

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Tuesday, 24<sup>th</sup> January, 2017

The House met at 2.30 p.m.

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

PRAYERS

QUORUM

**Hon. Speaker:** Well, I confirm that we do not have quorum. I direct that the Quorum Bell be rung for the initial 10 minutes.

*(The Quorum Bell was rung)*

We now have quorum.

## COMMUNICATION FROM THE CHAIR

### ELECTION OF MEMBERS TO EALA

**Hon. Speaker:** Order, Members. This is Communication No.001 of 2017. It relates to the election of Members to the Fourth East African Legislative Assembly, commonly known as EALA. This being my first Communication this year, I take the opportunity to welcome all of you back to the House for the Fifth and ultimately the final Session of the 11<sup>th</sup> Parliament.

*(Applause)*

I hope you have invigorated sufficiently to be able to consider and conclude the pending business for the remainder of the term. Having said so, I now wish to convey the Communication relating to the election of Members to serve during the fourth term of the EALA.

Hon. Members, pursuant to the provisions of Section 3 of the East African Legislative Assembly Elections Act, 2011, I have received a notification from the Clerk of the EALA regarding the expiry of the term of the current Third East African Legislative Assembly which will come to an end on 4<sup>th</sup> June, 2017. The notification requests that the Parliament of Kenya causes the election of Members to represent the country in the Assembly.

The EALA is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community. Articles 50 and 51 of the EAC Treaty provides for election of Members of the Assembly and the tenure of office of elected Members respectively. Specifically, Article 51(1) provides that an elected

Member of the Assembly shall hold office for five years and be eligible for re-election for a further term of five years. The current Assembly was elected in 2012.

Additionally, Section 4(1) and (2) of the East African Legislative Assembly Elections Act, 2011 provides that the election of Members to the Assembly shall be conducted in accordance with the rules of procedure of the legislatures of the partner states. The Act also requires that the elections ought to be conducted within 90 days before the expiry of the date of the outgoing Assembly. The effective date in this case is 4<sup>th</sup> March, 2017.

Hon. Members, it is my view that the current election rules which were adopted by the National Assembly in April, 2012 and published in the *Kenya Gazette* through Legal Notice No. 31 of 11<sup>th</sup> May, 2012 require a review to conform to the bicameral nature of our Parliament.

In this regard, a team of officers of the Houses of Parliament has been constituted to propose amendments to the existing rules of election of Members of the Assembly taking into account the bicameral nature of our Parliament and the relative political party majorities. The text of the proposed amendments will be submitted to the two Houses of Parliament for consideration soon. The rules, once adopted by Parliament will thereafter inform the next course of action including the process of nomination of candidates and election procedure.

In view of the foregoing, the leadership of the political parties in the House is notified of the process and advised to await direction from the Houses on the rules to be applied upon adoption.

I thank you. Next Order!

### PAPERS LAID

**Hon. Katoo:** Hon. Speaker, I beg to lay the following Papers on the Table of the House:

The National Treasury Annual Public Debt Management Report for 2015/2016 Financial Year.

The Office of the Auditor-General Special Audit on the University of Nairobi Financial, Procurement and Human Resources Management, January 2017.

The Ethics and Anti-Corruption Commission Third Quarterly Report covering 1<sup>st</sup> July-30<sup>th</sup> September, 2016.

The National Government Constituencies Development Fund Board Report on project approvals and disbursements status as at December, 2016 including restrictions from Constituency accounts.

The Public Service Commission Evaluation Report on Public Service Compliance with the Values and Principles in Articles 10 and 232 of the Constitution for 2015/2016 Financial Year.

The National Authority for Campaign Against Alcohol and Drug Abuse (NACADA) Seventh Bi-Annual Progress Report of the Alcohol and Drug Abuse Control in Kenya, October, 2012 to March, 2016.

The Annual Report and Financial Statements in respect of the following institutions for 2014/2015 Financial Year:

- (i) Laikipia University;
- (ii) Kenya Ports Authority; and,
- (iii) University of Nairobi.

