emirates on Administration of Foreign Employment and Management of Labour Migration.

- 3) The Special Olympics 2015 Summer Games in Los Angeles, USA.
- 4) World Youth Champions in Cali, Colombia.
- 5) Development of Inclusion and Equity Policies in Norway.
- 6) 14<sup>th</sup> Session of the Convention on the Rights of Persons with Disabilities held in Geneva.
- 7) 15<sup>th</sup> World Athletics Championships held in Beijing, China; and
- 8) All Africa Games held in Congo.

Hon. Speaker, all these reports have been completed, adopted by the Committee and tabled in the House.

We had one Bill, which is the Anti-Doping Bill 2016. The Second Reading was concluded yesterday and we are waiting for the Committee of the whole House.

On legislative proposals, we have seven. First is the Employment Skills Development Legislative Proposal 2016 sponsored by Hon. Aghostinho Neto, Member of Parliament.

Domestic Workers Legislative Proposal 2015 sponsored by Hon. Joyce Lay. We are organizing for a meeting with the sponsors of those two proposals so that we can conclude.

The Anti-Doping Legislative Proposal 2015 sponsored by Hon. Wesley Korir was concluded, but has been overtaken by events because of the Bill that has been brought by the Government. It has already gone through the Second Reading.

The Proposed Presidential National Archives and Records Administration Bill 2015 sponsored by Hon. Kabando wa Kabando MP. We had a lengthy discussion with him for this and he was to come back to us on some proposals that we had committed to him, but he has not yet come back.

We have the Industrial Training (Amendment) Bill 2015 sponsored by Hon. Jude Njomo MP. We have held a meeting with the sponsor of the Bill and we are hoping to have another final meeting with him for us to be able to do a report.

The proposed Kenyatta Mausoleum Bill sponsored by Hon. Muthomi Njuki was concluded and forwarded to the Clerk's Office.

The proposed National Museums and Heritage (Amendment) Bill sponsored by Hon. Abdullswamad Sheriff is still pending before the Committee and we will be concluding it, maybe, within the next one month.

Hon. Speaker, under petitions, we have four petitions. They are as follows:-

Petition by the Member for Kilifi South Constituency, Hon. Mustafa Idd on behalf of former employees of Rea Vipingo Plantation Limited regarding non-payment of their salaries and deplorable working conditions.

Petition by the Member for Balambala Constituency, Hon. Abdikadir Aden, MP on behalf of the residents of Balambala Constituency regarding the change of course of River Tana between Mudey and Buradansa.

Petition regarding unlawful termination of employment for over 300 employees at Indu Farm Export Processing Zone (EPZ) Limited brought by the MP from Jomvu Constituency.

We have organized to have a meeting for these three petitions with the concerned Members next week on Tuesday.

Finally, the fourth Petition is by Hon. Zulekha Juma Hassan regarding the deplorable working conditions for workers in Kwale International Sugar Company Limited. The report has been adopted by the Committee and is awaiting tabling.

Hon. Speaker, that is the status of the work pending before the Committee on Labour and Social Welfare as at today.

Thank you.

**Hon. Speaker:** Any Member who has an issue that they may wish to raise with the report presented by the Chair of Labour and Social Welfare Committee? Hon. Member for Mbita.

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Speaker. I am not too sure whether what I want to raise is for the Labour and Social Welfare Committee or the Departmental Committee on Justice and Legal Affairs. The Child Justice Bill has vanished somewhere. I do not know whether it is between the Labour and Social Welfare Committee or the Departmental Committee on Justice and Legal Affairs. I know the child aspect is with the Labour---

*(Hon. Onyonka stood between the Speaker  
and Hon. (Ms.) Odhiambo-Mabona)*

**Hon. Speaker:** Hon. Onyonka, for tomorrow and going forward, your own Standing Orders say that when a Member is speaking, if you are passing through there, you must bend so as not to impede the view. I must look at the Hon. Member for Mbita directly.

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Speaker, the child part falls under and Labour and Social Welfare Committee and the justice bit falls under the Departmental Committee on Justice and Legal Affairs. So, maybe, that is why the Bill has vanished somewhere, but it was completed at the beginning of this Parliament in 2013. I do not know where it is.

**Hon. Speaker:** Can you check with the Directorate of Legislative and Procedural Services because it is possible that it might be hanging somewhere in one of the offices and not before any of the committees? If there are any difficulties, let me know. Is there any other Member? Hon. Gatobu? That must be your height! Is that not so?

**Hon. Kinoti:** Thank you, Hon. Speaker, I have an issue with the Labour and Social Welfare Committee but first, I want to congratulate them for the nice work, especially on the Anti-Doping Bill that we did yesterday.

My issue was the Strategic Youth Industries Bill which I moved to the Committee last year. It was supposed to be considered by the Budget and Appropriations Committee (BAC) and by the Labour and Social Welfare Committee as well. We made progress with the BAC but, with the Labour and Social Welfare Committee, there has not been any feedback regarding the Bill.

Thank you.

**Hon. Speaker:** What is the title of the Bill?

**Hon. Kinoti:** "The Strategic Youth Industries Bill."

**Hon. Speaker:** Is it for the Labour and Social Welfare Committee because of "Industries" or because of "Youth?"

**Hon. Kinoti:** Because of "Youth".

**Hon. Speaker:** The Strategic Youth Industries Bill? Maybe, Hon. Were could tell us about that. What strategy has been employed in dealing with that Bill?

**Hon. Were:** Hon. Speaker, I am surprised that the Hon. Member is asking this question in the House and yet, he is a member of the Committee. He could have raised this issue with the Committee, I am surprised that he is coming to raise it here in the House and he has not raised it in the Committee.

**Hon. Speaker:** Hon. Gatobu, that can be dealt with like a house matter in your home. Since you are an active Member of the Committee, perhaps, you know the strategy being employed. Please, I encourage you to raise the matter with the entire Committee when you meet next.

Let us have the Chairperson, Departmental Committee on Lands or a representative in title. Hon. Waweru.

STATUS OF BUSINESS PENDING BEFORE THE  
DEPARTMENTAL COMMITTEE ON LANDS

**Hon. Nderitu:** Hon. Speaker, our Chairman got sick in the morning and he delegated that to me. Therefore, I will give the status report on the progress of work in the Departmental Committee on Lands.

On Bills, first, we had the Community Land Bill which we prepared the report and was tabled on 14<sup>th</sup> October 2015.

We had the Physical Planning Bill and Land Laws (Amendment) Bill on which all the reports were tabled in this House on 14<sup>th</sup> October, 2015.

On the Community Land Bill, Second Reading was done on 1<sup>st</sup> March 2016 and Question put. The Committee Stage started on 17<sup>th</sup> March and is ongoing.

The Physical Planning Bill was read for the Third Time on 16<sup>th</sup> December 2015. It was passed and forwarded to the Senate for consideration.

The Land Laws (Amendment) Bill's Second Reading was done on 9<sup>th</sup> March 2016. It continued to be deliberated and the Question was put yesterday.

That is the progress as far as Bills are concerned.

On petitions, we had a Petition from Twiga Farm evictees regarding the alleged eviction of over 600 families from the land. A report was tabled in this House on 11<sup>th</sup> November 2015.

On Petition for residents of Masongaleni Ward, Kibwezi East Constituency regarding dispute of ownership of Tisya Primary School, Plot No. 280 Makueni Masongaleni Settlement Scheme, a report was tabled on 17<sup>th</sup> November, 2015.

On Petition of residents of Pongwe Area, Lungalunga Constituency on eminent eviction from LR/No.1083, Shimoni Kwale, we visited the area and a report has been scheduled for consideration and adoption by the Committee. The report will be tabled in this House very soon.

On Petition by Hon. Muthomi Njuki, MP regarding alleged grabbing of public land belonging to Chuka Township Primary School, a report was tabled in this House on 24<sup>th</sup> November, 2015 giving the recommendation and way forward.

The Petition by residents of Kajiado West Constituency, inquiring into the compulsory acquisition of L.R. No. Ngong/Ngong1959, we are at deliberation point of the report and it will be tabled in this House very soon.

On Petition by residents of Mavoko Constituency regarding alleged compulsory acquisition of land in Mavoko Constituency L.R. No.10029/2, the Report is ready for tabling and it will be brought to the House any time.

On Petition by Hon. William Kisang, MP on behalf of Chebororwa Community in Marakwet West Constituency regarding the ceding of 1,800 acres of Chebororwa Agricultural Training Centre, the Report is ready for tabling anytime from now.

On Petition by residents of Segera, Laikipia County on urgent resolution of abuse and torture, against land conflict cases in Segera, Laikipia County, the report is scheduled for consideration and adoption by the Committee anytime when ready.

Petition by Members of Okoa Jahazi SACCO, on alleged grabbing of land and illegal eviction in Isiolo County; the Report is scheduled for consideration and adoption by the Committee anytime from now.

Petition by Joseph Mugambi and Miss. Ruth Nchurubi regarding the resettlement of Ntimiriti Subuiga Squatters in Meru County on Land Parcel No.2806/3 Subuiga, Bosnia and No.2822/3 Ntimiriti Settlement Scheme; the report is scheduled for consideration and adoption by the Committee as we have visited the area and done the needful.

A Petition by Kiboroa Squatter Alliance on alleged eviction from their ancestral land; the Committee visited the area on 11<sup>th</sup> March, 2016 and met with the petitioners and received submissions. The Committee will further deliberate on the evidence received and subsequently invite relevant parties mentioned in the submission.

A Petition by residents of Mochogoi on the degazement of Mochogoi Settlement Scheme; the Committee has scheduled a visit to Mochogoi Settlement Scheme on Saturday, 23<sup>rd</sup> April, 2016 with a view to apprise itself with the matters on the ground and interact with petitioners.

A Petition by Hon. Kanini Kega on behalf of residents of Kieni Constituency regarding Solio Ranch disputed land; the Committee has written to the Ministry of Lands and the National Land Commission (NLC) to provide information concerning the Petition and also give more details regarding the matter of that land.

Petition by Hon. Charles Muriuki Njagagua on behalf of concerned Ngiiri Market Squatters in Mbeere North Constituency regarding the ceding of part of Tana and Athi River Land to Kiambere Complex, Ngiiri Primary School and Ngiiri Market; the Committee has written to the Ministry of Lands and the NLC to provide more information regarding the Petition.

Under inspection visits, we wish to report the following:-

1. A summary of the details of the inspection visit and report on State House Crescent Land. We did a report and it was tabled on 24<sup>th</sup> November, 2015.
2. A Report on dispute of ownership of land between Kamae Resettlement Scheme and residents of Kenyatta University. A Report was tabled on 11<sup>th</sup> November, 2015.
3. Inspection visit to Kilifi concerning Mombasa Cement Land, the Report was tabled on 24<sup>th</sup> November, 2015.
4. Inspection visit to Kilifi concerning John Keen land and Kilifi land issue, the report is ready for tabling anytime.
5. Inspection visit to Kilifi Pwani University land and Mtana Lewa land, the Report is scheduled for consideration and adoption by the Committee.
6. Inspection visit to Naivasha Ng'ati Farmers Co-operative land, the Report is ready for tabling.
7. Report on Naivasha Land issue is ready for tabling.
8. On Inspection visit of Rongai Constituency, inquiry into land dispute between Nyandurua Progressive Agency shareholders and the directors of the said land buying company, the Committee has scheduled a visit to Rongai Constituency on Friday, 22<sup>nd</sup> April with a view of apprising itself with matters on the ground.

Foreign visit Reports that have been laid and tabled in the House are:-

1. The Annual World Bank Conference on Land and Poverty 2015: Linking Land Tenure and Use for Shared Prosperity held in Washington DC. The Report is ready for tabling.
2. Beating the Famine Conference held in Lilongwe in Malawi. The Report is ready for tabling.
3. The 3<sup>rd</sup> Global Soil Week held in Berlin Germany. The Report is also ready for tabling.
4. Global Land Forum 2015 - Land Governance for Inclusive Development, Justice and Sustainability: Time for action, held in Dakar, Senegal. The Report is also ready for tabling.
5. Report on Study visit to South Africa is also ready for tabling.
6. Report on Tribal Lands and Environment Forum, in Minneapolis – St. Paul, Minnesota. The Report is also ready for tabling.

The Chairman requests, because there are very many reports that have been brought to this House, whether they could be apportioned some time for deliberation so that they can go to the Implementation Committee.

**Hon. Speaker:** Well, the only unfortunate bit, which I do not blame you but the people who are in your secretariat, is that there is no need to report what has already been tabled because we want to know what is pending. That which has been tabled is already the property of the House and should be with the House Business Committee to prioritize for debate. It is impressive that you have tabled so many Reports. I see some intervention. Hon. Dalmas.

**Hon. Anyango:** Hon. Speaker, I am sure you have noticed that, since the introduction of the status of business before committees, it is clear that the performance at the committee levels is lacking. The Committee work is so critical to the oversight and legislative roles of the House, but it seems we have accumulated so much work in our Committees. Even when a Committee has completed something, it takes the House so long before approval is granted so that implementation can be followed.

