REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 18th February, 2021

The House met at the Assembly Chambers at 2.30 p.m.

[The Speaker (Hon. Patrick Waigwa) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

CONSTITUTION OF KENYA (AMENDMENT) BILL, 2020.

Speaker: Hon. Members, as you are already aware, today is a very important day for us as a County Assembly of Laikipia and also as a country because we have got the Constitution Amendment Bill that we are going to debate and report on the same today. We have a good number of guests. I may not have time to recognize all of them but I choose to recognize some.

As I recognize you, it is important that you also stand up; Mr. Daniel Nyameti- County Commissioner, maybe he has not arrived. Madam Esther Mwamore the DCC Laikipia East, two IEBC Officials - Chenia Wachira Njoroge Laikipia East, Constituency Coordinator and Veronica Nyambura Laikipia East IEBC Official, Leader from this County Mr. Maina Njenga and he is in a team of three people who accompanied him, Representative of the Bunge La Mwananchi, Officials from the Office of the Governor, we have quit a number of them, Hon. Maitai, the CECM Administration. Thank you, so much.

Those are the few I chose to recognize and all of you are welcome as you have an opportunity to watch this live proceeding of this County Assembly. I also would wish to encourage you that even in other times we are open because we meet on every Tuesday afternoon, Wednesday morning and afternoon and another sitting on Thursday morning. It's therefore very important for you to come and watch what the Bunge does and even as we deliberate important issues like the Budget, Financial Bill and other issues that pertains to our people and benefits the Laikipians. Thank you so much.

MOTION

THE CONSTITUTION OF KENYA (AMENDMENT) BILL, 2020.

Hon. George Meshami: Mr. Speaker, Sir, I beg to move the following motion.

> THAT the County Assembly notes the Report of the Committee on County Cohesion Justice and Legal Matters on its consideration of the Constitution of Kenya (Amendment) Bill, 2020 laid on the Table of the Assembly on 9th February, 2021 and pursuant to Article 257(6) of the Constitution of Kenya approves the Constitution of Kenya (Amendment) Bill, 2020.

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Mr. Speaker, as I proceed, this report is on public hearing on the Building Bridges Initiative, Constitution Amendment Bill, 2020. Also covers the Committee Members' mandate, committee's subject areas and limitation to mandate. Further, the report outlines the committee's recommendations.

Mr. Speaker, Sir, on behalf of the Members of the County Cohesion, Justice and Legal Matters Committee and pursuant to the provisions of Standing Orders No. 191, it's my pleasure and honor to present to this House, the Committee's report on the public hearing. The committee was constituted by the House on 28th Sep, 2017 and comprises of the following members:

1. Hon. George Meshami - Chairperson
2. Hon. Catherine Nyawira – Vice Chairperson
3. Hon. Daniel Nyausi - Member
4. Hon. Patricia Muthoni – Member
5. Hon. Veronica Ikunyua - Member
6. Hon. Catherine Nyokabi - Member
7. Hon. Judy Lukio – Member

Mandate Standing Order 191(5) the mandate of the County Cohesion, Justice and Legal Matters Committee shall be as follows;

a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
b) Study the program and policy objectives of departments and the effectiveness of the implementation.
c) Study and review all county legislation referred to it.
d) Study, assess and analyze the relative success of the department as measure by the results obtained as compared with their stated objectives.
e) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly.
f) Vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee on Appointment).
g) Make reports and recommendation to the County Assembly as often as possible including recommendation of proposed legislation.

Subject Areas as Per First Schedule of Standing Orders.

All matters related to ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop administrative capacity. For the effective exercise of the functions, powers and participation in governance at the local level. Administration of law and justice, including working and collaborating with National Government on security matters.

Limitation of Mandate (S.O 177)

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1. The deliberations of a select committee shall be confined to the mandate of the committee and any extension or limitation of that mandate as may be directed by the County Assembly and, in the case of a select committee on a Bill, to the Bill committed to it and relevant amendments.
2. In the exercise of its functions, a select committee may not consider any matter that is not contemplated within the mandate of the County Assembly under the Constitution.

Mr. Speaker, Sir, on behalf of the County Cohesion, Justice and Legal Matters Committee, I have the honour and pleasure to present the Committee's report on the views from the members of public on the Constitution of Kenya (Amendment) Bill, 2020.

Mr. Speaker Sir, May I take this opportunity to thank all the members of the Committee for their valuable contributions on this important matter. I would also wish to express my gratitude to the office of the Speaker and Clerk of the County Assembly and also the staff for their effort and support during this process.

Speaker: Maybe just or guidance, it is a huge document and you don't have to read it word by word but you can highlight much on the public participation. I know that Members will also be picking on the same during their discussions as they debate. You must also do the recommendations and observations but just continue.

Hon. George Meshami: Thank you Mr. Speaker.