The Annual Report and Financial Statements of Kenya Post Office Savings Bank for the year ended 31<sup>st</sup> December, 2014.

**Hon. Speaker:** The National Treasury Annual Public Debt Management Report for the 2015/2016 Financial Year is accordingly referred to the Departmental Committee on Finance, Planning and Trade. The others will be referred to the relevant committees.

Next Order!

## MOTION

### APPROVAL OF THE HOUSE BUSINESS COMMITTEE

**Hon. Katoo:** Thank you, Hon. Speaker. I want to take this opportunity to wish Members a happy New Year. As you have clearly said, I wish them well in this last lap of the 11<sup>th</sup> Parliament.

Hon. Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Standing Order No. 171(1)(d), this House approves the appointment of the following Members to the House Business Committee (HBC) in addition to the Members specified under paragraph (a) (b) & (c). For avoidance of doubt, the Members specified are the Speaker who is the Chairperson, the Leader of the Majority Party and the Leader of the Minority Party in the House. The other Members are:

1. The Hon. Katoo Ole Metito, EGH, MGH, M.P.
2. The Hon. Jakoyo Midiwo, MGH, M.P.
3. The Hon. (Dr.) Naomi Shaban, EGH, M.P.
4. The Hon. Thomas Mwadeghu, CBS, M.P.
5. The Hon. Jamleck Kamau, EGH, M.P.
6. The Hon. William Cheptumo, M.P.
7. The Hon. Eng. M. M. Mahamud, CBS, M.P.
8. The Hon. David Were, M.P.
9. The Hon. Z. K. Cheruiyot, MGH, M.P.
10. The Hon. Mithika Linturi, M.P.
11. The Hon. Jessica Mbalu, M.P.
12. The Hon. (Dr.) Victor Munyaka, M.P.
13. The Hon. John Serut, M.P.
14. The Hon. Wafula Wamunyinyi, M.P.
15. The Hon. Cecilia Ngetich, M.P.
16. The Hon. Priscilla Nyokabi, M.P.
17. The Hon. (Dr.) Rachael Nyamai, M.P.
18. The Hon. Peter Shehe, M.P.
19. The Hon. Joyce Emanikor Akai, M.P.
20. The Hon. Johnson Sakaja, M.P.
21. The Hon. (Dr.) Makali Mulu, M.P.
22. The Hon. Dennitah Ghati, M.P.
23. The Hon. Gladys Wanga, M.P.
24. The Hon. Florence Kajuju, M.P.

25. The Hon. (Dr). Susan Musyoka, M.P.
26. The Hon. KK Stephen Kinyanjui Mburu, M.P.
27. The Hon. Mishi Juma, M.P.
28. The Hon. Francis Chachu Ganya, M.P.
29. The Hon. Chrisantus Wamalwa, M.P.

Hon. Speaker, as Hon. Members can clearly see in the Order Paper, this is the only business in today's sitting. This is because the procedure of the House states that in the first sitting of the First Session of the House, the only business to be transacted is the formation of the HBC. After the House has approved this Committee, under your chairmanship, it goes to form the business of the House beginning tomorrow.

I am sure they will first deal with the calendar of the House and list the business beginning tomorrow morning. It is just the old HBC because we only have 29 weeks to the end of the life of this Parliament.

As the leadership of the House, we thought that for continuity purposes, we will allow these Members to finish the business of the 11<sup>th</sup> Parliament. I want to urge the House to approve these names so that they can immediately move to come up with the business of the House.

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

**Hon. Mwadeghu:** Ahsante, Mhe. Spika. Ningependa kuchukua nafasi hii kuunga mkono Hoja hii. Ningependa pia kuwatakia Wabunge wenzangu kila la heri muhula huu kwa sababu watakuwa wanakunja jamvi wakijiandaa kwa uchaguzi ambao utafanyika hapo mwakani.