This is an area of performance and productivity of the House that needs to be re-examined. In fact, there should be performance targets on the business that goes before the Committees and the time it takes for resolutions of the House so that they may be implemented. If it goes on like this, the House will adjourn next year with huge reports untouched and that will reflect on the performance of the 11<sup>th</sup> Parliament. This should be looked at by the House Business Committee so that we get better standards than what we are receiving now.

**Hon. Speaker:** Well spoken, Hon. Dalmas. I appreciate what you have said. I think it is one of those carry-overs from the 10<sup>th</sup> Parliament. This has a bearing on, among others, the fact that there are those Bills which this House and the last one had to enact within certain time lines and they take precedence over everything. They take precedence over everything, especially if you take into account what has been reported from the Departmental Committee on Lands, and given the fact that there are quite a number of land-related Bills that the Committee has had to deal with, including holding several meetings with various stakeholders. One would really appreciate that given that kind of situation, certain business before that Committee was bound to suffer. That is not to say that Parliament should not debate those reports, as you have rightly pointed out. But it is within the powers of this House itself to decide whether it has capacity to look around to see whether we have Hon. Members to sit with a capacity beyond 10.00 p.m.

One way or the other, we must borrow from other jurisdictions. I am just trying to see how many Members are capable of sitting up to around midnight.

*(Loud consultations)*

The next Order in the Order Paper is trying to address similar constraints. The business listed next in the Order Paper is trying to address this problem of sitting hours, given the business that we must transact. There are about four Bills with constitutional deadlines which need to be debated in the Second Reading. They are about four or so, and others are waiting considerations of the Committee of the whole House, some of which will still be referred to the Senate.

I must congratulate the various committees and Members of the House because they have done very well to be able to deal with the many Bills within the time-frames that have been available, granted that there was Christmas vacation. Hon. Dalmas, I appreciate what you are saying. You may need to persuade more of your colleagues to sit more hours than 9.30 a.m. to 1.00 a.m. or 2.30 p.m. to 6.30p.m. Maybe, the House should consider whether they can sit from 7.00 a.m. to midnight. I would be interested to see how many would be available by 9.00 p.m.

The issues raised by Hon. Dalmas Otieno are not matters that we can wish away. It is also not fair that so much business is referred to the Committees. The Constitution that Kenyans gave to themselves is one that allows any Kenyan to petition Parliament on any issue. Once the petition is brought, unless it is offensive or against morality and if it is not against the Constitution, it has to be considered by the House. The only way the House considers petition is through committees. We expect that there will be many reports dealing with petitions. We need to address those issues and find out when it is that we need to consider those reports. It cannot be that the Committees go out there, spend a lot of time and resources putting reports which never get to see the light of day on the Floor of the House, by way of being debated then either adopted or rejected. So, Hon. Dalmas, it is a serious point you have raised, but I know you are a Member of great experience and I would expect that you will be suggesting a way forward in the fullness of time.

Let us hear some other interventions. Hon. Pukose.

**Hon. (Dr.) Pukose:** Thank you, Hon. Speaker. I was thinking in those lines of Hon. Dalmas Otieno, considering there are reports especially from the Committee on Lands that had been put on the Order Paper last year. One of the reports affects my constituents. They had prepared a report, moved a Motion on the Floor of the House, put on the Order Paper, but it has been dropped consistently. That does not auger well for some of us because our people look at it and ask what is happening. Secondly, some of the statements that we seek from the Committee, for instance, last week part one, we had the Cabinet Secretary (CS) for Lands answering questions we had asked from this House. One of the recommendations in the answers that he gave was degazetment of some of the irregularly acquired land by some of the Government Departments. They were asking the House to degazette. I do not know how such reports can get their way into the House because this is a statement that a Member had requested. The Committee sat down with the CS and made recommendations for which the House is supposed to sort out.

The issue of land is emotive. Many Kenyans are affected either directly or indirectly and they look at this House in terms of coming up with a solution for a way forward as peoples' representatives. When the Cabinet Secretary and the National Land Commission (NLC) give us

the way forward and the House is not able to create time to debate some of these things, then it becomes an issue for some of us. But we are ready and, personally, I am ready if we agree that we sit from 7.00 p.m. to 1.00 a.m. We can do that, so that we can dispense some of the business for Kenyans.

Thank you.

**Hon. Speaker:** Well, that is encouraging. Maybe, proposals will be made. Hon. Midiwo, did you have an intervention as well.

**Hon. Midiwo:** Very briefly Hon. Speaker. I was just amazed at the load of work that is being held by the Lands Committee, and that is lined up for consideration. I think they deserve applause. It is a lot of work. The Liaison Committee needs to do what we used to do. The Committees, given the amount of work they do, need to have the weight of the budget allocated to them. It needs to go as per the weight of work because I imagine a situation as we are today, there is a lot of “cannot do” or “cannot allow you to do because of funds”. There may be some of our Committees which are not handling sensitive issues like those of Lands Committee and wider mandate like the one of the Departmental Committee of Defence and Foreign Relations, where there are real issues, but there is constant assertion that there is no budget, which is true. We cannot create money where there is no money, but this Liaison Committee needs to re-examine itself.

We have about 14 to 15 months to elections. Most of the land issues listed before the Lands Committee have to do with communities. What Kenyans at the leadership level have not addressed themselves to is, because of these counties, there is a lot of war on community land. Most of these petitions are on boundaries. It is good for us to resolve them as we endeavour to have a peaceful election and the aftermath of it in the coming year.

**Hon. Speaker:** Hon. Members, let us leave that matter. I opened it for you to make proposals on the sitting hours. Unless you suggest that we curtail debate, which is not also fair to the nature of businesses that may be before the House--- If we say that every business must be transacted within a different time-frame, that may not do justices to the nature of business. Sometimes, you find that there are Members who have prepared to contribute to certain debates so much that it will be very unfair to curtail debate, unless we adopt what happens in other jurisdictions. I have seen a recommendation by a certain Member that certain debates be undertaken at the County Hall Chamber, but I have also heard counter-arguments that Members want to debate where they think is their Chamber. It is trying to borrow a leaf from a practice obtained in the House of Commons that some certain business can be undertaken at a different chamber - the Commonwealth Hall - and then brought to the House for adoption. There are all manner of suggestions and I would encourage us to think outside the box. Let us not beholden that by 6.30 p.m. the House rises and people start making calls and booking tables in certain places to relax. If the majority of the membership of this House can agree that we can sit beyond 6.30 p.m., then that will be another way to address it. Looking at the requirement of the House in the new Constitution, my feeling is that we may have to think of extending the hours of sitting even if it ends up being three sittings. Let us not debate that because it is not the business. The rules we have to administer are your own. So, I wanted you to make a decision one way or another in the Next Order. Let the proposals come just as we have heard from Hon. Dalmas Otieno and I am sure we will have proposals from other Members. You must make the decision on the next one before we move on.

Next Order!



**PROCEDURAL MOTION****RESOLUTION TO HOLD SITTINGS ON  
SPECIFIED THURSDAY MORNINGS**

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

THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold Morning Sittings on Thursdays commencing from 9.30 a.m. to 1.00 p.m. for purposes of Business before the House, as follows:-

- (i) Thursday, 14<sup>th</sup> April 2016;
- (ii) Thursday, 21<sup>st</sup> April 2016;
- (iii) Thursday, 28<sup>th</sup> April 2016; and
- (iv) Thursday, 5<sup>th</sup> May 2016.

As we are all aware, the House resumed yesterday from the short recess and we only have 13 Sittings before we proceed on the long recess on 5<sup>th</sup> May 2016, in accordance with the Calendar of the National Assembly. We have several Bills and reports as it has been well put by Hon. Dalmas Otieno and other Members at various stages, with some having constitutional timelines and some whose timeline we have extended and we now have the last chance on 27<sup>th</sup> August, 2016. Owing to this and other important reports that require consideration of this House, the House Business Committee (HBC) last night in its sitting proposed Thursday morning sittings held for the specific dates I have just read out to the House to enable us to clear most of the constitutional Bills so that we can give an opportunity to the Senate to consider them in good time and make time for the mediation process in the event that we will require it so that we can beat the 27<sup>th</sup> August, 2016 deadline.

The morning sittings starting tomorrow will help clear business schedule for this part of the Session. In the morning sittings, we will also consider pending Committee Reports, Sessional Papers No. 1 of 2016 regarding the Kenya Government guarantee on the proposed loan for the construction of the second container terminal phase 2 and a number of the other Senate Bills.

Hon. Speaker, we are under obligation to make sure that we sit more time. I am sure that from the first, second, third and the fourth year, the 11<sup>th</sup> Parliament has done much workload than the 10<sup>th</sup> Parliament that I also served. The record is very clear in terms of the number of Bills that we have passed and assented to and the Committee reports. It is our obligation to serve the people of Kenya well because this is how we pay our electricity and water bills and fees for our children. Our business on Tuesday afternoon, Wednesday and Thursday is to sit here and serve the people who elected us to this august House.

I kindly request Hon. Chris Wamalwa to second as a Member of the HBC. Before he seconds, I would like to point out that there is a ranking sitting in this House. There is a seat for the Leader of the Majority Party and the Leader of the Minority Party, but the Member of Kisumu Central, who according to the leadership records has been de-whipped from various Committees because of unbecoming behaviour within the coalition, now sits on the chair of the Leader of the Minority Party. We want your guidance because the screens are out there and people might think that he is now the Leader of the Minority Party. This might send a very wrong signal. In the absence of the Leader of the Minority Party, Hon. Jakoyo is supposed to sit there, but not Hon. Ken Obura.

**Hon. Speaker:** The Member for Kisumu Central, including all the other Members, is at liberty to occupy any seat they find empty. So, even the Member for Kibra is at liberty to occupy that seat. Hon. Wamalwa.

**Hon. Wakhungu:** Thank you, Hon. Speaker. I rise to second this Procedural Motion. It is, indeed, true that the House workload is too much and within the short time frame we have, we need to create those Thursday Sittings. I would like to request Members to observe time because we do not usually have quorum in our morning Sittings, so that we can finish some of these constitutional Bills we have and some other Bills that are critical as far as election is concerned. Some of these Bills need to go to the Senate and we should try to clear them earlier so that we can send them to the Senate.

Hon. Speaker, we have also realised that once we are done with some Bills, the Senate goes ahead to advertise and invite the same stakeholders in line with Article 118 of the Constitution. We should develop a mechanism that instead of the Senate repeating the work, whichever the Bill starts, we can have that report instead of wasting too much time and that is why we have a lot of delays as far as these Bills are concerned.

I beg to second.

**Hon. Speaker:** Very well. Your last proposal should also apply vice versa; *mutatis mutandis*. The Members who are standing should take their seats.

*(Question proposed)*

*(Question put and agreed to)*

## MOTION

### PRESIDENTIAL ADDRESS

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

THAT, the thanks of the House be recorded for the exposition of public policy contained in the Address of His Excellency the President delivered on Thursday, 31<sup>st</sup> March 2016.

I laud the Speech given by the President during the Special Sitting of Parliament on 31<sup>st</sup> March 2016. He outlined the Government's achievement in fulfilling certain constitutional requirements as elaborated in Article 10 of the Constitution, the state of our nation's security in Article 240 and the Kenyan status in fulfilling her international treaty obligation as founded in Article 132 of our Constitution.

This is the third State of the Nation Address by the President. As this House sits this week to discuss the State of the Nation Address, we will do well to ask ourselves our individual and collective responsibility to the Constitution, which is the supreme law of the land. I am sure Members will agree with me that the President asked us to protect the national covenant. He also asked the Opposition to liberally criticise the Government's agenda and provide alternatives. On the contrary, we have seen the Opposition thriving in side shows like whistle blowing.

*(Loud consultations)*

Hon. Speaker, protect me from the smartest Member of Parliament this afternoon in the Chamber, Hon. Millie Odhiambo.

*(Laughter)*

She has left her seat, which was very far, and she has come closer home. So, I must be protected. We must guard the Constitution at all times. I want to acknowledge and thank Members of Parliament for taking time to review and pass the necessary legislation as the President said. I am sure many pieces of legislation that the country required went through Parliament.

Among the highlights of the legislation that he said have done very well in terms of the economy and business in our country was the Companies Act and the Insolvency Act. These legislations will improve the processes that are required for one to be in business in the formal sector. The World Bank doing business indicators show Kenya to be the third most improved country in the world.

This afternoon, my colleagues and I must speak to the nation. That is why we have been given an opportunity in the Standing Orders that after the President's Address to the nation, the National Assembly will discuss it in four consecutive sittings. I hope Members will agree with me that we discuss it in three consecutive sittings this week, then we can dedicate next week to other businesses which have constitutional timelines. If we do it today, tomorrow morning and afternoon, I am sure we will be very fair to both the President's Speech and to the other businesses which are pending.

The points that I want to raise is mainly to address a similar state of the nation that took place in Laico Regency. I did a soul searching. I did research and I have not found anywhere in the world where a state of the nation address was done in a hotel. It is always done in institutions where the people's representatives sit. The achievements that the President put on the document that he tabled are some of the highlights I want to make. Some of them are in our constituencies. We might not have done 100 per cent, but the three years achievements of this Government are there for many people to see.