OBJECTIVE OF THE BILL

The objective of the Bill is to amend the Constitution of Kenya to address issues arising from its implementation including the need to-

1. Resolve issues of divisive elections arising from electoral processes;
2. Strengthen the structure of devolution and increase resources allocated to the Counties;
3. Strengthen and harmonize specified roles and functions of the bicameral legislature;
4. Implement economic and social rights under Article 43 of the Constitution;
5. Strengthen the National ethos by specifying the responsibilities of citizens; and
6. Promote inclusivity and gender equity in governance.

PUBLIC PARTICIPATION

Mr. Speaker, Sir, the bill was committed to the County Cohesion, Justice and Legal Matters Committee on 9th February, 2021 Pursuant to Article 196(1) (b) of the Constitution, Section 24 of the Laikipia County Public Participation Act 2014 and Standing Order 120(3).

The County Assembly invited interested Members of the Public, Private Sector Organizations, interested parties and all stakeholders to submit any representations they may have on the Building Bridges Initiative (Constitutional Amendments) Bill, 2020 through a gazette notice in the Daily nation newspaper on February 10, 2021(Annexure 1). The members of public were also at liberty to make any presentation orally or by written

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memorandum. The public hearings were held in five (5) venues on 17th February, 2021 as follows:-

Date	Sub County	Venue	Time
17th February 2021	Laikipia West	Rumuruti Stadium	9.00 am
	Laikipia Central	Lamuria-Assistant County Commissioner's Compound	9.00 am
	Nyahururu	Nyahururu County Hall	9.00am
	Laikipia East	Nanyuki Social Hall	9.00am
	Laikipia North	Dol Dol- Mukogodo Resort Centre	9.00 am

Mr. Speaker, Sir, on Wednesday, 17th February, 2021, Members of County Assembly accompanied by staff members conducted public participation in the five venues which accommodated residents of the three Sub Counties within Laikipia County for purposes of taking the public through the Constitution of Kenya (Amendment) Bill, 2020, the attendance list from all the venues is as attached.

Mr. Speaker, Sir, in addition to the views received during Public Participation, the Office of the Clerk also received a total of 7342 memoranda from individuals in all the sub-counties on the Constitution of Kenya (Amendment) Bill 2020. The same memoranda were reviewed by the Committee and it was noted that most of them were in support of the Bill. Mr. Speaker Sir, the following were the opinions of the public in the five venues. I hope that the Members have their copies and they will go through in details. Mr. Speaker allow me to go to the observations of the committee.

Speaker: I do allow you to do so and as you look at the observations from page 12 all the way to page 18, in case you get tired and wish to take a glass of water, you can seek help from one of your committee members. You can read maybe half of it and there is no problem with that.

Hon. George Meshami: Thank you, Mr. Speaker. Let me read the committees observations;

Mr. Speaker Sir, the committee having conducted the public participation pursuant to the provisions of the Constitution of Kenya, the Laikipia County Public Participation Act, 2014 and County Assembly of Laikipia Standing Orders observed that;

- Generally, there was positive feedback concerning the Bill from the members of public in most areas, while in a few areas the members of public rejected the Bill.

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- Laikipia County Assembly conducted the public participation within the provisions of the law.

The proposed Amendment Bill will be of benefit to the residents of Laikipia County and the Republic of Kenya in general in regards to the proposed Articles to be amended.

1. On Amendment of Article 10: The amendment is on regional integration and cohesion which would ensure sustainable development, prosperity for all and stability.

2. On Amendment of Article 11: The Amendment is on the economy and the principle of shared prosperity. This will benefit the people of Kenya as it will ensure there is an economic system that provides for equitable opportunities that support small and micro enterprises and will also promote investment, enterprise and industrialisation for sustainable economic development.

3. On Amendment of Article 18: This will inculcate virtues and enhance the principles of national unity and integrity and set out moral principles to be adhered to by every citizen. Each citizen has a responsibility to live harmoniously with other citizens, pay taxes and build a prosperous, fair and secure nation.

4. On Amendment of Article 31: This Amendment is on the privacy of Kenyans with regard to their personal data. This ensures the right to have citizens' personal data protected from infringement.

5. On Amendment of Article 80: This Amendment seeks to put in check state officers, as it proposes effective and expeditious investigation, prosecution and trial of cases.

6. On Amendment of Article 82: This Article is amended to ensure political parties comply with the principle that no more than two-thirds of the party's candidates are of the same gender.

7. On Amendment of Article 87: Article 87(1) to provide timely settling of electoral disputes including those arising from nomination of candidates by a political party. In Clause 3 on service of petitions, it may be direct or by advertisement in a newspaper with national circulation or through electronic media prescribed by legislation.

8. On Amendment of Article 88: Article 88(2)(a) to add persons not eligible to be appointed as commissioners in the Independent Electoral and Boundaries Commission to include; The president, the Deputy President, the Governor, Deputy governor, Member of Parliament and member of the County Assembly. Article 88 (4) is amended to increase the responsibilities of the Independent Electoral and Boundaries Commission to ensure that not more than two-thirds of the party's candidates who are to be nominated are of the same gender.