Tunakubaliana kwamba Bunge limejaribu kufanya lile ambalo lingeweza kufanya. Nina imani kuwa katika zile kazi ambazo zimebaki, Wabunge watajitolea kikamilifu kuhakikisha kuwa wameifuata ratiba yao, ambayo tutaizungumzia leo jioni ili waweze kukamilisha. Kama ilivyosemwa na mwenzangu, uongozi wa Bunge umeonelea kuwa haina haja kubadilisha viongozi ambao wanahudumu katika Kamati hii inayoshughulikia masuala ya Bunge. Tumeiacha vile vile ili iweze kuwajibika na kumaliza muhula huu ili tuendelee na kazi ambazo tumepatiwa za Bunge.

Ninaomba nichukue wakati huu kuwaomba Wabunge wenzangu kuwa tujibidisha tuwezavyo ili tujumuike na wenzetu wakati huu wa kujiandikisha ili wakati wa kupiga kura utakapofika mwezi wa Agosti, kila mtu awe amejiandaa vilivyo ili kuhakikisha kuwa amerudi. Lakini ningependa pia kutoa tahadhari. Kulingana na takwimu tulizonazo, asilimia 80 ya Wabunge huwa kawaida hawarudi. Kwa hivyo, hapa huenda ikawa kuna wengine ambao watakuwa wanakunja jamvi lao na kuondoka Bungeni baada ya muda wao kuisha.

Kwa hivyo, ni muhimu Wabunge wajiandae kwa vyovyote vitakavyotokea. Wengine wetu kama mimi tushaamua kuwa hatutaki kurudi kwa maana nitaomba kiti cha ugavana. Kwa hivyo, ninaagana na wenzangu polepole. Ninawatakia kila la heri katika kazi hii ambayo mtakuwa mnaifanya ili tuweze kujumuisha nchi yetu vile ilivyo.

Mhe Spika, ninaweka tamati kwa kusema kuwa kulingana na takwimu tulizo nazo Bungeni, asilimia 80 ya Wabunge huwa kawaida hawarudi. Kwa hivyo wengine watakuwa wanakunja jamvi lao wakiwa wanaondoka na kuaga Bunge. Mimi ni mmoja wa Wabunge ambao watakuwa wanakunja jamvi lao kama Mbunge wa Wundanyi maana nitakuwa ninaomba kiti cha ugavana katika Kaunti ya Taita Taveta. Kwa hivyo, wenzangu ninawaaga polepole wakati huu ambao nimewatumikia.

Kwa muhtasari, ninawatakia Wabunge kila la heri katika kazi yao. Kwa heshima na taadhima kumbwa, ninawaomba Wabunge waunge mkono majina haya ili tuendelee na kazi.

Kwa haya mengi, ninaomba kuunga mkono majina haya ili yaratibiwe na Bunge na tuendeleo na kazi.

Asante, Mhe. Spika.

**Hon. Speaker:** Order, Hon. Members! I know it was one month. So, Hon. (Eng.) Mahamud might have forgotten that when a Motion has been moved, it has to be proposed. Is he among those ones Hon. Mwadeghu is saying may be saying good bye? Nevertheless, I propose the Question.

*(Question proposed)*

Hon. Members, I have seen a number of you who have put requests. Is it an indication that you want to contribute to this crucial Motion? The first one on the list, because there should be no order here, is the Member for Kibra. I hope you are not in the category that Hon. Mwadeghu spoke about.

*(Laughter)*

Hon. Ken Okoth, you put your card at your normal place of aboard. Just look behind. This machine only recognises you there. You can speak from there.

**Hon. Okoth:** Thank you, Hon. Speaker. I rise to say that I am delighted to support the Motion. We are in the last session and many of these Members have served with distinction. I know it is the campaign season. It is also during the month when many members are working hard to register voters and meet the targets as we prepare for 8<sup>th</sup> August, 2017. But they will have to find a way to balance the important duties of this House and other competing commitments out there. It is a great thing.

I see on this list a special Member that I serve with in the Departmental Committee on Education, Research and Technology, Hon. Cecilia Ngetich, who is listed as number 15. I want to celebrate her because last year she came with a Bill on engineers and technicians, and that has helped streamline that sector in a very impactful way. She was also recognised recently by the Technical University of Kenya which awarded her honorary doctorate. That is great news to celebrate from a colleague that I have worked closely with, and who shares an office next to me. They will continue their good work.