I will start with the national security. Since this Government took over in the last three years, the number of police officers has increased. We have recruited over 30,000 police officers. Every year, we recruit 10,000 police officers. We have increased police officers to 30,000 from 2013 to date. For the first time in the history of our country, this administration has provided 3,000 vehicles for the police. We have also provided an insurance cover for our men and women in service. In case of accidents, their families will benefit from the insurance. For the first time, the forensic laboratory, which any other Government, including the last Government, could not complete, is about to be completed. For the first time, a proper housing policy is in place for police officers. Houses are being built. These things are visible.

I will go to the issue of war against terror. For the first time, we have a more coordinated multiagency team that deals with the war against terror. For the first time, we have a counter terrorism centre in place. Unless you do not want to see, you will never see.

Let us go to the Standard Gauge Railway (SGR), which people wanted to stop. I want to thank the President for standing firm. About 80 per cent of the SGR is complete today. I am sure Members of Parliament from Mombasa, Makueni and Machakos will see its impact in June 2017. This Government has replaced the 100-year old railway line. People even do not know why that railway was called the lunatic train. There was one Member of Parliament in the House

of Commons who, I think, in 1894 stood up and gave a Motion to establish the East African Railway. All the Members in the House of Commons called him a lunatic. He said: "I am not. I want to open up". Even Indians were brought from India to build that railway. That is why it was called the lunatic express. It is this administration which has changed the lunatic express to a modern SGR.

In education, for the first time, we have scrapped fees charged for the Kenya national examinations, which comes to more than Kshs2 billion every year. This is to make sure that each kid in this country, from the poor to the rich, does not miss exams on the account of their societal status. Today, thousands of Class Eight and Form Four students do not pay examination fees. Before we took over, there were serious examination irregularities in Mzee Kenyatta's, Moi's and in Kibaki's and Raila's Governments. However, we said enough is enough. Examinations are a matter of national security. We even scrapped the Kenya National Examinations Council to make sure that there is fairness in our country.

The digital literacy programme, known as the laptop project, is on track. Currently, the initial 150 schools in every county are in the pilot study. I am sure 150 schools in every county are part of the pilot project. The content has been prepared. The teachers have been trained. The Budget has been provided and the schools have been mapped out for it to be rolled out in December 2016. So, our laptop project is on course. People are asking why it delayed. It delayed because of vendors and procurement issues. I am sure Members will agree with me that we have built 54 new technical training institutes in every constituency with a curriculum that will absorb over 350,000 students. Another 76 technical training institutes are under construction. The Government is still raising money to make sure that we build five stadia.

Look at the capitation money we are giving to primary and secondary schools. I am sure Members of the Budget and Appropriations Committee sitting in this House will agree with me. It is a public figure. Capitation was increased to Kshs47 billion. About Kshs32 billion went to secondary schools while Kshs14 went to primary schools. The Budget and Appropriations Committee will agree with me that Kshs260 billion was allocated to specific national secondary schools. I am sure more money was allocated to the infrastructure project.

Let me go to the infrastructure. Look at the Jomo Kenyatta International Airport (JKIA), the new Passenger Terminal 2 was opened and two more are being commissioned. Today, if you walk to JKIA, you will realise that it is not the JKIA of 2010 or 2012. It is more modern and has more space. It has more new terminals. Its passenger handling capacity has increased to 7.5 million passengers a year. Twenty six thousand new street lights were installed across five counties by mid-2016, including far flung towns like Garissa. Today, if you walk along Moi Avenue or Tom Mboya Street, the Kenyan business community consisting of the small-scale vendors and hawkers are doing business as late as 2 a.m. or 3 a.m. About 22,000 primary and secondary schools are connected to electricity. When we took over power, only 2.1 million Kenyans were connected to electricity. Today, I think 4.2 Kenyans are connected. The number has doubled.

I will talk about the free maternity services, which is a flagship project of this administration. The President said it well. The free maternity programme has doubled the number of Kenyan mothers who access affordable maternal healthcare. Senior medics, including Hon. (Dr.) Nyikal, who has worked as a Director of Medical Services and Permanent Secretary (PS), can attest to that. When we took over in 2013, only 600,000 mothers were accessing free maternal healthcare. Today, it has doubled. In 2016, 1.2 million mothers access the services. The

President assured the nation that the Government will remain engaged in pursuit of better maternal healthcare for all women across the country.

In the health sector, there are over 44 dialysis machines in public hospitals. It is projected that by December this year, there will be 289 dialysis machines. You know what that means to ordinary poor Kenyans in the rural areas who could only access those facilities at the Kenyatta National Hospital (KNH) or at the Nairobi Hospital, which is expensive.

The quality of the education system in Kenya has been ranked not by us, but by the World Economic Forum Global Competitiveness Report, as number one in Africa for the period between 2014 and 2015. As I speak, 22,000 public primary schools in our country have been connected to power. That was not there three or four years ago.

I will also dwell on the land issue. One of the issues that have bedevilled our country for many years is the land question. As the Jubilee Administration, under the able leadership of the President, we decided not to carry the land question, but look for answers and offer answers to the land issues. We give the landless Kenyan citizens the legitimacy to own a piece of land. In pursuit of finding an answer to the perennial land question, the Jubilee Administration has issued, since 2013, 2.4 million title deeds. Our target in our manifesto is 3 million. I am sure in the remaining 15 or 16 months, we will surpass that target and give more Kenyans land. Many Ministers of Land who enjoyed similar facilities never did that.

I have covered the issue of the police. Let me go to the key issue of infrastructure. The Jubilee Government has continued to invest in the Lamu Port- South Sudan-Ethiopia Transport Corridor Project (LAPSSSET) to open up the northern corridor and the pastoralist areas. Today, you can drive from here to Isiolo, Merille River, Moyale up to Marsabit. Over the weekend, I was in Marsabit to attend the 10<sup>th</sup> Anniversary of great leaders of this House who lost their lives 10 years ago in a plane crash in Marsabit. Among them was Dr. Bonaya Godana. May their souls rest in peace.

When this administration took over in 2013, there were pending bills of Kshs120 billion for road construction. Because the current leadership was part and parcel of that Government, the President, who was the Minister for Finance, decided that those pending bills must be paid. Today, Lamu Port's berths 1, 2 and 3 are under construction, which was commenced by this administration. The LAPSSSET headquarters and all the other infrastructure projects are also complete. What remains is mapping of the LAPSSSET corridor, which is under way.

Let me go to the road sector and this will be in two parts. The completion of road works commenced by President Kibaki and Hon. Raila Odinga was a priority for us. Most of those roads which were under construction are complete. The Kshs120 billion pending bills have been paid. We are now opening a new network of national trunk roads. Specifically, between 2013 and now, the Kenya National Highways Authority (KeNHA) has completed 1,146 kilometres of new roads. They have also rehabilitated 560 kilometres of roads, and I am sure the Vice-Chair of the Departmental Committee on Transport and Public Works will agree with me.

Currently, 401 kilometres of new roads are under construction and 225 kilometres of existing roads are under rehabilitation under KeNHA. KeRRA has constructed 362 kilometres of new roads and rehabilitated 140 kilometres of roads. Another 800 kilometres of new roads and 160 kilometres of existing roads are under construction. I am ready to table a list of the specific roads that these agencies have undertaken. KURA has constructed 120 kilometres of new roads. In the Donholm and Eastlands by-pass, there are 59 kilometres of new roads under construction.

One of the biggest achievements of this administration is in the energy sector. A total of 642 megawatts of power has been added to the national grid since March 2013. We have completed projects amounting to 3,300 megawatts of power, of which 1,000 megawatts will come on stream by June 2017. This includes the Lake Turkana wind power of 310 megawatts, the Olkaria well heads of 25 megawatts being done by KenGen and the Ngong wind power of 10 megawatts. For the first time, under this administration, 10,000 kilometres of new high and low voltage distribution lines have been built. I stand here a very proud Member of Parliament. Since the world started and since Kenya started, North Eastern has never been connected to the national grid. Out of these 10,000 kilometres of high voltage, the national grid has now reached Garissa and it is on its way to Wajir.

The road from Isiolo to Merille, Marsabit and Moyale is tarmacked. For the first time in the history of Kenya, the 145-kilometre Nuno-Modogashe-Samata Road near Wajir is tarmacked. So, by 2017 you will be able to drive from Nairobi through Garissa to Wajir. Another section is coming from Mandera to Elwak. That is how this Government is equitable in terms of making sure each and every part of our country has a share of the budgetary allocation.

Let me speak about the common narrative in terms of what the Jubilee Administration has done in the war against corruption. The previous administration had its fair share of scandals. That is the beginning of my statement on corruption. But they never demonstrated any action. They never took any action to improve governance. It is only under this administration that corruption was properly dealt with. How? The President sacked one-third of members of his Cabinet plus Principal Secretaries (PSs) and have over 360 high-profile individuals, both from the private and public sectors, facing prosecution in court. For the first time the Judiciary has taken its part. I want to thank the Chief Justice (CJ) for creating specialised anti-corruption courts. I want to thank the DPP for recruiting and training 90 special prosecutors to set the stage that each arm of Government, from the Executive to the Legislature to the Judiciary, is taking its position in the war against corruption.

This House, through the Budget and Appropriations Committee, has set aside specific resources for the Ethics and Anti-Corruption Commission (EACC), Office of the Auditor-General and Office of the DPP to make sure that nobody complains that they do not have resources. This Government, in particular, has activated, for the first time, the Assets Recovery Agency and the Financial Reporting Centre. These bodies were never there in all those other Governments. It is only in this Government where you have seen Kshs1.6 billion being recovered in the process of seizure and recovery of assets of people who were involved in corruption. Yesterday, I received the Anti-Bribery Bill, 2016 which will provide how to deal with the private sector and their role in fighting corruption. I am sure you are aware that the Government has enhanced cooperation with other countries on mutual legal assistance.

Coming to the overall state of our economy, our economy has remained resilient in the face of global economic and financial meltdown. We have seen how currencies, from the Euro to the Pound to the Turkish Lira to the South African Rand, have had serious challenges. But our economy remained resilient. That is shown by our GDP rate of 5.8 per cent in 2015. We anticipate that it will hit the 6 per cent mark over the next 12 months.

Inflation has generally remained under control compared to what is happening with our neighbours in the region and in Africa. The foreign exchange reserves have significantly stabilised and our shilling has currently stabilised in the face of turbulence. In fact, if you compare it with other currencies, we are doing far much better. So, there is increased confidence

by the global market in the Kenyan economy as seen from the number of direct or indirect investments.

Transforming our economy remains the driving force. We must increase both domestic and foreign investments to facilitate structural transformation of our economy and create more jobs for our people. I am sure colleagues who will get an opportunity to speak to this Motion will agree with me that the scorecard is good. These are figures that can be found in our constituencies and counties.

Let me look at what we did in terms of the county governments. This was the first administration that had the constitutional mandate to implement devolution. This Government is committed to devolution and transferred resources to the tune of Kshs1 trillion to all the 47 counties. As we walk in our 47 counties, I am sure devolution is visible though there are challenges.

The Kshs6 billion for the Equalisation Fund (EF) is now on course. Kshs87 billion was sent to our Constituencies Development Fund (CDF). For the first time, the CDF was increased under this administration. I want to thank the Budget and Appropriations Committee for convincing the Executive that CDF is important and they must support it.

Finally, Kshs13.4 billion was given to the youth, women and persons with disabilities through many forums. The framers of the Constitution and the Standing Orders anticipated that once the President gives his State of the Nation Address, the people's representatives will have an opportunity to critique it and agree or disagree. I ask my colleagues to be calm in as much as they might be on the different side of the political divide. You might have a different view of what the Government is doing the way we might have a different view on the way the opposition is running their affairs. That does not precipitate a crisis. We might disagree on the Independent Electoral and Boundaries Commission (IEBC), the Supreme Court and on many things, but that does not precipitate a crisis

Hon. Speaker, in my parting shot, I want to say that I went through many hours looking at how the State of the Nation Address is done in other jurisdictions. In North Korea, if at all they have a State of the Nation Address, the Address is done in a hotel. As provided in our Constitution, the Address is done by the sitting Heads of States to the representative of the people. That is the one we are discussing.

With those many remarks, I ask the Hon. Katoo ole Metito, Chief Whip of the Majority Party, to second. I thank Members for listening to me.

Thank you, Hon. Speaker.

*(Applause)*

**Hon. Katoo:** Thank you, Hon. Speaker. I only have five minutes to second this Address to this House and the nation by His Excellency the President. I will emphasise three key words he used.

One, the President talked about "the covenant". Two, he talked about "the nationhood" and three, "the nationalist covenant."

A covenant is a bond, contract, commitment, agreement, undertaking or a promise between several entities. His Excellency the President was reminding this nation that there was a covenant by the founding fathers of this nation that we need to reaffirm and keep alive as a nation. This covenant is what he termed as "the unity of intent." That unity of intent is the one

that defines “the nationhood”. As we all know, “nationhood” is the state of being an independent nation. We really need to keep that unity of intent as the President has emphasised.