9. On Amendment of Article 89: increasing the number of constituencies from two hundred and ninety to three hundred and sixty.

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10. On Amendment of Article 96: to enable the Senate exercise oversight over revenue allocated to, raised by, or otherwise received by County Governments and their expenditure.

11. On Amendment of Article 97: This Article is amended to increase the membership of the National Assembly from two hundred and ninety to three hundred and sixty while adhering to the two-thirds gender rule. Two women and two men will represent persons with disability; two persons being a woman and a man to represent the youth and such special seats that shall ensure that not more than two thirds of the membership of the National Assembly is of the same gender. The filling of special seats to ensure the two thirds gender rule is met shall lapse after the next three general elections from the commencement date. In addition to this membership, there shall be the Speaker and the Attorney General who shall be ex-officio members, there will be a Leader of Official Opposition as a Member of the National Assembly and Cabinet Ministers who will also be ex-officio members forming part of the membership of the National Assembly.

12. On Amendment of Article 98: This Article is amended to indicate that in the Senate there will no longer be Nominations, and instead of the forty seven senators there will ninety four elected Senators in each county. One woman and one man who will be elected by registered voters of the respective counties. There will no longer be the position of Women Representatives if the amendment Bill is passed.

13. On Amendment of Article 107: This Amendment brings on board the office of Leader of Official Opposition in the National Assembly who shall be the person that received the second greatest number of votes in a presidential election and whose political party or coalition of parties has at least 25 per cent of all members of the National Assembly. This Amendment is meant to cure the problem of winner takes it all and to bring inclusivity in the leadership of the Nation. The Leader of Official Opposition and the Prime Minister shall not come from the same political party or coalition of parties.

14. On Amendment of Article 108: This amendment introduces the new order of precedence in the National Assembly, which shall be; The Speaker of the National Assembly, The Prime Minister and the Leader of Official Opposition. There will no longer be a Leader of Majority and a Leader of Minority in the National Assembly.
15. A new Article is introduced right after Article 108 as 108A that states that there will be a Leader of the Majority party and a Leader of the Minority party in the Senate; and the precedence of the Senate shall be as follows, the Speaker of the Senate, the Leader of the Majority party and the Leader of the Minority party.
16. On Amendment of Article 113(3): This Article has been amended to clarify that the Speaker of the Originating House shall be the one to refer a Bill to the President in fourteen days. Since the functions of the National Assembly and the Senate are clearly stated in the Amendment now the Houses can effectively discharge duties.

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17. On Amendment of Article 130: This Article is amended to introduce the additional membership of the Executive who are the Prime Minister, Two Deputy Prime Ministers and Cabinet Ministers.
18. On Amendment of Article 131: This Article is amended to indicate that the Prime Minister and the Deputy Prime Minister shall aid the President in the exercise of the Executive Authority of the Republic alongside the Deputy President and the Cabinet Ministers.
19. On Amendment of Article 132: Increasing the functions of the President to include reporting on the measures taken and progress achieved in realisation of National economic and social rights referred to in Article 43
20. On Amendment of Article 138 (b): This is an amendment to providing that a presidential election shall only be cancelled and a new election held if a candidate for election as president dies on or before the scheduled election date. It no longer includes the Deputy President.
21. On Amendment of Article 140 (2): To help cure the problem of limitation of time to conclusively determine Election Petitions hence the time has been increased from fourteen days to thirty days in the Amendment.
22. On Amendment of Article 151: This includes the addition of four new Articles in the Constitution providing for nomination and appointment, removal from office and the functions of the Office of the Prime Minister and Deputy Prime Ministers.
23. On Amendment of Article 155: By stating that the President shall appoint Principal Secretaries from among persons recommended by the Public
24. On Amendment of Article 156 (4c): To provide that the Attorney General, in addition to his or her functions under Article 154 (4) (a) and (b) shall perform functions of a Cabinet Ministers.
25. On Amendment of Article 157 (3): to raise the bar of the qualifications required to be appointed as a Director of Public Prosecutions to be the same as those for appointment of a judge of the Court of Appeal.
26. On Amendment of Article 164: To the effect that the President of the Court of Appeal shall hold office for a single term of five years; and Appeals relating to election petitions determined by the court of Appeal shall not move to the Supreme Court. A determination by the Court of Appeal in such cases is final.
27. On Amendment of Article 165: To provide that a Principal Judge of the High Court shall be elected by Judges of the High Court from amongst themselves and shall hold office for a single term of five years.
28. On Amendment of Article 166: This Article it is amended to provide that for appointment as a Chief Justice or a Judge of the Supreme Court one must have at least twenty years' experience as a Superior court Judge or as a distinguished academic, or legal practitioner; and for appointment as a judge of the Court of appeal at least fifteen years' experience as a superior court Judge or distinguished academic or legal practitioner.
29. On Amendment of Article 167: To provide that the tenure of office of the chief justice shall also apply to the Deputy Chief Justice