As we run around, I have also been trying to do good work. My constituency was ranked number two out of 290 in the National Government Constituencies Development Fund (NG-CDF) usage. I celebrate my NGCDF committee. I ask the Committee on NGCDF in this House to assist members in this House with a supplementary budget so that we can do projects. This is especially the Kshs10 billion that needs to come to our educational institutions to build schools, classrooms and dormitories. The NGCDF is a lifeline for Members of Parliament, whether they will be here or not. I think they want to leave a legacy and do good work for their people. So, I hope this Committee will work well and prioritise the supplementary budget. This will ensure that money for the NGCDF is brought to this House so that we can ratify it quickly and make a difference.

With those few remarks, I pray for all Members of this House so that they may be safe and have good health as they go on with their work and campaigns. I also pray that we finish the

11<sup>th</sup> Parliament on a high note with a record number of good Bills passed for the benefit of our people.

I support, Hon. Speaker.

**Hon. Speaker:** Now that Hon. Ken Okoth has raised that issue of the Supplementary Budget, I think it is fair to also appreciate that the supplementary budgets were tabled in one of the days that we had a Special Sitting. It is only fair that other departmental committees immediately prioritise the consideration of the supplementary budgets with a view of having them considered by the House in the course of next week.

Hon. Cyprian Iringo.

**Hon. Kubai Iringo:** Thank you, Hon. Speaker, for giving me this opportunity to support this Motion on the approval of the HBC. First and foremost, let me thank the Almighty God for having brought us this far. All of us are here safely. I thank all the members who have come back to start this final lap. I believe it will be a lap of honour, whereby we are going to do our best to finalise what really is supposed to have been done by us despite the fact that we are not going to live to the five years. The period has been shortened by the Constitution. I think we shall go down in history as having done most of the work which was put in front of us.

Hon. Speaker, I support the idea that these Members should continue because we have a short period to go, and they have done a good job before under your leadership. I have no doubts that you are going to continue with the same team in the same spirit for the benefit of this country and for the purpose of putting in order all the provisions which are yet to be done in the 11<sup>th</sup> Parliament to actualise our Constitution.

All Members are craving to go back for the campaigns. All in all, the House has to sit because the Constitution provides that we continue sitting.

Therefore, I would like to urge my colleagues that despite the tight schedule outside there, let us also endeavour to be here in the House to give quorum, so that at least the business of the House does not stall but we make progress. I know it will be tedious and tricky, but I know we shall make it.

Finally, let me add my voice on the Supplementary Budget, especially on the National Government Constituencies Development Fund (NG-CDF). We remember that there was an amount which was slashed by the courts, but something was done about it. Some schools which were supposed to benefit from this kitty, particularly secondary schools are suffering because we are yet to put up classrooms there and yet they have already admitted Form One class. I have evidence; some of the principals in my constituency have called to tell me that they have no classrooms for the new students. Therefore, let us expedite this matter so that this money can be released as fast as possible because there are children out there who do not have anywhere to sit, as we speak. The faster we do this, the better for our children.

Thank you Hon. Speaker, I support.

**Hon. Speaker:** Hon. Andrew Mwadime, Member for Mwatate.

**Hon. Mwadime:** Ooh, asante sana, Mhe. Spika.

**Hon. Speaker:** You have forgotten that you had placed a request?

*(Laughter)*

**Hon. Mwadime:** Shukrani kwa kunipa nafasi hii. Mwanzo kabisa, ningependa kuiunga mkono Hoja hii. Nikiangalia walioorodheshwa katika ratiba ya leo, wote wanauzoefu wa kazi

hii. Kabla sijaendelea, nawatakia wenzangu mwaka wenye fanaka na vilevile kuomba wafanikiwe kwa shughuli nyingi walizo nazo mbeleni.