The covenant by our founding fathers of this nation is the one that comes down to the nationalist covenant. For nationalism to exist, a covenant has to be there. A covenant has to be there if nationalism is to survive. A covenant has to be there if nationalism is to fulfil itself.

The President talked about the need for unity in this country. He suggested that we have to arm ourselves in order to address this covenant or unity of intent. We are all part of it. This is where he talked about the fact that leaders will come and go, administrations will come and go, but the covenant and the people will remain. Therefore, there is need for us, as leaders, or as a country, to reaffirm that covenant and keep it alive. In spite of all our differences like political affiliations, we should not aggress the covenant that our founding fathers put for this country.

Still in that covenant and Address, the President talked about territorial integrity. Nationalism requires a very strong territorial dimension to exist. To say the very least, territories solve most of the problems of nationalism. If you look at the covenant angle of nationalism, you will find that the problems arise mostly on the grounds of who is in or out of it. What divides us as a nation is when we start talking of who is where or who is out. While we have all those differences as politicians, we must always have that common denominator of nationalism or the covenant.

If you look at the President’s Address especially bullets 15 and 16, he talked of the covenant and the people who created it being sacred. You will then understand why our soldiers moved to protect the territorial integrity of this country. I applaud them as we did that day. I wish the soldiers of this country who are defending our territories well--- Five minutes was too short to finalise all these enumerated therein, especially on the issue of security. I am very happy that for the first time, the Jubilee Administration has recognised the welfare of our soldiers. It has done this especially to the police by giving them a health insurance and modernising their hardware. This has not been done before.

I beg to second.

*(Question Proposed)*

**Hon. Speaker:** Hon. Members, before we commence, the Majority Whip raised that issue. It is just to remind you that on Wednesday, 20<sup>th</sup> February 2016, you passed, among several Motions, the following:-

THAT, notwithstanding the provisions of Standing Order 97(4) and in furtherance to the provisions of Standing Order 24(6), debate on the Motion on the Address by the President shall be limited to no more than five minutes for each Member Speaking, 30 minutes for the Mover in moving and replying and 20 minutes for the Leader of Minority Party.

That is one of the several Motions that you normally pass to guide debate. This is just to remind you. I am sure you are well aware, you remember it. Just in case you may have forgotten, that is what it is. Now, I give the chance to the Leader of the Minority Party who has his 20 minutes ably represented by Hon. Washington Jakoyo Midiwo.

**Hon. Midiwo:** Thank you, Hon. Speaker, for giving me a chance to put my two sense to the Speech of the President. I have been listening very keenly to the Leader of the Majority Party who sounded like he was giving a very different speech from the one given by the President. The



Leader of the Majority Party was also at pains to explain his own things, many of which I have not seen in the President's Speech.

In his Speech last year, His Excellency the President impressed this House. In fact, as he spoke, he got a lot of foot thumping and people stood up in praise because he said things we thought our Government should be doing at the time when Kenya really need them. A year later, it should have been good for His Excellency the President to stand before the nation and give a scorecard of achievement since last year. He did very little to stand by it because a lot of that Speech last year was just around ridding this country of corruption.

What did the Government do in the issue of corruption? Remember Hon. Chris Wamalwa tried to save this country the agony of attempting to rid ourselves of corrupt practices by cleaning up the secretariat of the Ethics and Anti-Corruption Commission (EACC). The same Government refused. The same Leader of the Majority Party, who is now claiming they have won the war against corruption, refused and defended those people.

I said on this Floor before and I want to say it now that as long as the secretariat of the EACC remains, especially the top two in leadership, there will be no war won on corruption. The EACC itself cannot be the one that personifies corruption. Unless we do that, the Commissioners whose names were brought here by the President - they look like good Kenyans - will never scratch the surface for corruption. It is good for this House to help.

This House sabotaged the President's will to fight corruption by keeping the secretariat of the EACC. A year later, what has Hon. Duale not told us? He has not talked about the crisis of corruption. He has not. Let me say one good thing that the President claims they have achieved and it is so good; it is street lighting. There is a lot of security because of street lighting. If you walk in the streets of Kisumu, about everywhere, it is so bright. Good achievement by the Government. When it is good, you say it is good. We say thank you. That was well thought out.

He talks about other things like the nationalist covenant. It says all of us, the 42 tribes and 40 million people. You begin to see danger that somebody, either the President, is misinforming the public or somebody is busy misinforming him. The President should not talk about nationalism when the appointments of this Executive resolve around two tribes. It cannot. We cannot sit back and not talk about it. A Government must be sensitive to the feelings of the people. When some people feel excluded, you are always going to have noise. It is good. I agree with the President that we should criticise the Government constructively, but what happens to an Opposition if everything that comes in your face is wrong? What is the work of the Opposition? This Opposition has done very well. This is a sport for us and we are playing it very well. Not the way the President asks us not to do. If the nationalist covenant is an unwritten contract with the people of Kenya, the President must sit back and rethink the strategy of the Jubilee Government as far as inclusivity is concerned. You cannot do that. It does not mean you bring politicians.

We do not want to be part of this Government. I would be one to reject anybody from this party imagining they can support a Government that entertains, that is happy when corruption takes place. I would be the first one to oppose. There are people from all over the country, include them in nation building. Do not bring tribalistic tendencies and attitudes about our people. Our people are angry at the political class particularly the Government about tribalism. The country is not sitting pretty. There are many wrong things. The President said that as you enjoy liberties, we must remain true to the spirit of nationhood. We want to remain true as we criticise, but give us a reason to be happy as a country. It is his duty. All of us who come here

to do this work including the President have a duty to do good and do right to the people of Kenya.

The President said many things. It was a long Speech of one hour and a half. Some of it looks like a written Speech. I am sure if my friend, His Excellency the President, read this Speech he would never have read some of it on the Floor of this House. He says that we have joined the realm of middle income economies with consequences that we can now access non-concessional credit from institutions such as the African Development Bank and the World Bank at significantly cheaper cost and that we have also seen the continuing confidence in our financial market.

Within nine months, four banks have gone under. Where is the confidence in financial markets? Within nine months, the Eurobond came in. We were told that we were accessing Eurobond funds to cushion us from excessive domestic borrowing. If Kshs280 billion had been brought into this economy, the shilling would never have moved from Kshs80 to Kshs102 to the Dollar. It would have brought in foreign exchange. This means that there are issues. This means that until today, the people we have challenged to investigate the Eurobond saga have never been allowed by the New York banks to access information. It will come out. The kind of money that this Government has been borrowing, which we and our grandchildren will pay, is not sanctioned by common sense. Why are we over-borrowing such that people who have not been born will pay? Why are we borrowing?

The state of the nation that the President spoke about should have included the fact that Kenyans, including Members of Parliament, are not happy having 30 per cent of their income taxed. However, you are borrowing to give to thieves. Why do I pay 30 per cent Income Tax and 16 per cent Value Added Tax (VAT) and still pay for a watchman because of insecurity and for somebody to collect my trash? People still walk to work. There is no public transportation. The list goes on and on. That is the true state of our nation. These are not issues that the President can handle alone. Parliament is another arm of Government. We beg and plead with the leadership on the other side to involve all their brains. We know they lack brains on the other side. That is why they took Maj-Gen Nkaisserry and the Member of Parliament for Malindi because they do not have good enough people. We are doing very well. We have not opposed you. We are lending you our people. Please, keep doing it. Please, take more.

*(Loud consultations)*

**Hon. (Dr.) Shaban:** On a point of order, Hon. Speaker.

**Hon. Midiwo:** That is on a light touch, Naomi. Just relax. I am telling you about the state of the nation.

**Hon. Dido:** On a point of order, Hon. Speaker.

**Hon. Speaker:** What is your point of order, Hon. Rasso?

**Hon. Dido:** Thank you very much, Hon. Speaker. I rise on the issue of Hon. Midiwo saying that the Jubilee Government is exercising exclusion and yet when Members from their side are included in Government, he says that there are no brains on this side. He should thank the President for including Members from his side of the divide.

**Hon. Midiwo:** Hon. Speaker, I understand. I know he does not want to listen to the true state of the nation. The true state of our nation is that our soldiers are in the land of Somalia without any defined mission. The true state of our nation is that our soldiers have been killed in

their hundreds and nobody is telling us how many. I buried two the other day. We have a good fighting force, but what are we doing in Somalia? The true state of the nation is that the United Nations (UN) says that our soldiers in Somalia are selling charcoal. The true state of the nation is that illegal sugar is brought into this country by the military of Kenya through Shimoni. The true state of the nation is that the NYS has sent home 10,000 recruits. If this is a thinking Government, why did they not absorb them into the police force when they were recruiting last week? Why were there no recruitment centres at the NYS? Why send home people that we have spent taxpayers' money on? The true state of the nation is that money in billions is missing. There is no war on corruption. That is why Waiguru went home. It is not a war on corruption, it is because they stole. That is the true state of our nation. The true state of our nation is that somebody called Bruce Odhiambo of Jubilee Government has misappropriated youth funds.

**Hon. Member:** Just a mere Bruce.

**Hon. Midiwo:** Just a mere Bruce.

**Hon. Speaker:** Order, Members! Hon. Midiwo is doing very well without your comments. He does not need any wit to assist him.

**Hon. Midiwo:** Thank you, Hon. Speaker for protecting me. A Government which prides itself in knowing so much picked a man from the street and allowed him to manage a kitty of Kshs400 million when our youth are jobless. About 32 per cent of our youth do not have jobs. We then pass a budget of Kshs400 million and these guys just steal the money casually. I was shocked when the guy appeared before Parliament and said that he authorised the withdrawal of the money without the permission of the board. The Jubilee Government did not arrest him when he left Parliament.

*(Laughter)*

That is the state of your nation. The true state of the nation is that banks are collapsing with our people's money. Chase Bank has collapsed with thousands of depositors' money including some people I know, but will not name because they are my friends.

*(Laughter)*

The National Bank of Kenya, headed by some casual man called Munir, keeps the National Social Security Fund (NSSF) money which is our workers' money. The true state of the nation is that, that bank is going south and nobody has salvaged the NSSF money. The true state of the nation is that some crooks are conniving to bring it down, so that they can get the Government share. That is the true state of our nation.

The true state of the nation is that the Jubilee Government promised us laptops. Now they are saying that they are going to give kids in 100 schools per year some play gadgets. The Leader of the Majority Party very casually says that there were procurement hitches. How do you procure for four years? Is that a competent Government? That is the true state of our nation.

The true state of our nation is that we had a budget of billions and we spent some money on the Greenfield Project to build a second runway at the Jomo Kenyatta International Airport. The true state of the nation is that it was cancelled without reason. The cancellation is going to cost the country Kshs25 billion. The true state of our nation is that that money will come from you, your grandchildren and my grandchildren. That is the true state of the nation.

It will be nice if next year we see Kenyans listening to political reasoning and not tribal groupings. I feel very bad when businesspeople I know, whose businesses are closing because of lack of controls or ideas of the Jubilee Government, vote for this Government just because the leadership is from their tribe. That would be a bad state of the nation.

The state of the nation is that the Jubilee Government promised 10,000 kilometres of road. The Leader of the Majority Party has conceded that 1,500 kilometres of road have been done. He said 3,000 kilometres of road had been done, but half of that was done by the Raila-Kibaki coalition. He said it, not me. I have not used a new road. I have never used a new road since the Jubilee Government came into power. I have used Kibaki-Raila roads.

The true state of the nation is that when Kibaki left, the state of the nation was okay in terms of banking. Schools were progressing well. The state of the nation is that the Kenya National Examinations Council (KNEC) is selling exams to your children. That is the state of your nation. That is your Government. That is the Government that you keep praising. Help it. Do not praise bad things. That is the state of the nation.

The Jubilee Government said they were going to build a world class stadium per county. Where are they? In Kapkatet they felled 100 to 200 year old trees. The other day, people were campaigning at Nyongores. When they went to Kericho, there was to be a big Jubilee rally. Hon. Bett will bear me witness that they could not go for that rally because people of Kapkatet said they wanted their trees because they had lied to them. That is the true state of the nation.

Hon. Speaker, this is a Government which promised water, but is drinking wine. It is not a truthful Government. The true state of our nation is that the President should have told us that the International Criminal Court (ICC) case is over, let us sit us down as Kenyans and come together. He should have told us that we need to fix the 20 per cent that is wrong with our Constitution. The true state of the nation is that there are too many political offices. The true state of the nation is that we are paying too much into politics, but our people need to access roads, water and health.

I submit.