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30. On Amendment of Article 168: The removal of office of a judge shall be on a motion by the Judiciary Ombudsman
31. On Amendment of Article 171 and 172: These Articles introduces the Judiciary Ombudsman who shall be a member of the Judicial Service Commission and an ex-officio member. The Judiciary Ombudsman shall be nominated by the President with the approval of the Senate. His functions will be to receive and conduct inquiries into complaints against judges, registrars, magistrates and other staff of the judiciary; to sensitize the public on the role and performance of the judiciary and prepare regular reports to the Judicial Service Commission and an annual report to Parliament on any complaint raised to the Judiciary Ombudsman.

For appointment as a Judiciary Ombudsman one must have the same qualifications as a judge of the Supreme Court and shall hold office for a single term of five years with no re-appointment.

32. The Judiciary Ombudsman shall not investigate any matter before court or Tribunal, or re-open a court or Tribunal case or review a Judge's decision.

Parliament shall allocate adequate funds to the office of the Judiciary Ombudsman to enable the Ombudsman perform its functions.

The members of the Judicial Service Commission shall hold office for five years but shall not be eligible for nomination for another term; they shall not practice in courts and tribunals during their period of service with the commission. In addition to the functions of the Judicial Service Commission it shall receive complaints against judges, investigate and discipline judges by warning, reprimanding or suspending a judge.

33. On Amendment of Article 177: This Article stipulates that nominations shall no longer be in proportion to seats received but elected through party lists in proportion to the votes received and this will only comprise of candidates who vied for election with precedence being given to those who received the greatest number of votes.

The term of a County Assembly expires on the date of the next general election but a member of the County Assembly may be re-called before the end of the term of the Assembly by the electorate or the nominating political party.

34. On Amendment of Article 179: This Article provides that County Executive Committee members can now be picked from members of the County Assembly but these persons shall not exceed half of the entire County Executive Committee. County Executive Committee members may be re-assigned or dismissed by the County Governor.

35. On Amendment of Article 180: To enhance gender parity in the governance of the Counties by providing for the candidate for election as a Governor to consider a nominating person of the opposite gender as a candidate for deputy Governor.

36. On Amendment of Article 202: This Amendment is on the Equitable sharing of National Revenue, where revenue sharing is based on approval of the most recent

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Audited accounts by the National Assembly and the Assembly has not approved the accounts the most recent audited accounts of the revenue submitted by the Auditor General shall be taken as the accounts of revenue for that purpose.

37. On Amendment of Article 203: to expand the criteria for determining equitable share and further increase the percentage of funds allocated to the County Governments from fifteen per cent to thirty-five per cent of all revenue collected by the national Government.

    The Amendment of Article 204: to increase the life span of the equalization fund from twenty years to thirty years from the effective date.

38. On Amendment of Article 206: Establishing Constituencies Development Fund that shall be used to facilitate performance and implementation of National Government development priorities set out in the National Budget within Constituencies.

Management of the Fund shall be provided for in an Act of Parliament including Public Participation by residents in a Constituency.

39. On Amendment of Article 207: There is established a Ward Development Fund for each County into which shall be paid at least five percent of all the County Government's revenue in each financial year, for development expenditure falling within the functions of the County Government within the County wards.

An Act of Parliament shall provide for the management of the Fund, criteria for disbursement of funds to each ward and public participation of the Development projects.

40. On Amendment of Article 218: Providing that the County Allocation of Revenue Act has not been passed by Parliament before beginning of that financial year the Controller of Budget may authorize a County to withdraw up to fifty percent from the consolidated fund of the minimum amount of equitable share guaranteed to a County Government based on the criteria contained in the Division of Revenue Act of the immediately preceding financial year.

41. On Amendment of Article 230: The Salaries and Remuneration Commission shall now consist of a chairperson and six members with extensive professional experience in Human resource and economic matters; nominated by the President and approved by National Assembly. They are mandated to determine and harmonize rates paid by National and County Governments to professional consultants for services rendered and to rationalize and harmonize remuneration and benefits paid to all state officers and public officers.

42. On Amendment of Article 237: There is established a Youth commission that consists of a chairperson and six members with equal representation of both genders at least four of whom shall be youth. They are to hold office for a single term of four years and shall be appointed by the President with the approval of the Senate.

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The Commission shall advance youth agenda and youth participation in all spheres of public and private life.

43. On Amendment of Article 243: The Directorate of Criminal Investigation shall be part of the National Police Service.

44. On Amendment of Article 245: The Inspector General of Police shall now exercise independent command over the National Police Service, determine promotions and transfers within the service and exercise disciplinary control through suspension of officers in the service.