Najua kwamba Wakenya wote wamejitokeza kujiandikisha kupiga kura. Ningeomba watoke na kujisajirisha kwa wingi. Vile vile, Tume ya Uchaguzi na Mipaka au Independent Electoral and Boundaries Commission (IEBC) yafaa ijaribu kuangalia mahali kuna utata. Niliona mtu mmoja wa eneo langu la Uwakilishi Bungeni akijaribu kutumia kadi za watu wake ambao wamefariki na jambo la kushangaza ni kwamba bado hayo majina yamo katika orodha ya wapiga kura.

*(Loud consultations)*

**Hon. Speaker:** Hon. Members, the consultations are too high. I know there is excitement about the last stretch. Hon. Mwadime, be relevant to the Motion please.

**Hon. Mwadime:** Asante sana, Mhe. Spika kwa uongozi wako. Vile nimesema, naunga mkono wote waliochaguliwa kwa sababu wanauzoefu wa kazi na wataendelea na kazi kwa ule muda mfupi ambao umebaki hapa Bungeni. Ni heri wamalize kipindi.

Mwaka huu una mambo mengi. Kwa hivyo, ningeomba IEBC ijaribu kuangalia mahali kuna tatizo na kujaribu kutafuta suluhu, kama vile jana tulikua tunajaribu na mmoja wa wanaeneo Bunge langu vitambulisho vya watu waliofariki. Alipojaribu kuviweka katika zile mashini alipata bado majina yapo kwa orodha. Ni vyema IEBC iondoe majina ya watu waliofariki kutoka orodha ya wapiga kura.

Mhe. Spika, asante sana kwa kunipa fursa hii.

**Hon. Speaker:** Hon. Johnson Sakaja.

**Hon. Sakaja:** Thank you, Hon. Speaker. I rise to support this Motion. In as much as I am listed as one of the Members of the House Business Committee (HBC), I would like to take this opportunity to wish Members a happy New Year. As you can see from the numbers, it was indeed a task today to even get the quorum, because Members are fully focused on the coming 2017 General Election. I am confident that even as we proceed with the business of the House and that of the elections, Members will dedicate their time for the important business of representation and legislation.

I am aware that we will need to prioritise a number of things such as the budget process. We need to see how to fast track it and other pieces of legislation. I would also like to take this opportunity---

*(Loud consultations)*

I do not know if you can hear me, Hon. Speaker. I know Members have missed each other, but I wish they could lower their discussions.

I want to confirm that I am one of those Hon. Members Hon. Mwadeghu was talking about. This is my last Session in this House. There are two categories, there are those who will not come back on purpose and there are those who are going for other positions. For instance, I will go for the position of governor. However, there are others who will not come back not out of their own will, but by the will of the people. So, I would like to wish all of them all the best, whether you do not come back because you have won elsewhere or whether you have not come back because people do not appreciate the work you have been doing.

I just want to echo the remarks of Hon. Ken Okoth. I would like to take this opportunity to congratulate Hon. Ken Okoth of Kibra together with Hon. Osele, Hon. George Theuri and Hon. Stephen Kariuki. Those are four Members out of the top five best performing in the NG-CDF last year. It is important to note that four out of five of those who performed well are Members of my Kenya Young Parliamentarians Association. They are all Members who, at the time of election were youthful. So, I would like to congratulate them and I hope it is a reflection of our leadership as young people. We hope in the next elections Kenyans will be able to vote in many more of such vibrant and young legislators. Number one in Central Kenya was Wakape, my good friend.

Hon. Speaker, as I finish I would like to urge Members that even as we go for elections, let us remember the principles and the tenets that hold our democracy together. Let us not raise political tensions as we have been seeing across the country. We know it is a time of much realignment and people are free to move wherever they want to move. Let us remember that we have one country, you will either win or lose your elections. It is not a matter of life and death.

We would like to urge our brother, Hon. Ken Okoth; we saw what is happening in his constituency. He is welcome to Jubilee; we will give him a ticket. We know it might be tough, but we know that the will of the people will always be stronger than any anointed leader. So, we wish you all the best my brother.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Ugunja.