*(Applause)*

**Hon. Speaker:** Hon. Robert Pukose, you have five minutes. I hope you remember.

**Hon. (Dr.) Pukose:** Yes. Hon. Speaker, I thank the Leader of the Majority Party for having moved this Motion on the State of the Nation Address by His Excellency the President. His Excellency the President gave us the State of the Nation Address and addressed many issues. On the issue of corruption, the President has tried to fix some of the major issues. When we talk about corruption, it is individual. It is not the Government. When people are given responsibilities within the Government, let us say, somebody is appointed as a Cabinet Secretary or as a Chair of the Youth Fund and decides to steal, it is that person. He is not stealing on behalf of the Government. The Jubilee Government has tried to give everybody an opportunity. During last year's State of the Nation Address, the President sacked a third of his CSs. He also presented the list that he was given by the EACC. He does not do investigations. The President has given the necessary resources to the organs that conduct investigations like the EACC. It is this House that approved the Commission and it is this House that did not do the radical surgery on the EACC Secretariat. When you look at the list that was on social media about who has

taken what in the NYS scandal, the majority of those people are from the CORD side more so from the ODM. We can table that list. Even some people who are raising points of order.

*(Loud consultations)*

**Hon. Kaluma:** On a point of order, Hon. Speaker.

**Hon. Speaker:** Order, Members! Let me say this, let us debate with decorum. Everybody is at liberty. You are not pointing a finger at an individual. So, do not get jittery. That is not debate in the House. That could be in some other place not here. So, proceed. There is nothing wrong with that. I will give an extra minute.

Hon. Kaluma, it is not that if you do not speak or if something is mentioned that you think is very bad, there is something out of order. It is for that reason I sat here. It is fair that you listened to what Hon. Midiwo was saying. He said that this Government is doing this or that. That is perfect. There is nothing out of order. That is why I did not allow anybody to interrupt because that is not out of order. So, even if somebody says that what you associate with has done this, he has not pointed a finger at Hon. Kaluma. There is nothing out of order. So just relax. All of you are going to have a chance. I will give you two extra minutes, so that we can restore order in this House. You know I have capacity to sit here for five or six hours. You know that. So, I want to ensure that there is order. Allow everybody a say. When you are out of order, I will tell you that you are out of order and ask you to withdraw it, but if you are not, please, let us learn to listen to one another.

Proceed.

**Hon. (Dr.) Pukose:** Hon. Speaker, thank you for protecting me. When we talk about corruption, I think it touches on all sides, namely, the private sector, the ODM and the Jubilee side. An individual who is corrupt is corrupt as an individual. It is not the system. It is important that when we shout about corruption in the Jubilee side, we also, in the CORD side, should point out corrupt individuals. We are aware of public figures who have been mentioned in mega corruptions whether in CORD or Jubilee. On the Jubilee side, the President has cracked the whip, but what has happened on the CORD side? You still go to bed with the same fellows who are stealing or who are known to have stolen billions of money and made institutions to collapse.

The issue of Chase Bank that we are talking about is not about the Jubilee Government. We have not appointed anybody within the Chase Bank. Those are individuals who are corrupt. The internal borrowing was done by them. Directors of those institutions are carrying out crafty practices and making the institutions to collapse. When the President talks about public service, the officers are not appointed by the Jubilee. A public servant retires at the age of 60. Some of the officers were appointed during the NARC Government, some were appointed during the Coalition Government and some have been appointed by the Jubilee Government.

We cannot tribalise and say that it is only two tribes that are continuously employed in the Government. The Public Service Commission is independent. It has no instructions to employ people from one or two communities. This is something that we have trivialised and it is aimed to isolate. It is a political gimmick that is aimed to isolate the Kalenjins and the Kikuyus on one side against the other people. I think we should not fall for these kinds of tricks.

Hon. Speaker, when people form governments, they expect a lot. The current Jubilee Government expects that people who supported it should be given positions of responsibilities, but this Government has also done more than that. It has given positions to people who did not

even vote for it at the expense of people who voted for it. So, I think it is important that we realise how much those communities contributed to the formation of this Government yet there is nothing that they have gained from the Government. There are people who never voted for this Government who have been given big positions.

With those few remarks, I want to recognise the Speech by the President and say it was a good Speech.

**Hon. (Ms.) Nyamunga:** Hon. Speaker, thank you for giving me this opportunity to make my remarks on the President's Speech. Article 132 of the Constitution states that the President is expected, once every year, to report in address to the nation, on the measures taken and the progress made in the realisation of our national values. The nation consists of three elements, namely, population, Government and sovereignty.

The speech by the President failed us as Kenyans because he just took this opportunity to narrate the Jubilee Government's achievements and not the assessment of the health of the nation of Kenya. As the Head of State, he ought to have spoken about the failures, fears, pains, aspirations and the achievements of the Government. That would be two sided. However, he only mentioned the achievements and was just narrating them.

In my view, he failed us by not looking at both sides of the coin. As has already been stated by Hon. Jakoyo Midiwo, he equally should have talked about the fears of the people of Kenya.

Article 10(2) of the Constitution sets out the values and principles that are supposed to be shared by all. It states:-

“The national values and principles of governance include—

- (a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- (b) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised;
- (c) good governance, integrity, transparency and accountability; and
- (d) sustainable development.”

The President, by going back to the national covenant of 1963, in my view, takes away the principles of Article 10. It shows that the President does not give allegiance to Article 10 of the new Constitution of Kenya. Remember on 9<sup>th</sup> March, the Catholic Church reported in *The Standard* Newspaper on Page Three that our nation is sick from poverty and graft.

This is what captures the hearts of many Kenyans. The President just enumerated the charitable acts that they give to a few individuals. In essence, those charitable acts should be done across. It should not be given to just a few individuals as stated in Article 43 on social and economic rights. That should be extended to everybody.

In his Address, the President failed us in addressing issues of integrity, land reforms and climate change. Last year, the President categorically gave the EACC 60 days to report on the list of shame. Yes, it was done, but up to now what is the status? He should have given us a brief on that particular statement that he made. Other than the people that we know who have been taken to court, we do not know what else has been done.

In my view, there is a lot of desperation in this country.

**Hon. Speaker:** Let us have Hon. Joseph M'eruaki.

**Hon. M'uthari:** Thank you, Hon. Speaker. At times one wonders when people speak; they read and hear what they want. It is easy to trivialise very serious matters. The President in

his Speech noted where we are as a country at this particular moment. He looked at the fundamentals in the beginning of his Speech about the covenant and our oneness as a country.

At times, people speak what we ask in my language “why try to light fire, but with water in your mouth? So, people say one thing, but they are doing the opposite. The President stated the nationalistic covenant as what brings together all the tribes in Kenya to make it one State, but then people come here and rubbish the President’s position about oneness.

In his Address, he puts together these fundamentals, what were started by our forefathers who fought for Independence and then highlighted the issues brought about by the rebirth of Kenya through the new Constitution of 2010. He also notes the achievements of the Jubilee Government. People talk about the Jubilee Government as being owned by two communities, which is funny because the Civil Service was not created three years ago. It has been there for many years. It is easy to look at what is on the other side, but people do not look at what they are doing. Look at the parties that are speaking, how is the leadership within their secretariat? It is easy to see what others have not done, but not what has been done.

When I look at the achievements of the Jubilee Government in the energy sector, electricity has been connected to all primary schools in every village in this Republic. There is also the expansion of the port. There is global recognition of our country and institutions outside Kenya give us good marks. We have tendencies to judge ourselves harshly.

The people from the opposite political divide speak as if they do not live in this Republic. They rubbish everything. Even if it is their mandate, we need people who are responsible. What is the value to our children of some utterances and actions such as what happened the other day? What is it meant to mean to the people of this Republic even if people have different opinions?

On the question of appointments, people are appointed from different areas in this country. It could be in a way skewed, but can we have positions like the Cabinet Secretaries (CS) or Principal Secretaries (PS) filled by people from all the tribes in Kenya? This is not feasible. When I look at the State of the Nation Address by His Excellency, it appears that he has a clear grip of the achievements and the challenges of the Jubilee Administration.

Corruption and nationhood are issues that we need to look into from an individual and household level. Each individual should look at their responsibility. How do we bring up our children and what is the responsibility of every individual in this House? When behavior is displayed like it happened the other day, what does it mean? Is that responsibility? Even if you are posh, you need to do it responsibly and with decorum, but not display certain behaviour that is full of animosity and does not display maturity. If you do not respect a leader, how will you be respected? How will you be respected if you cannot respect others? If you aspire to be a leader, how will you get it in hooliganism? We have to ask ourselves who we are.

**Hon. Speaker:** Let us have Hon. Robert Mbui.

**Hon. Mbui:** Thank you, Hon. Speaker for this opportunity to make my contribution on this State of the Nation Address that was presented to this House by His Excellency the President. I have listened to comments by both sides and I think Members of my coalition have highly criticised the Speech by the President.

What the President said is expected because he was given an opportunity to grade himself and present his grades to this House. Obviously, if you are given an opportunity to do that, you are likely to give yourself an “A” in everything. He gave himself an “A” in security, education, infrastructure, health, constitution implementation and in the fight against corruption. I want to

give the position of the people that I represent of Kathiani Constituency on what they think the state of the nation really is on the issues that I have named.

The first one is security. We have noted that even the sanctity of this House has been abused by the Jubilee Government. A Member of Parliament just because he refused to stand up when the President was here has been punished outside the House. That is completely against the laws of this land. In fact, he has been exposed very seriously because I think his firearms and security detail were taken away. On the issue of security, we are becoming worse than we were before.

I also want to note that Kenyan soldiers have lived in Somalia before this regime came into power. The most logical thing to do was to bring back our soldiers so that they can defend our borders. The attacks we have had in this country by *Al-Shabaab* are simply because we continue to keep our soldiers outside the county; in a foreign land. On the issue of security, my constituents do not think that the Jubilee Government has scored an "A".

On the issue of education, we have laptops which were promised to our children. I think the ones who were to be given these laptops are now in Standard Four probably going to Standard Five. We hear there are issues of procurement, which obviously means there are problems within Government systems. I do not think that the issue of exams theft and failure to give bursaries for the last two or three years is "A" for this Government.

On health, the President talked about how we are getting free maternal healthcare. This is an issue that was devolved to the counties and yet it was presented here. The free maternal healthcare is supposed to be presented by the counties and paid for by the national Government. We are all aware that there is fight between the national Government and the county governments. They are arguing on how much money is owed for the maternal healthcare. So, Kenyans continue to suffer and Kathiani people are saying that there is a problem there. Instead of giving money to county governments to run healthcare, the Government went ahead and did procurement worth billions of shillings for them. That also shows that there is a problem with management of healthcare.

On the issue of constitutional implementation there are major problems because we have been unable to handle the gender issue. This Government came to power saying it was digital and youthful. Our youth are not being employed. Every single day it is grey haired and bald headed men and women who are being employed to serve this country. Our youth were cheated that they would get opportunity to work in Government. That opportunity is fast falling and it appears like they are not going to get it until probably, CORD takes power in 2017.

Article 10 of the Constitution talks about fairness and our leadership in CORD has been denied their rights. This is the third year since this Government came to power and our leaders are still out their being given conditions so that they can get what is rightfully theirs. When we say in state of the nation that we are doing well, how well are we doing when we are denying people their rights? We are denying them what is obviously theirs because they served this county in high positions. How will the President feel if after he leaves power in 2017 we refuse to give him his pension and expected perks? When we look at those things---

*(Hon. A.B. Duale and Hon. Ng'ongo consulted loudly)*

**Hon. Speaker:** Hon. John Mbadi and the Leader of the Majority Party, you are certainly out of order. You cannot be talking across the aisle like that.



Yes, Hon. Joseph Limo.

**Hon. Limo:** Thank you, Hon. Speaker. Before I contribute, I wish to remind the Hon. Member who has just spoken from Kathiani that we are only aware of two retired Presidents. They are Moi and Mwai Kibaki. If, indeed, Raila Odinga and Kalonzo have retired, then we do not understand why there is opposition. They should appoint another candidate from the CORD side to vie in 2017, instead of asking for their retirement benefits and at the same time campaigning for the seat. Having said that, I wish to state that---

**Hon. Speaker:** Hon. Onyango Oyoo, I have given instructions. Nobody should feel jittery about anything. You are free to speak your mind when you get a chance. I will add him one minute because you have interrupted. That is why I decided to stay here so that we can restore dignity and order in the House.

**Hon. Limo:** Thank you, Hon. Speaker. You know the truth is always bitter but let us stick to it. The fact is that all of us know that there will be no Government which will go down in history for having implemented many projects especially in the rural areas. Looking at the rural areas especially where I come from, I am aware that even in the opposition areas, the roads, which have never been done since God created this world now, have murrum. At least, Wanjiku, Atieno and Chebet wherever they are have seen a road they never thought of seeing before they died.

I am aware that in my constituency alone there are areas where people are currently using a road which has murrum, leave alone tarmac. These areas are Tendeno, Kiplokyi, Ewat, Kabisoi, Tilolwet, Mugut, Kipengwe, Kichawir, Kamachungwa, Lemotit, Kisabo, Kimaut, Kimugul, Kiletyen, Kisabu, Ng'atunek and Kipengwe. I am also sure that Wajir, Homa Bay and Teso have seen roads done for the first time by the Jubilee Government. Therefore, it is totally misleading to tell the whole world that nothing is happening. Let us call a spade a spade. This is the only Government that will go down in history for having implemented devolution very well. This is despite the challenges, which at the end of the day, are created by the same people who are complaining.