45. On Amendment of Article 259: Replacing of holders of appointive offices whose tenure is due to fall vacant shall commence six months before the lapse of the term of the office holder.

COMMITTEE'S RECOMMENDATION

Mr. Speaker, Sir, the County Cohesion, Justice and Legal Matters Committee recommends that;

1. The House adopts the Public Participation report on the Constitution of Kenya (Amendment) Bill, 2020.

2. Pursuant to the provisions of Article 257 of the Constitution, the County Assembly of Laikipia Approves the Constitution of Kenya (Amendment) Bill, 2020 popularly dubbed as Building Bridges Initiative (BBI).

Thank you, Mr. Speaker. Allow me to call upon my Vice Chair, Hon. Catherine Nyawira to second this motion.

Hon. Catherine Nyawira: Thank you, Hon. Speaker. I rise to second this report, the Constitution Amendment Bill, 2020 for many reasons. One, this Bill contains very many reasons for women, youth, and counties and even for the country that I very much love.

Mr. Speaker, this amendment revisits the curriculum and focuses on technical subjects' which are very practical from the early stage of our children. These people will be exposed to life skills and things which will deliver making them more creative and will even be able to employ themselves and this is a significant stride.

There is also a key proposal that will see those running for gubernatorial positions choose persons of opposite gender. This will ensure that we will have more women in the race whether Governors or Deputy Governors. I would like to urge even the Governor of Laikipia County to ensure that he has got a lady Deputy Governor if he chooses to run for a second term. I also urge the women of this county of Laikipia to demand and even encourage him and choose to give him their votes should he choose to have a woman for deputy governor.

Mr. Speaker, the constitution also calls for the promotion of cottage industries, in agriculture and manufacturing which in turn will provide employment to our youth and to residents of this country. I want to applaud this Assembly because with the help and working together with H. E the Governor, Ndiritu Muriithi we have our own innovation and enterprise

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development programme. That has so far supported almost 500 micro enterprises. This in fact makes Laikipia a BBI compliant zone.

Mr. Speaker, the introduction of 47 female senators in the senate will ensure that women enter into a space where the 2/3 gender rule is met. The Constitution Amendment Bill also gives something for the elderly and they have something to smile about after working for so many years. The Pension Management Information System which is PMS will finally be implemented. This will ensure that those people who have spent their youth working are not kept on queues.

Mr. Speaker, the Prompt Bill, 2020 that provides a legal frame work for contractors and businessmen and even the youth who work with public entities in this country will be cushioned and their money will not be kept in something that has become a nightmare called pending bills. Once more, I wish to applaud this Assembly and the Laikipia County Government because this Assembly has set aside money in the economic stimulus fund that provides mechanism where such contractors can go to banks like KCB with invoices and necessary documentation and be paid up to 80%. Congratulations Laikipia County Assembly; this just shows that Laikipia has begun to implement the BBI making it BBI compliant.

Mr. Speaker, many students struggle to educate themselves and HELB is a life saver for most of us who went to school and had to take it. The constitution amendment proposes that HELB accords such beneficiaries 4 years repayment period. Those who are not able to have income will be exempted from paying the interest which will have accrued after 4 years. Mr. Speaker, I beg to second this Constitutional Amendment Bill, 2020 and ask my Hon. Colleagues to do the same. Thank you.

(Question proposed)

Hon. Patricia Muthoni: Thank you, Mr. Speaker. I rise to support this Bill and first of all is to congratulate my Chairman, Hon. Meshami and the Committee Members for the work done. I also wish to congratulate all the Members in this Assembly for the good work they did yesterday. The BBI Bill is a good bill because as you can see in Laikipia County we are having additional constituencies and also the Bill is bringing money to the ground. I support the BBI Bill, thank you.

Hon. Peter Matunge: Thank you, Mr. Speaker. I wish to take this opportunity to thank the Cohesion Committee led by the able Chair, Hon. Meshami for the good work they have done. I also thank the Hon. Members for the great work which they did yesterday across Laikipia in collecting their views.

Mr. Speaker, having said that, I also wish to put my voice on this BBI Bill. We know that we had our Constitution, 2010 whereby when we passed it we were saying that 80% is good and 20% is something which we can view later. I wish to thank H.E. the President and the Hon. Raila Odinga for bringing this opportunity for us again to reconsider this constitution because the constitution is not a static document. It is here to serve the people of Kenya and if it is serving the people of Kenya then an opportunity like this one is given to us so that we can be able to review and improve it so that it can serve our people better.

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Mr. Speaker, some few issues that have made me today to stand here in support of this Bill is one, the introduction of Article 11 (a) on economic and shared prosperity. The introduction of this Article says that the state 'shall' promote its productivity through protection of intellectual property. We know that today many young youth and Kenyans are coming with their innovative ideas and their property rights are not protected. Today we are restructuring the constitution that the state shall do the same and protect these property rights.