**Hon. Wandayi:** Thank you, Hon. Speaker. I wish to join my colleagues in supporting this Motion. Such Motion is one of those that come once per Session. This is the last time this Motion is being debated in the life of this 11<sup>th</sup> Parliament. I want to support this Motion because of the need for continuity. The Members who have served in this important Committee of the House have done well by all standards. I therefore commend the leadership of the House for having found it fit to retain them. They have done fairly well. I wish to congratulate them for the good job they have done in this Committee.

This is a Committee which is very important because it sets the agenda for the House. Therefore it is important that men and women who sit on it are the people who have been tried and tested. On that account I am extremely happy that we have retained our old membership.

We are alive to the fact that this is the last Session of the 11<sup>th</sup> Parliament. We are also alive to the fact that one of the most urgent agenda for this Session is the Budget. The Budget this time round is so important because for the first time in our history, it will come fairly earlier than the rest of the times. As we anticipate addressing the matter of the Budget so that the country can run, we must point out the fact that this is the House that is entrusted with the sole responsibility of budget-making.

The National Assembly is the only institution that the Constitution has given the mandate to make Budget. But I must say, it is unfortunate that of late, the Executive, through Treasury has made attempts to usurp this very key role of the National Assembly. Why do I say so, Hon. Speaker? We have seen instances in the past where Budget Estimates' proposals have come before various Committees of the House and those Committees made serious recommendations on the Budget. These recommendations have ended up being overruled by the Executive which has no role, whatsoever, in determining the actual amounts that go to various departments of Government.

To add salt to injury, there has been a circular which has been released lately. It is from the National Treasury. In my view, that circular goes against the letter and spirit of the Constitution in so far as the budget-making process is concerned. The Cabinet Secretary (CS) of the National Treasury has had the audacity to issue out a circular---

*(Loud consultations)*

**Hon. Speaker:** Order, Members! We need to hear what the Member for Ugunja is saying.

*(Several Members walked out of the Chamber)*

Hon. Members, those of you who have been named into this House Business Committee, I can see some of you walking out. It was our rule that there must be quorum even in the Committee. Soon after we finish this business, that Committee will go straight to Room 9 for a meeting to determine business commencing tomorrow morning.

So, we need to hear the Member for Ugunja then make a decision about this. Please, those of you who have been named in the House Business Committee (HBC), do not walk away.

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

I was stressing a very pertinent issue that National Assembly is the only institution, under the Constitution, which has a sole mandate to determine the Budget. It is unfortunate that the Executive, through the National Treasury has attempted, over time, to usurp that very key mandate of the National Assembly. We are alive and we are aware that there is a circular which has been issued by the CS for the National Treasury, of late. That circular in essence is making it impossible for the National Assembly to play its constitutional role of determining budgetary allocations.

The CS has purported to direct officers under him not to come before Parliament and seek Parliament's authority in determining allocations to various departments.

That is an issue---

**Hon. Speaker:** But, Hon. Wandayi, there are certain things which are done. If you ask the Member for Kisumu Town West – Hon. John Olago Aluoch - he will tell you that people act *per incuriam*. They act in ignorance of the law. The Constitution's own Article 125 gives Parliament, both in Committee and plenary, the power to summon any person for purposes of giving evidence or information, to either a Committee or the plenary. So, if people go writing circulars, ignore them. Why would you worry when you know you have the ultimate power?

**Hon. Wandayi:** Thank you. I am properly guided, Hon. Speaker.

In fact, I will be moving, through the Committee where I sit, to have the CS summoned to explain this anomaly. I wanted to conclude by reiterating the importance of this HBC. Even though the HBC sets the agenda of the House, it must be made to understand that it must use its discretion prudently. The House Business Committee must, in the performance of its functions, act prudently for the interest of the nation.

We are aware that there are Reports which have been lying idle in the House. They were tabled long time ago. These Reports have never been scheduled for debate in this House for almost four-and-a-half years now. One such report is the Report of the Truth, Justice and Reconciliation Commission (TJRC). That Report has been gathering dust in the shelves of the

National Assembly for more than four years now. That Report is so crucial for the wellbeing of this country; it is so crucial for the security of this country. The only favour this Committee needs to do to this country, in this Session of the 11<sup>th</sup> Parliament, is to table that Report. That Report needs to be tabled to be debated by the membership of this House.