Let us look at the promise to give laptops. It is common knowledge to everybody here that our courts have become the biggest enemy of development in this country. They are not going to be an enemy of Jubilee Government alone if at all it happens. I am not sure whether it will happen in this Century or to any other Government which takes over power. The trend where the Judiciary is blocking everything the Government is doing is not helping. If you look at the laptops project, you will find that they went to court and blocked everything. Now, the Government has looked for a way of implementing it and that is innovation.

On farming, though agriculture is devolved, I hear a lot of noise from governors. They have money but have failed to deliver even a single bag of fertilizer to farmers. The Jubilee Government through His Excellency the President has ensured that maize growing areas have subsidised fertiliser supplied at Kshs.1,800 consistently. Right now, in my constituency in a depot called "Kedowa" and "Kipkelion" there is enough fertilizer. I passed by on Monday and farmers are happy. That is the Government which we are saying is not working.

When it comes to issues of electricity, every area including, Homa Bay, Kisumu, Mombasa and Malindi, this commodity has been supplied to every primary school not by any Government but Jubilee. I was surprised by Hon. Midiwo's assertion that the people of Kapkatet are not happy with the stadium which is being constructed by Jubilee. This is the case and yet they were pretending that they were not coming to Kericho to campaign for ODM. They had

actually gone to support the old party. They themselves helped us to kill the *Jogoo* but now they want to bring it back to confuse the people of Kericho. They are aware that the stadium has been constructed by the Government.

Finally, the examination fee was waived and the Government did not discriminate whether a child came from an opposition or a Government area. There is no other regime in this country that has made such payments.

Hon. Speaker, the National Youth Service (NYS) is a very bright idea aimed at empowering the youths. The biggest enemy of our youth is the Opposition. They are the biggest beneficiaries. That is a fact. We know some people who are usually very loud but right now they are not talking because they know the sins they have committed.

Thank you very much, Hon. Speaker.

**Hon. Onyonka:** On a point of order, Hon. Speaker.

**Hon. Speaker:** Hon. Onyonka, you can see that I am not interested. You are out of order!

**Hon. Onyonka:** But Hon. Speaker---

**Hon. Speaker:** Hon. Onyonka, you cannot engage in an argument with me. Relax. When the chance comes for you to contribute, I will give you the Floor. Your name is very far down on the list of requests. Most likely, you will be contributing tomorrow. You will be given a chance.

**Hon. Onyonka:** Hon. Speaker---

**Hon. Speaker:** Hon. Onyonka, you cannot engage in an argument. You are out of order! I have said that you should allow free expression from people on both sides of the House. Do not get excited about silly things.

**Hon. Onyonka:** But Hon. Speaker---

**Hon. Speaker:** Hon. Onyonka, one more time and you will be out. I have said that I do not want anybody to get excited, except if you point an accusing finger at a Member, you will be expected to substantiate or withdraw and apologise. But if you are just talking about this Government or the Opposition, that is not something we should entertain. We have only five minutes to allow everybody to contribute. Say what you have to say, so that another Member will get an opportunity to debate it. Five minutes is a very short time. That is the rule.

Hon. Nyikal, you have the Floor.

**Hon. (Prof.) Nyikal:** Thank you, Hon. Speaker for giving me the opportunity to contribute to this debate. The constitutional tenets of the State of the Nation Address are Articles 10, 132 and 210. Specifically, Article 10(2)(b) talks about non-discrimination and inclusiveness. One of the biggest problems in this country is tribalism.

Article 10(2)(c) talks about integrity, which touches on corruption. Article 240 talks about State security. The President covered all these areas but there are two fundamental flaws on his Address. Firstly, there is a lot of lamentation and you expect the President to give direction. For example, on the issue of devolution, the President lamented how the governors are not using the money voted for them.

Secondly, where the President gave results, he gave results of processes you cannot prove they touch on people's lives. I will demonstrate this. When he talked about nationhood and recovery from 2007, how can you recover from 2007 and bring nationhood if up to now there is no effort to find out who killed who? The International Criminal Court (ICC) has exonerated everybody and we still want to pull out. He talked about nationalists covenant and said that it is sacred. I agree, it is sacred. There is absolutely nowhere in the statement where the President says how you can achieve this sacred thing of nationalists covenant.

We talk about unity of intent, which means all the things we do, we do towards helping all the citizens of this nation. How can that be if in this country today, most of the services are just good or well done in the private sector? When you go to secondary schools, it is the private sector that does well. When you go to healthcare, it is the private sector that gives good services. If you look at the amount of looting that is going on, you will find that the nation belongs to those who have and those who can loot. How then will you get the intent of unity?

The President says very clearly that development is the most important factor in recreating nationhood. We say that we have moved to middle income status. We talk about 5.8 per cent GDP growth. How have those figures affected Kenyans? Do we have more jobs now? Is the cost of living lower? Have our health services to the people improved? The President himself in paragraphs 33 and 34 says that some citizens may actually not realise these improvements. That indicates what is happening in the country. When you go to the health sector, we list instruments and services that are being given, but I will just take the issue of instruments and the equipment that are in the counties.

In Machakos Hospital, we have an Intensive Care Unit (ICU) where nobody has ever been treated. The equipments are there but there is no anaesthetist. How does that help the country? If you look at the police force, you will find that we talk about the number of vehicles we have bought, and the number of people we have employed. On its own, that is not a result. The impact is by how much security has improved. The fact that you have vehicles and policemen does not mean security has improved---

**Hon. Speaker:** Your time is up! Yes, Hon. Yusuf Chanzu.

**Hon. Chanzu:** Thank you, Hon. Speaker for giving me the opportunity to support the President's Address.

What we are referring to is a constitutional requirement that the President was trying to fulfil. There was no other option. He had to say what he said, which can guide what we are supposed to do. To talk about perfection does not make sense. I just want to correct one of my colleagues who said that the school fees being paid by Government is discriminative. It started with free primary and secondary education during the previous regime. The Government paid across the board. In fact, it is the responsibility of the Government to pay. It is not something that we should be arguing about and saying that it is discriminatory or not. The roads that are being done are being used by everybody. The presidency is a symbol of unity. We should start from there. Some people talk too much and yet the money in their pockets does not have their fathers' pictures. This is the case and yet they cannot throw that money away. The best thing for us is to try and forge forward so that we can develop.

On a statement like this one, there is no point of being hypocritical. We talk about this, but we are still enjoying the same. We want our children to go to school. What we should be doing is to ensure that the money that goes down to the counties is used properly. As leaders, we should help the Government to implement these programmes. We cannot continue fighting the top.

I know Members from constituencies will agree with me that for the last three years, you cannot even find a toilet or a classroom constructed by money allocated to counties by Members of Parliament. In my county, it is very difficult to see anything done by the county government. In fact, the other day we constructed a health centre using money from Constituencies Development Fund (CDF) and some people from the county went to take photographs which

they posted on social media as if it was done by the county government. We are fighting here and yet we are leaving a lot of money to go to waste in the counties.

Article 95(4)(c) of the Constitution allows MPs to oversee money allocated to the counties. The source of funds in this country is through taxation. This is where we get national revenue. There is no county that can produce money for its own. The money we vote here is for running the counties and the national Government. We should be concentrating on this. It is not right to just oppose the Presidential Address and yet we have a lot of money going to waste in counties.

In June, we will allocate money to counties and we should ensure that it is properly used. We passed a law on the CDF because we wanted to align it to the national Government because we only had two options. The governors are saying that they want to take MPs to court and yet they cannot account for the money they were allocated. It makes no sense to hate an individual thinking you can remove them from office. That should not be the way. Let us have it and when it comes to elections, we can properly itemise it.

I support this. I would like the Government and MPs to ensure that the money allocated to the counties is properly utilised so that Kenyans can get value for their money.

**Hon. Speaker:** Hon. Ababu Namwamba, you have the Floor.

**Hon. Ababu:** Thank you, Hon. Speaker. I want to join His Excellency the President in applauding our soldiers who continue to put their lives on the line to secure the territorial integrity of our nation and to ensure the safety of all of us. As leaders, we ought to show great appreciation to these gallant sons and daughters of our land.

Having said that, I listened to the President and he asked us as the Opposition to critique his performance in a manner that is objective, sensible and that is absolutely acceptable. If we were to criticise in a manner that pleases him so that wherever he sits he is happy with our criticisms, then there would be something fundamentally wrong with us as the Opposition because we cannot be in the business of pleasing the President. We are in the business of making sure that the manner in which the President governs this country is ultimately and absolutely in the best interest of the people. In doing so, we will definitely raise certain issues that will make the President uncomfortable. I would like to urge His Excellency the President to learn to live with his criticisms.

When he was the Leader of the Opposition, he stood in this Chamber and described the former President, Mwai Kibaki in the following words "hear nothing, see nothing and feel nothing". I do not believe that President Uhuru meant then as the Leader of the Opposition that Kibaki had no ears, eyes or sense of feeling. It was a manner of expression to send a clear message that the Government of President Kibaki then was unresponsive to the needs of the people. That is what we want to tell the President today.

One, the President must be held accountable for his choice of words because he talked about a covenant, national spirit and action but he proceeded immediately to violate each of those tenets. He forgot that he was addressing this House in terms of Articles 132 and 10 of the Constitution that set the parameters within which he must address this House. The proper interpretation of those provisions of the Constitution mean that this Address is not supposed to be about the Jubilee scorecard but one that should tell us the state of our nation, not only informing us of the areas we are doing well but also reminding us the monumental challenge that we face so that we can rally together to confront these challenges. On that score, the President

failed miserably and in fact, he violated the terms of Article 10 of the Constitution that clearly sets out guidelines that ought to inform that Address.

I will tell the President that the true state of the nation today is that our country is more divided today than ever before. The true state of our nation today is that national unity and cohesion is more of a mirage than it was at the founding of our nation when the founding fathers dreamt of one nation and one people under one flag. The true state of our nation today is that the cost of living has ripped through the roof and many ordinary Kenyans are finding it difficult to keep body and soul together. The true state of our nation is that corruption is now a science and an art rolled into one and the truth is that this Government is absolutely clueless on how to effectively confront this hydra-headed monster. The true state of the nation today is that there is a trust deficit and we barely trust each other at any level. The true state of the nation is that there is absolutely uncertainty about tomorrow. The true state of our nation is that the Jubilee Government is taking credit for the mega projects initiated by the coalition Government that I served as a Minister. The Standard Gauge Railway (SGR) and the Greenfield project cancelled the other day are initiatives of the coalition government. The Jubilee Government should tell us their initiatives that will define their rulership.

**Hon. Speaker:** Hon. Ali Rasso, you have the Floor.

**Hon. Dido:** Thank you, Hon. Speaker for this opportunity. I would like to applaud the Presidential Address to the nation given on the Floor of this House. As leaders in this House and elsewhere, if we want to lead, we must accept to be led. That must be the spirit of this nation.

I want to salute our soldiers in Somalia, those in the streets of all our cities and towns and those who are in the field all over putting their lives on the line to protect us. It was callous on the part of one of our colleagues to refuse to stand up to honour our soldiers only to be told by the President. It was lack of leadership on his side.

On security, the Jubilee Administration is not perfect but they are doing their best and it is one Government that has put in a lot of resources and manpower to ensure that Kenya is secure. For instance, all the chiefs in my constituency have motorbikes that enable them access all their locations and sub-locations.

All police stations around the country have motor vehicles today. If you talked to police officers or reported a crime before, more often you were told to give them your vehicle or fuel their vehicle. Jubilee Government has put that to rest. It is fair to place credit where it is worth placing. The President of the United States of America (USA), John Kennedy, in 1961 in his Union of the State Address told his citizens one important thing. He said: "Ask not what my country has done for me but ask what I can do for my country." When the President talked about nationalism, nationhood and patriotism, he was telling us or this nation that we must be one nation and one people.

Hon. Speaker, I represent Saku Constituency in Marsabit which is almost 800 kilometres from Nairobi. It used to take me two days to get to Marsabit. It takes me eight hours today because the road from Nairobi to Marsabit town was tarmacked under the Jubilee Administration.

The President of the Republic of Kenya is Uhuru Kenyatta but the presidency is an institution. It is not an individual. If there is any President in this country who has attempted to bring Kenyans together, it is President Uhuru Kenyatta.

Finally, when Hon. Jakoyo Midiwo was speaking in this House, he did not talk about devolution. It was a missed step. Devolution is a milestone that has happened in Kenya.

**Hon. Speaker:** Hon. John Waiganjo, take the Floor.

**Hon. Waiganjo:** Thank you, Hon. Speaker. I also wish to thank the President of the Republic of Kenya for carrying out his duty and mandate to come to the House and give us a national Address in line with Article 10 of the Constitution on national values, principles of governance and Article 132 of the Constitution which is the functions of the presidency. It was a little disheartening when the President came to carry out his constitutional mandate as would be expected by both divide of this House and the Members on the Minority side chose to put him under extreme pressure by whistling and interrupting his speech. I want to thank the President because he remained calm, smiled and was absolutely very presidential.