Mr. Speaker, being on the same, invest and enterprise and sustainable economic development, we know that any country that ought to move to the 1st world is because of investing in issues of industrialization so that they can be able to produce goods and feed their own people. It is important that today we need to look for sustainable sources of livelihood including agriculture, pastoralism and through the blue economy.

As a pastoralist, today as we restructure the constitution we are looking at pastoralism as a source of livelihood and now we are deeply protected. For a long time pastoralism has been treated as a way of degrading the land. This was being practised during the frontier districts and to some extent creation of the Mukogodo Reserves in Laikipia which is today called the Laikipia North. Today, because we are amending the constitution that pastoralism is a source of livelihood, it is then protected. This gives me a lot of confidence today to support this bill because it is taking care of everyone.

Mr. Speaker, another important Article that has been introduced in this bill is the responsibility of citizens. A lot has been talked in the government and if today we ask Kenyans, they always say that the government should do this and this. This Amendment Bill is introducing Article 18 (a) which gives the citizens responsibility and they have all been listed there. This now gives unity as a country that all of us now own this country and have got a shared responsibility in this country which gives us ownership that we all belong to Kenya and have got a responsibility to build Kenya.

It is an important Article that has been introduced. Just to give some few highlights on other issues; the youth commission. As a youth commission we have always said that the bigger population of Kenya are youth and they are the people who are suffering because of unemployment. The youth commission is a bigger and independent commission than parastatals which is going to come up with policies, strategies and programmes to empower the youth. This can be able to bring the youth into the economy of this country.

Another important thing is the issue of equalization of funds. We know that Laikipia has not been benefiting from the equalization fund but the CRA has come up with an introduction of equalization fund to the sub location levels. We know that many sub locations in Laikipia are planning to benefit from this fund. This fund has been extended for a term of 20 years to 30 years.

Another important thing for this Assembly is the introduction of County Assembly Fund. It is independent as an Assembly so that we can be able to oversight the Executive and stand independently as an Assembly not having to go crying to the Executive for them to give us funds. We can be able to do our things and this is good for oversight, checks and balances and powers that the Assembly can be able to execute its mandates as given by the constitution.

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Mr. Speaker, the other important issue is the issue of 15% to 35%. The objective and principles of the 2010 Constitution is the issues of devolution with an objective of bringing resources back to the people. The 2010 Constitution stated 15% but today we are asking why we continue to have 85% in the National Government while we have devolved more than 17 functions to the County Governments? The introduction of a minimum of 35% is coming to empower the devolution further so that we can continue seeing the fruits of devolution in this country.

We know that today Laikipia is receiving Kshs.1.4 billion. The introduction of this Article to the constitution will make Laikipia to have another Kshs.2.8 billion more. This means that an extra of Kshs.4.1 billion. It means that Laikipia will have another Kshs 4.1 billion that will be budgeted for development. The recurrent expenditure will remain at the same percentage and what is going to benefit is development. Laikipia have been doing development with around Kshs.800 million to Kshs.1.2 billion. If today we have an addition of Kshs.4.1 billion, then we translate to Kshs.5.1 billion for Laikipia development and therefore we shall do a lot with this.

Mr. Speaker, the issue of 5% ward development, when we do calculation it translates to Kshs.36 million to every ward. If put into figures it translates that if today as an MCA I want to do an ECDE classroom then I can be able to do 24 classrooms. Today an MCA can only be able to do a single ECDE classroom. If we want to do a dispensary, then we can be able to do more than six of them and can be able to do seven boreholes. This means that with the 35% plus the 95% in the Governor's office, we can be able to do a lot for the people of Laikipia.

The other issue is the HELB issue and I know that other Members have talked about it. I was a victim of this; Immediately after I graduated after four months I was listed in the CRB because I was not able to pay this HELB. Today the introduction of this Bill says that in HELB, every student who is going to graduate will have a four-year grace period to be able to build themselves.

Issues of business and tax holidays are good for the youth and the addition of another constituency means another Kshs.100 million for Laikipia. The issues of Prime Minister, Deputy Prime Minister are going to be good for this country because of inclusivity so that we don't have to struggle for only one seat but share as Kenyans. In the issue of post-election violence, we have been losing more than Kshs. 500 billion just because of one small seat. Mr. Speaker, because I know that many Members want to contribute on this Bill, I support the Bill and urge the Hon. Members to support. Thank you.

Hon. Joseph Kiguru: Asante, Mheshimiwa Spika. Mimi pia nimesimama kuunga mkono huu mswada wa kubadilisha katiba. Kwanza nashukuru kwa sababu mimi kama mwakilishi wa watu wa Igwamiti nilipewa kura nyingi sana. Ningetaka pia kushukuru kamati kwa sababu kupitia kwa hizi nakala na yale ambayo tulitoa kwa wananchi, kwanza niko hapa kwa niaba ya wananchi kwa sababu jana katika kikao cha Nyahururu nilitwikwa mzigo wa kuhakikisha kwamba yale maneno nitakayoongea katika hili Bunge sio maneno ya kujitwika bali ni maneno ambayo nimepewa na nimekabidhiwa mamlaka na wananchi wa Igwamiti ya kwamba kwa niaba yao leo nisimame katika hili Bunge na niseme ndiyo kwa BBI.