**Hon. Abongotum:** I think I have the Floor, Hon. Speaker.

**Hon. Wandayi:** I am continuing.

**Hon. Speaker:** Hon. Wandayi, you know the Motion is for the approval of these names. Now you have gone on to circulars. This Motion has nothing to do with circulars. Indeed, Hon. Wandayi, if you want to deal with those issues of that circular, you need to approve this Committee so that it can prioritise the issue of the budgetary process so that you can deal with those persons appropriately.

Hon. Wandayi?

**Hon. Wandayi:** Okay. Let me conclude.

**Hon. Speaker:** Please.

**Hon. Wandayi:** I wish to conclude by urging the HBC to prioritise the TJRC Report and bring it before this House to be dispensed with before this Parliament is dissolved.

With those very many remarks, I support.

**Hon. Speaker:** Hon. Kamama, you wanted to say something about this?

**Hon. Abongotum:** Let me just debate for two minutes then you can put the Question.

First of all, I want to say that I support the Motion. I also wish to say that the HBC has done a sterling job. On a scale of 1 to 10, I will give them 9/10. So, they deserve another chance. I also want to wish my good friends and colleagues Members of Parliament a very lively and good Session as we go towards elections.

If I was to decide, I want all these Members to come back to the House – all of them. But, of course, that choice or position is the duty of the people.

I want to thank and wish our Leader of the Minority Party well because he has done a very good job. In fact, we want to request the Coalition for Reforms and Democracy (CORD), in the next dispensation, the next Government which Jubilee is going to form, to give us another minority leader who is better or who can perform like Hon. Mwadeghu. I wish him well as he goes to contest as a governor. I hope he will not behave like current governors; he will behave like a very educated governor.

Lastly, we want disbursement of the National Government Constituencies Development Fund (NG-CDF) to be effected immediately. It is because we do not want to be subjected to the normal bureaucracies as we approach elections.

With those few remarks, I totally support the nomination of these Members to the HBC.

Thank you, Hon. Speaker.

**Hon. Speaker:** Member for Kisumu Town West?

**Hon. Aluoch:** Hon. Speaker, it is Kisumu West. It is not Kisumu Town West.

**Hon. Speaker:** Kisumu West, you are not part of the town. Yours is in the---

**Hon. Aluoch:** I am a town guy, but I reside in Kisumu West.

*(Laughter)*

The importance of the House Business Committee---

**Hon. Speaker:** It is only that I knew your constituency as part of the town, but on the western side. Now, it is Kisumu West.

**Hon. Aluoch:** That is so, Hon. Speaker.

**Hon. Speaker:** Very well, I correct myself.

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

The importance of the HBC cannot be overemphasised. Like Hon. Wandayi has said, in exercising their discretion, they should act with judiciousness so that they prioritise what needs to be prioritised and they put forward what Kenya really requires.

I will not agree that in the Fourth Session, the HBC has acted excellently well. No! We have had instances in the Fourth Session when this Committee was moving at the behest of forces outside this House. It was motivated and manipulated by the Leader of the Majority Party, and came to the House with Order Papers that were not made out of consensus.

As we approach elections, it is important that this Committee prioritises what will unite our country, not what will separate us. It is important they bring forward to the Floor agenda that will help in building unity and cohesiveness as we approach elections.

Hon. Speaker, Hon. Mwadeghu has scared Members by saying the truth that 80 per cent of us in this House may not come back to the next Parliament. That is the truth as scary as it is. But one of the factors, as Hon. Okoth has said, is how the NG-CDF funds are used in our respective constituencies. That is a major determinant in who comes back and who does not. I would say 30 per cent of the reasons why you will come back or not is how the NG-CDF funds are utilised in your constituency. That is why I say with pride that in the last week's survey by the NG-CDF Board in Kisumu County, Kisumu West was ranked number one. In the old Nyanza, comprising seven counties, Kisumu West was ranked number three, behind Kabondo and Kitutu Chache. That is something we should be proud about.