It is unfortunate that my good friend and brother, Hon. Opiyo Wandayi, is now herding cattle in Ugunja. I do not know how that helps his constituents but the truth is that a section of the membership of the Opposition on that day put the entire Opposition to shame.

Having said that, I wish to say that I really appreciate the President's Speech especially the way he linked the state of the devolution with accountability. He acknowledged that having successfully implemented devolution which is a new governance structure, accountability came into sharp focus because we are devolving a lot of money to the counties. We also seem to have devolved corruption. It is interesting how the President captured corruption. He gave us an overview of how his administration has been putting more investments to fight corruption. Indeed, it is true we have about 360 corruption cases pending in our courts. Most of those cases are not for ordinary Kenyans but for Cabinet Secretaries (CSs), former CSs, Principal Secretaries, governors and Chief Executive Officers (CEOs) of parastatals. A third of the President's Cabinet that he started with has stepped aside. On the other hand, the President's own Cabinet was cannibalised by corruption. He said that it was very painful for him but he took that step. This is unprecedented.

I do not get the point of Hon. Midiwo when he says that as long as the secretariat of the Ethics and Anti-Corruption Commission (EACC) is in place, then we have no business saying that we are fighting corruption. I do not see any relationship between the fight against corruption and Mr. Halakhe and Mr. Mubea. It is unfair to the two individuals to be subjected to such allegations every time we talk about corruption. The President enumerated what his Government is doing to fight corruption. We must always remember that corruption is not a Government preserve. It is about me and you. In fact, I can challenge the membership of this House for anyone to tell us that he has never corrupted. For a fact, 99.9 per cent or all of us have ever indulged in corruption. I bribed a police officer when I was speeding. If you tell me that anyone has the moral authority to point a finger against the other or an institution, he would be lying. Therefore, I agree completely with the President when he says that his Government has invested Kshs1.6 billion for interagencies to fight corruption. The Chief Justice and the Director of Public Prosecutions (DPP) have employed 90 state counsels to fight corruption.

I like what the President said about the media. He said: "The media shines light on the misdeeds that must be laid bare to the public. It sings the songs of praise that galvanise our nation during times of victory." He reminds the media that they are powerful and power comes with responsibility. So, Article 34 of the Constitution will shine light to this House.

I thank the President and support his speech. Thank you, Hon. Speaker.

**Hon. Speaker:** Yes, Hon. Christine Ombaka.

**Hon. (Ms.) Ombaka:** Thank you, Hon. Speaker for giving me this opportunity to contribute. First, I want to say that the speech of the President is full of flowery and religious

language. When he talked about a covenant, one thought about the biblical covenant. So, if it is so religious, then we must go into what he has done that shows that he contributed to the change of lives of the people in a manner that God really loves. Unfortunately, the President allows us to criticise him. In one of the sentences here, he says that you can criticise his Government but do not make it a sport. In other words, it should not just be a hobby on the side of the Opposition to criticise him as a sport. I will criticise his speech very constructively but not as a sport.

The President should have highlighted his achievements and how they have impacted on the lives of the people by statistics as well. This will make us visualise and see that there is an impact in what he has done. For example, if he was talking about education, he should have told us the number of children who have laptops and the number of teachers who have been trained in computer skills so that we can see that there is an impact in the laptops programme.

I am a Member of the Departmental Committee on Education, Research and Technology. The laptops are no longer in the domain of the Ministry of Education, Science and Technology. They have been shifted to the Ministry of Information, Communication and Technology. That means that there is some kind of second thought about what the President should have achieved. He would have done a lot if he had listened earlier to us when we said that implementation of laptops programmes is not achievable within such a short time. The President did not listen to us and he never implemented the programme. The President has realised that a mistake was made three years down the line. That is why the laptop project has not only failed but has been shifted to another Ministry. They have realised that there was a failure. That is important to highlight. That was a challenge for his Government. He should have explained to us so that we can see how the state of laptops within the education sector has failed and how it has been moved to another Ministry to salvage the flagship project.

Secondly, the President touched on the health sector in a small manner. It is also very important to highlight what he has achieved in the maternal and child health sector. He should have told us how many women now go to hospital for child birth, how many women have died during the exercise and how many children have been saved so that, by statistics, we would have seen the impact of his work in this area. He did not bring that out. His speech failed to show us the impact of his work and the achievement within the health sector, especially within the maternal and child health. I would have really loved to see his achievement by giving us statistics to show the impact and the challenges he is facing currently.

I want to also say that in terms of security, it is true we have been challenged in this country. The President has tried but he has not tried hard enough. I would have loved to hear what he is doing with the Migingo Island. That is an area of insecurity. He did not touch it. I would have loved to know the steps he is taking so that foreigners do not occupy that island and that the people in that island can get it back so that there is peace in this country.

**Hon. Speaker:** Hon. Stephen Karani, you have the Floor.

**Hon. Karani:** Thank you, Hon. Speaker. I also rise to support the State of the Nation address by His Excellency the President. Before I give my contributions, I want to comment on what has been said by other speakers who have spoken before me. The Deputy Leader of the Minority Party insinuated that only two tribes occupy majority of the posts in the Government. I want to make it very clear that the Jubilee Government inherited the Civil Service. In fact, they have recruited people in very few posts, like the Cabinet, the Principal Secretaries (PSs) and the ambassadors. Most of the employment is done by county governments and the CORD has a

majority of the governors. If there is any problem with employment, CORD knows who to blame.

On roads, the President indicated that the Coalition Government started most of the roads and that the Jubilee Government is just completing them. It could be true but starting a road is one thing and paying for it is another. The Jubilee Government is the one that is doing the payments for the roads that were started by the Coalition Government.

I want to say something about the constitutional bodies we have. We have constitutional bodies which have been given their mandates. Sometimes, we are disappointed as leaders and Kenyans because some of them have not performed their work as expected by the Constitution. Sometimes, we are made to believe that some constitutional bodies are on a mission to fail this Government. Police have been recruited and they cannot join colleges because some institutions have opposed their hiring and joining of colleges. To me, it is very serious. Those institutions should give priority to such issues which are very pressing in this country.

I applaud this Government on the security status. I represent a constituency which is not ethnic but we have had a lot of insecurity in the past. When the 3,000 vehicles were leased by the Government, my constituency benefited from part of those vehicles and now security in the area is very good. On behalf of the people I represent in Laikipia West Constituency, I applaud that.

The other thing I applaud most is the scrapping of the examination fees for primary and secondary school candidates. I request and ask head teachers and principals, who are still withholding the certificates of candidates who did not manage to pay their school fees in full, to release them as the Government has ordered.

**Hon. Speaker:** Hon. Bady Twalib, take the Floor.

**Hon. Bady:** Asante sana, Mhe. Spika kwa kunipatia fursa hii nichangia Hotuba ya Rais. Kwanza, ninawapongeza wanajeshi wetu wa Kenya ambao wako Somalia wakifanya kazi na kuona kuwa nchi hiyo imetulia kama nchi yetu ya Kenya.

Kabla ya kuchangia yale ambayo Rais alisema juzi, ningependa kurudi nyuma kidogo katika hotuba ambayo aliitoa mwaka jana akisema kuwa ataweka Kshs10 bilioni kuwalipa watu ambao walifanyiwa dhuluma za kihistoria. Ninakumbuka mwaka huo tulichangia Hotuba ya Rais na tukasema kuwa jambo hilo halitawezekana. Nilipata fursa ya kuzungumza na kusema kuwa badala ya kuweka Kshs10 bilioni kwa watu ambao wamedhulumiwa kihistoria, afadhali pesa hizo zingewekewa mabalozi wetu ambao wako kule mitaani wakifanya kazi ngumu. Mabalozi hawakupata kitu na pia wale waliopata dhuluma za kihistoria hawakupata kitu.

Katika Hotuba yake, Rais amezungumzia kuhusu mradi mkubwa wa Standard Gauge Railway. Mradi huu unapita katika eneo langu la Miritini. Mradi hii lazima ije na faida. Faida kubwa inapaswa kungusa yule mwananchi ambaye yuko pale chini. Katika eneo la Maganda ambapo mradi huo unapita, kuna mtu anaitwa Mzee Sombo ambaye mpaka sasa hajalipwa pesa zake. Pia, Salim Said katika eneo la Maganda hajalipwa pesa zake mpaka sasa. Watu ambao wanalipwa kutokana na mradi huu wanapigiwa hesabu ya nyumba lakini hawapigiwi hesabu ya ardhi. Kama ilivyozungumzwa na Rais, mradi huu utaleta faida lakini wakazi hawajaona faida yake katika makazi ambayo wananchi wanaishi. Watu hawa wamekuwa wakiishi pale wakijua kuwa kuja kwa mradi huu kutawasaidia. Kwa hivyo, tunataka tuangalie mambo kama haya. Serikali ya Kenya inapaswa kujua kuwa watu ambao walikuwa wanaishi pale miaka yote ni wananchi ambao lazima maslahi yao yaangaliwe ili waishi maisha mazuri zaidi kushinda yale ambayo walikuwa wanaishi mwanzo.



Katika mradi wa LAPSSSET, imezungumzwa kwamba *Berth 1, 2 na 3* zimetengenezwa. Katika Bandari ya Mombasa, *Berth 19* pia imetengenezwa. Rais aliongea mambo yaya haya mwaka jana na mwaka huu pia amezungumza zaidi. Mpango mzima wa ajira kwa watoto na watu wetu katika sehemu hizo za Bandari bado haujazungumziwa. Tukiangalia zaidi, Mkurugenzi Mkuu wa shirika la Kenya Ports Authority (KPA), Catherine Muturi, yuko pale mpaka saa hii lakini hajathibitishwa kamili kama Mkurugenzi Mkuu wa Bandari zetu.

Hatuwezi kama binadamu ama viongozi kuzungumza yote mabaya. Kama Upinzani, yale mabaya tutasema ni mabaya na yale mazuri tutasema ni mazuri. Ninapongeza Serikali hii kwa kuweka stima katika shule nyingi hapa nchini. Kwa mfano, kule Mombasa ninakotoka, kuna taa za barabarani katika maeneo mengi na uhalifu umeshuka chini. Hili tumeliona ni jambo nzuri. Ni muhimi tupongeze Serikali kwa jambo kama hili. Hatuwezi kupinga kila kitu.

La mwisho kabisa, mabenki yanaanguka. Ni lazima Serikali hii iangalie vile Imperial Bank, Dubai Bank na Chase Bank zilivyoanguka. Wananchi wadogo wadogo wanaofanya kazi na kuweka pesa zao pale sasa hawana faida ya kuendelea mbele katika maisha yao kwa sababu wanatarajia kupata mikopo.

Kwa hayo machache, ninakushukuru Mhe. Spika kwa kunipa nafasi hii kuchangia Hotuba ya Rais. Asante sana.

**Hon. Speaker:** Hon. Francis Kilonzo.

**Hon. Kilonzo:** Thank you, Hon. Speaker. I rise to also support the President's Speech which touched on many areas of our economy and development. I would like to comment on two particular areas.

One, by the end of the 2016/2017 Financial Year, the Government will have sent to our counties money to the tune of Kshs1 trillion. At the end of the same year, the Government would have sent Kshs87 billion to our constituencies. By now, if you go to our constituencies, you will only see what is being done through the National Government Constituencies Development Fund (NGCDF); you do not see much of what the billions of shillings being sent to our counties has done.

As a country, we are talking about corruption in the national Government and yet there is corruption in the counties controlled by either side of the political divide. It is only fair that we confront this issue of corruption. If there is no development being realised and yet billions of shillings are being sent to our counties, then something is terribly wrong.

Sometimes I wonder when I hear we want to promote cohesion and yet I have seen one side of the political divide organise and take their governors to Europe or America while others are left here. I am privy to the fact that whenever the Head of State is travelling out of this country – I have never had the privilege to travel with him – Members from both sides of the political divide form part of his delegation. To promote national cohesion, I think it is only fair that we treat all parts of this country equally and carry everyone along.

Two, the President's Speech was balanced. However, in Yatta Constituency something good is happening. The famous Yatta Canal, which was done before Independence, is currently being rehabilitated at a tune of billions of shillings. It has provided employment opportunities to so many young people and enabled agricultural activities. It is courtesy for the Government and I think this should have also formed part of the President's Speech. There are also other national projects in that region, like Yatta Dam, Thwake Dam, Konza Tehno City and Kibwezi-Kitui-Mwingi-Tseikuru-Tharaka Nithi Road. I thought these projects should have formed part of the President's Speech.

When it comes to unemployment in this country, I will not say the youth are the only ones who are unemployed. This is because there are very many people who are unemployed. It is the duty of our county governments and the national Government to set aside funds collectively for investments. When we talk about creating employment, it is not the duty of only the national Government. Money is being sent from the national Government to county governments and constituencies. We need to collectively---

**Hon. Speaker:** I will give this chance to Hon. Ferdinand Wanyonyi.

**Hon. F.K. Wanyonyi:** Thank you, Hon. Speaker, for the chance. First of all, I want to thank the President's speechwriter. He wrote a very flowery speech. I sat hear listening to what the President was talking about; it was very flowery. However, compared to what we heard last year, I was a very disappointed person.