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Pasipo kurudia mambo mengi kwa sababu wenzangu na hata kamati wameongea maneno mengi sana, kwa katiba tuliyo nayo sasa hivi ambayo tunataka kuiondoa ili tufanye kazi na katiba mpya, unakuta ya kwamba watoto wetu ndio wapate masomo utakuta kana kwamba kuna kura ya kiume na ya kike. Ninasema hivyo kwa sababu kura ni kura na ukiangalia vile tuko unakuta ya kwamba kuna mtu katika wadi ambazo ziko katika hili taifa akipea watoto wa wadi ya Zaidi ya elfu hamsini ilhali mimi kwangu Igwamiti unapata ya kwamba napatia mtoto wa kwangu elfu mbili na zikizidi sana tano.

Mheshimiwa Spika, hali ya ugawaji wa raslimali kipengele ambacho kinaonyesha ya kwamba kura moja shilingi moja na mpiga kura mmoja, hiyo ndiyo sababu kubwa. Tena kuna kipengele ambacho kimenipa nguvu kuhakikisha ya kwamba nimepata pesa za kutumia katika wadi. Haitakuwa sasa wakati wa kwenda kwa Gavana akichaguliwa na kutafuta njia ya urafiki kwa sababu pengine msipokuwa kwa laini moja na yeye anaweza kugandamiza watu wako. Niko hapa kwa niaba ya watu wa Igwamiti zaidi ya elfu moja nikisema ya kwamba nimetwikwa mzigo wa kusema ndiyo kwa BBI. Asante.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I first stand to thank the Cohesion Committee for bringing this report to the floor of this Assembly. I also stand to support the amendment of our constitution with just a few. I don't wish to mention much because most have been mentioned but all what I would first of all say is to urge our members of public to differentiate the amendment and the 2022 elections because that is what is causing the problems we are getting with our people.

Mr. Speaker, there is another point which is making me want the amendment. When the Bill was being initiated, we had to raise issues on one man one shilling and one vote. On top of that, I also wished that we would also get equal representation. It has been a challenge whereby we have got areas that are poorly represented with a very big population and the allocation we get from the National Government we get on equal basis. If our areas are equally represented then that will be very beneficial to us.

The other thing that would make me support this BBI is the issue of the winner to take it all on the issue of a Presidential candidate. I remember very well when I was in the opposition and I can remember how we used to be. Therefore, I would not wish to forget. For those who were there, by then we used to support our people but after elections they would be out of the Assembly. When they are in the Assembly we should not feel that they are comfortable because maybe the government is on our side. Sometimes we might be in the opposition and therefore let the opposition person be in the Assembly.

Mr. Speaker, the last thing which I wholly support is the issue whereby the Governor may appoint a person of either gender. That is very good and a noble because it is not mandatory but he may do as he feels. Let us get it right…

Speaker: Order Hon. Kanyutu! I believe that you understand the rules of this House that if a Member mentions something which you are not satisfied with, you don't have to shout at him but you can raise your hand and I will give you a chance to stand on a point of clarification or on a point of order. Hon. Kanyutu, kindly continue.

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Hon. Simon Kanyutu: Thank you, Mr. Speaker. It is only that I am recently from school. I just left school less than 30 years ago. As I read the amendments it is clearly stated that the Governor 'May' and not 'Shall'. When it will be fixed 'shall' then it will be a matter of deliberation but 'May' is a very good term that we also need to consider very well and that is why I support the amendment fully.

Hon. Veronica Ikunyua: Thank you, Mr. Speaker. I would like to correct my Hon. Member here. Before the document…

Speaker: You want to give him some information?

Hon. Veronica Ikunyua: Yes, please.

Speaker: Hon. Kanyutu, do you need the information?

Hon. Simon Kanyutu: At the moment because I have already finished, I do not need any information because I don't want to continue deliberating.

Speaker: Then we continue with Hon. Mutahi.

Hon. Mutahi Muritu: Asante sana, Mheshimiwa Spika. Kwanza nimshukuru Mwenyezi Mungu kwa sababu ya kutupa uhai siku ya leo sisi wote kama wajumbe na pia nishukuru Kamati ya Uwiano na Utengamano katika Kaunti yetu ya Laikipia. Mswada ulioko mbele yetu ni mswada muhimu sana ambao ni msitakabari wa nchi yetu na siku za baadaye na vizazi zijazo.