As we approach this Session, we must be aware of the fact that we need to educate Kenyans to vote and vote wisely. It is a pity that many of us politicians talk about educating voters and enhancing registration, but those who talk the loudest are the ones whose constituencies lag behind the most. That is a fact, if you look at the statistics provided by IEBC as at yesterday evening.

When we talk about House Business Committee (HBC), it is important for us to understand that integration, unity and reduction of conflict is a major component of what the Committee needs to do. As they approach their responsibilities and as we come back tomorrow morning, we will expect that they will set agenda for the House that will help us move forward towards the elections.

Hon. Speaker, I support the Motion. Thank you for this opportunity.

**Hon. Speaker:** Hon. M'uthari.

**Hon. M'uthari:** Thank you, Hon. Speaker. At the outset I support this Motion. I also wish my colleagues a good year as we approach the elections. This Committee has done a good job and it is good that we give it further mandate to continue with the business of the House. This Committee is important in terms of setting the agenda and business for the House, giving guidance to this House.

I urge all Kenyans and parliamentarians as we embark on this last leg, we use the opportunity that we have to unite the people of this country and not to use the positions and the responsibilities that we have to destroy our country and the politicking. That may not carry us forward.

I support the Motion. Thank you.

**Hon. Speaker:** The Member for Makueni.

**Hon. Maanzo:** Thank you, Hon. Speaker. I would like to support this Motion. Most of the people here, and I believe the whole team, have been repeated from the last year. It is well balanced. Political parties have been consulted.

When it comes to prioritising business, we need to look at the constitutional issues pending, if any, and any other important Bills which are a priority by requirement of law so that we may be able to serve the nation in the remaining period.

Quorum hitches are likely to be experienced in the remaining period. I think it is good for Members, particularly this HBC team, to lead the rest of the House so that most of us could be here at the start of business so that there is quorum to be able to transact the very important business which is ahead of us.

I thank you, Hon. Speaker, for this opportunity. I wish all Members a happy and prosperous New Year. May a majority of them live their dreams. Those who are going for higher seats, may those seats be granted to them. Those who are coming back, they be blessed to do so.

**Hon. Speaker:** Hon. Stephen Manoti.

**Hon. Manoti:** Thank you, Hon. Speaker, for the opportunity. I would like to support this Motion because most of these Members are very active members of this Committee. We have seen what they have done, therefore I support this great team.

As Kenyans, there is something which we have to know: Kenya is greater than any one of us. As we approach the elections of this year, as leaders, it is our duty to make sure that Kenya is peaceful everywhere. We do not want to see what happened in 2007/2008. Most Kenyans suffered because of the loose talk from most leaders of this nation.

In the countryside, there are a lot of problems. Some people have a lot of water problems. Some people have no food. The Government has to do extra work to make sure that most of these areas are given enough food. Areas like Baringo, those people have a big problem. There is no water. It is the responsibility of this Government to make sure these Kenyans get water like any other Kenyans.

Hon. Speaker, I support.

**Hon. Speaker:** Hon. Omulele.

**Hon. Omulele:** Thank you, Hon. Speaker. Looking at the mood of the House and the contributions from the Members who have so far spoken, would I be in order to request that we ask the Mover to reply? We seem to all be in support of this.

**Hon. Speaker:** Hon. Members, can I put the Question that the Mover be called upon to reply?

**Hon. Members:** Yes.

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

Hon. Katoo ole Metito.

**Hon. Metito:** Hon. Speaker, I beg to reply.

**Hon. Speaker:** Hon. Members, I appreciate that we have not met for some time, so we have some delays; we must shake hands and renew acquaintances.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, there being no other business, the House stands Adjourned until Wednesday, 25<sup>th</sup> January 2017 at 9.30 a.m.

Members of the House Business Committee just approved, as I said earlier, you are requested to assemble in Room 9 within 15 minutes from this time.

The House rose at 3.30 p.m.