One, I expected the President to talk about the Eurobond, which has been talked about many times. The President never talked about it. You and I as Kenyans expected the President to say something about the Eurobond because it is such an important issue that we talk about every day. In fact, during the Kibaki's time we never had anybody talking about the World Bank or the International Monetary Fund (IMF); it is just during Uhuru's time that we hear of such. What happened? The technocrats who were at the Central Bank of Kenya (CBK) and the National Treasury are the same people who are still in office. So, what is happening? As somebody mentioned, our grandchildren are going to suffer paying back that money because it is not free.

Today, under the Jubilee rule, Kenya is rated the third most corrupt country in the whole world. I do not understand what has happened. When you travel out of the country, you almost want to hide your passport because people will say: "This person is from a very corrupt country". This Government should improve the image of this country so that when you go out you are proud of your country. Somebody was telling me today while travelling from Mombasa that he does not know whether to present the East African passport or the Kenyan passport. This is because when he presents the Kenyan passport, he is seen as coming from the most corrupt country. I am a very disappointed person.

Thirdly, I want to give credit where it is due. Uhuru has done very well to implement what the NARC Government started like the SGR from Mombasa. He cannot say he is the one who came up with the idea; he is just implementing it. At the end of the day, I can give Uhuru a C- (minus) for what he has done.

I expected the President to tell us the challenges he is facing. The Speech was just flat and flowery. I am a very disappointed Kenyan because I expected the President to tell us the hurdles along the way.

Lastly but not least, he talked about unity. I agree that we should work as a team. Let us not talk about tribes or parties. Let us work for the benefit of future generations. He tried to talk about it and that is why I have given him a C- (Minus).

As far as I am concerned, the State of the Nation Address was not adequate. I was disappointed. I look forward to a better Address next year, before the next general election.

That is all I have to say.

**Hon. Speaker:** Hon. Alois Lentoimaga, take the Floor.

**Hon. Lentoimaga:** Thank you, Hon. Speaker for giving me this opportunity. I rise to support the Address by the President.

I applaud the President. When he was giving the State of the Nation Address, there was a lot of confusion and noise in the House but he was very calm. He displayed a very mature and a

presidential standard of a person to an extent that the *firimbi* fellows were reduced to triviality. I congratulate the President for that. That is why they had to keep quiet because it was becoming something small in the eyes of the President.

I want to touch on the issue of infrastructure which this Government is implementing. Credit does not go to anybody other than the President. Why do I say this? It is because all the infrastructural plans were done much earlier, as back as 1973, 1975 and 1976. No President would have done different from His Excellency the President. That is the road map even for the bypasses. There is no way you can say “it was started by so and so and should not have been done by the current Government.” That is the only way we could do it. In fact, credit goes to him because he has fixed those roads and other infrastructure including the railway. That is the way you would have gone if you were in authority.

Second is on the issue of security. It has tremendously improved. As we speak, Garissa University has offered chances to 700 students from the Joint Admissions Board (JAB). That is something we would not have talked about six months ago. This is a plus for the President and this Government for improving security. In particular is my constituency.

Cattle rustling has become a barbaric thing. It has killed very many people and made them poor; indeed, very poor. Widows have been there for many years but today, people are sleeping there soundly. They are relaxing and grazing animals in peace because of this Government. We have been offered an opportunity. We have been given enough armoured vehicles and policemen. Those vehicles can move to any type of terrain in which those cattle rustlers hide. The Suguta Valley is becoming a thing of the past due to the new equipment.

On the issue of cash transfers for the elderly, disabled, orphans and widows, we in Samburu North have never known that. We are enjoying that facility because of this Government. We never had that even during the reign of the last Government; the “*nusu mkate*” Government. We started getting it in the last three years. The lives of elderly and poor people have been extended. They are able to go to a shop and borrow on credit. The elderly can now get food. Their life is becoming better than it was.

Electricity supply is being done even in the remotest areas like Samburu North. We never had it before. Schools are having lights and children are now able to learn even during the night. We need to encourage the President and this Government to do better. There is no way they can do better if we make a lot of noise and yet we know that that is their responsibility and they can work harder and do better.

I support, Hon. Speaker.

**Hon. Speaker:** Yes, Hon. Onyango Oyoo.

**Hon. Oyoo:** Thank you very much, Hon. Speaker for giving me this opportunity to add my voice on the President’s Speech during the State of the Nation Address.

From the outset, I want to thank His Excellency for honouring a constitutional obligation by coming to Parliament to give this much expected Speech. I also want to express my dissatisfaction with the way his handlers cobbled up the statement because this noble day was meant for the President to come and give us the details of the actual state of the country. The actual state of the country was not limited to the Jubilee achievements. It was also meant for him to come and express to us the actual position.

On the economic state, we wanted the President to come and tell us more about the much touted Eurobond so that we could leave here, go out and whoever we interact with we tell them

the correct position that came from none other than the CEO of this country. This did not happen.

The President came to express to us a lot of achievements that the Government has made but there are certain targets that he had set that have not been met. We expected him to come and express to us why what was expected had not been achieved. We do not want to say that the President has ability to do everything. He may have heightened our expectations that the Jubilee Government would do “a”, “b”, “c” and “d” but for those that they have not been able to meet, we expected him to come here and tell us what impediments he was going through and what effort the Government was making to enable him achieve them.

President Kibaki came and launched the free education flagship project. In the first financial year, the Free Education Programme was a success. Today, it is a pride of Kibaki’s leadership that he can look back and be proud of. Jubilee’s nemesis could have been the laptop project. As at the time of delivering his Speech, the laptop project had not been implemented. We are being told that it is because of myriad court cases that were there but we are also aware that the SGR was bedevilled with similar court cases but because the President had passion for it, they were all shoved off within no time.

The SGR which is his passionate bed project is going on although we know that it was a carryover of the *nusu mkate* Government. He only perfected it. As much as it is very successful, in reality, it may put us in a serious financial obligation because it is taking a lot of money. Kenyans needed time to probe it and check whether the money we are spending is commensurate with their expectations when we have other challenges.

Infrastructure has been articulated as one of those achievements of Jubilee Government. We all know that the Government was hanging on the prospect of something called the annuity programme but it hit the wall. Up to now, I do not know of any road or infrastructural development that has been done by the Jubilee Government because we live in this country. What I know is that when any serious project takes off, the President would want to take credit. The only road that I have seen the President take credit for is the road going to his Deputy President’s Sugo Mini-State House. That is the only road that has been launched properly. The rest are being planned for but, they have not been done. If they have been done, I would like to know because Road C34 in my constituency is always prioritised as No.4 project in this country. So, if other roads have been done, I would like to know when they were reorganised, why mine was substituted and the one that took priority. We believe certain things have not been done but there is still time.

The President does not belong to the Jubilee Government, but this country.

With those few remarks, I want to say that the Speech was good but it needed a lot of explanations. We hope that next time we will have a Speech that meets the threshold of the State of the Nation.

Thank you very much. I support.

**Hon. Tonui:** Thank you, Hon. Speaker for this opportunity to comment on the President’s Address. I want to commend the President for his composure during that delivery despite the fact that some of us attempted to disrupt the Speech, which I thought was not in good order. This is especially when we have very senior Members of some political parties involved, who should be leading by example. He behaved like a true statesman and that should continue.

Being a professional teacher, I can easily mark the Jubilee Government’s accomplishments and give a proper score. I am the best person to do that. The Jubilee

Government has not achieved an “A”. They have scored a B+ (Plus) or B (Plain). They are doing very well and not badly. If they were to deal with the issues of teachers they would be doing well. They have really failed on that side.

The President mentioned the 3,000 kilometres of road as having been done. I appreciate the tarmacking of those roads. How I wish that part of those 3,000 kilometres was in Bomet! I understand that the Jubilee Government decided that those roads the Government had committed itself to do under the Coalition Government would be completed first. Hon. Mbadi is a beneficiary.

I saw a road going to Mbita, which is not a path. I have gone there for tour and it is a good road. I saw the road from Migori to Kehancha. We appreciate. I wish we can now move ahead to implement those ones which were planned by the Jubilee Government like the ones in Bomet. I am happy that the President is planning to come to Bomet to launch one from Daraja Sita-Chebole-Kanusin in my Constituency all the way to Dikirr in Trans Mara. We also hope to see other roads which are earmarked like the Silibwet to Olenguruone Road in Kiptagich through the Mau Forest being done so that we can be connected to the other side of Nakuru County and improve our business relationship and communication with them. Those roads within my constituency like the one from Tegat, Singorwet and Kapmusa and the one in Kapsimotwa will expand Bomet Town. This is if they are tarmacked. We are looking forward to seeing these roads being done.

I also appreciate the way we are using the funds given to us as Members of Parliament, through the Kenya Rural Roads Authority (KeRRA), to effectively improve the road network especially in marraming. In one of my wards, namely Mutarakwa Ward, we have done about seven or eight roads which have never been done since Independence. If you go there, the people will tell you that when this guy took over the seat he has done miracles on this side. I am very happy with it and we will continue. We are not discriminating. We balance all the works in our constituency to ensure that we open up all the sides.

With regard to the education sector, I want to commend the Jubilee Government for what it has done, especially on the issue of the Kenya National Examinations Council (KNEC) in ensuring that the KCSE and KCPE examinations are free. The scrapping of the registration fee has ensured that it does not matter which background you come from; you are still going to sit the examination and access education. That is a positive thing in the right direction.

The connection of electricity to nearly all primary schools is something positive which has shifted the Jubilee scorecard. It is doing very well. The issue of starting technical institutions to ensure that there are more blue-collar jobs is a good thing. The only area that the Jubilee Government has really failed in is on the issue of teachers. The issue of teachers has not been addressed very well. The Jubilee Government gets a D+ (Plus) in that area. It has failed on that side. Even the issue of unionisation, which is not recognised in law in terms of union membership, is working against the democratic space. That is one area which we need to correct to ensure that we increase the democratic space which we have in this country by appreciating that unions play a very important role in ensuring that teachers---

**Hon. Speaker:** Let us have Hon. George Omondi.

**Hon. P.E.O. Anyanga:** Hon. Speaker, from the outset, I am not here to say that His Excellency the President did a bad thing to enumerate his achievements. That was quite in order but what is disturbing me is that the President talked as if he was talking to visitors or people who do not know the bad things happening in our economy.

That is my problem because it is true that the achievement that the President enumerated have taken place in our country. We have improvement in infrastructure but when he talked about the financial sector's stability, he was not very truthful. In that regard, he failed to tell us that the country is over borrowing and soon we may tip over because of this debt.

His Excellency the President talked about enhanced energy generation and electricity connection. These are all true but, he did not address the failures or the problems we have in this country which are corruption, tribalism and insecurity. He did not tell us that tribalism is being incubated in our schools. He did not tell us what he is doing about that. We now have children in primary schools talking about tribalism. They know where they come from and they know they are Kikuyu or Luo. This is the problem. This is a bombshell that may explode anytime.

On tribalism and non-inclusivity of everybody in this country, the President did not tell us why the Jubilee Government has not compensated the Internally Displaced Persons (IDPs) who were displaced from Nyanza and Western regions. We have seen IDPs from Central and Rift Valley being compensated. This is something that needs to be addressed. The President needs to talk about it because there are people from these areas who lost their businesses, properties and even kinsmen. But as is the practice from where I come from, nobody is left to sleep outside in a tent. So, these fellows got absorbed into their community. They are there and so to heal the nation, now that the ICC case has ended, these people must be identified and should be compensated.

His Excellency the President talked about our forefathers having fought and having given us a united country but he failed to tell us that the country we have today is more divided than what our forefathers or founding fathers bequeathed us. We are very much divided.

On security, one of my colleagues has talked about it. I do not think that the President was very genuine when he failed to mention Migingo Island because this is external aggression. It is important that he should have told the nation what he is planning and doing about it. Moreover the IEBC was stopped from registering people there to participate in the coming General Elections.

With those few remarks, I support the President's Speech but, next time he needs to tell the country the truth. He should tell us his achievements and his failures.

**Hon. Speaker:** Hon. Peter Mwangi, you have 15 seconds.

**Hon. Mwangi:** Thank you, Hon. Speaker, for giving me this chance to contribute to the Presidential Speech on the State of the Nation. First of all, I would like to thank you for the exemplary work you did that day when some of us tried to disrupt the business of the House. It was a very big shame for the whole House though you were able to control everything.

**Hon. Mwangi:** Hon. Speaker, I would like to, first of all, ask those who are saying that there is nothing that has been done that and yet we, as Members of Parliament, have been receiving funds from the KeRRA and the NGCDF. When you say that there is nothing which is being done, where do you take your funds? It is good for us to speak the truth because if there is something that has been done in your constituency through KeRRA or through the CDF, note that, that has been done through the Jubilee Government.

## ADJOURNMENT

**Hon. Speaker:** Hon. Members, the time is now 6.30 p.m. The House stands adjourned till Thursday, 14<sup>th</sup> April, 2016, at 9.30 a.m.

The House rose at 6.30 p.m.