Mheshimiwa Spika, nilipokuwa naangalia mapendekezo yaliyopendekezwa nikajikumbusha sana mwaka wa 2010. Hapo mbeleni kabla ya 2010 tulikuwa tunaomba sana katika hili taifa kuwe na katiba mpya. Ikaja ikafika kipindi ikawa sasa katiba inayopendekezwa ni katiba ya majimbo. Iliposemekana ni ya majimbo lakini wataalamu na wasomi katika hili taifa wakaona ni vizuri sana wakaibatiza jina na wakasema ni Kaunti na hiyo katiba ikapita 100%.

Ninasema hivyo kwa sababu ukiangalia katika vyombo zetu za habari, kwa mitandao na wengine ambao wanapenda sana kubeza, wanabeza habari. Hizi habari za kuifanyia mabadiliko lakini ukiangalia katiba yetu ya Kenya iko katika nguzo kumi na nane kama *sovereignty, republic, citizen, bill of rights, leadership, lands* na kila kitu kimeelezwa katika katiba yetu. Ukiangalia zaidi na tena nishukuru sana Rais wa Jamhuri ya Kenya, tulisema ya kwamba kama Katiba ya Kenya itakuwa na matatizo basi itaendelea kufanyiwa mabadiliko. Wengi wao wanauliza haya mabadiliko yalitokana na nini? Uchaguzi wa mwisho tuliofanya katika hili taifa kulikuwa na mshikiri wa aina nyingi sana kwa sababu sisi ni binadamu.

Sasa hivi kwa taifa letu kama Wakenya ukabila umetuzidi sana na uko ndani ya damu zetu. Hao wakishinda wanasema ya kwamba ni kabila lao ambalo limeshinda. Kwa hivyo nimshukuru Rais wetu sana na kiongozi wa upinzani kwa kuona busara kwamba taifa letu ni kubwa zaidi kuliko watu binafsi. Hata sisi ambao tuko hapa sio kumaanisha ya kwamba sisi ni werevu sana kuliko wengine bali tu ni Mwenyezi Mungu ambaye alitusaidia tukawa hapa kuwakilisha wananchi wetu.

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Mheshimiwa Spika, huu mswada ulipowasilishwa kwenye Bunge lako sisi tumefuata taratibu zinavyostahili na wito umepokelewa sana na wananchi wetu. Mimi jana nilikuwa hapa Nanyuki na kulikuwa zaidi ya maelfu ya watu. Kwa hivyo wananchi wa Kenya wanaelewa ni kitu gani ambacho wanachohitaji. Tulisema ni asilimia ishirini ambayo haikuwa nzuri.

Ndiposa ukiangalia vizuri, vifungu vipya vilivyoongezwa kwenye Katiba yetu si zaidi ya kumi: vifungu nambari 10, 11, 18, 107, 108, 151, 153, 172, 207 na 237. Ni za nini? Kifungu nambari 1 kinawakilisha haki ya Wakenya, *Sovereignity* yetu. Kifungu cha 11 ni uwakilishi ambao ndio unaleta shida katika taifa. Kifungu cha 18 ni maslahi na haki za kibinadamu.

Kifungu cha 107 ni uundaji wa sheria. Kama sisi Laikipia, ukiangalia jedwali la pili utaona kwamba tumeongezewa jimbo lingine zaidi la uwakilishi. Mheshimiwa Spika, tunapoongea kuhusu madaraka, hicho ndicho kitu kinacholeta shida duniani. Katika nchi za mbali na nchi zilizoendelea, kinacholeta shida ni madaraka. Ukiangalia sisi Wakenya tulipokuwa tunapata uhuru wetu, tulikuwa chini ya milioni kumi, leo tuko zaidi ya milioni hamsini.

Kama tuko milioni hamsini inamaanisha bado tuko pale pale. Watu wanasema serikali inapanuliwa kwa ajili ya kodi bali tunasahau kwamba sisi tunaendelea kuongezeka katika taifa hili. Tume katika taifa hili zimekuwa nyingi zaidi. Hata kama hizo tume zitatufikia hapa…. Wanasema mgawo wa taifa ni asilimia 15. Mmoja aliuliza swali akasema hata hiyo asilimia 15 haiwafikii Wakenya. Unashangaa, binadamu mwenzangu unasema haiwafikii na nchi hii ya Kenya haijawahi kusimama hata siku moja? Inaendeshwa na hiyo asilimia 15.

Mimi ninaamini kuwa hiyo asilimia 15 ikija itasaidia katika taifa hili. Mimi siungi mkono kwa sababu mimi ni Mjumbe wa Kaunti ya Laikipia na kwa sababu kifungu kitaundwa cha kuunda mfuko wa jimbo ninalotoka. Kinachonijalisha ni kwamba tangu tuingie katika ugatuzi utaona mabadiliko katika nchi hii. Utaona barabara, shule, na kutakuwa na mabadiliko katika taifa hili.

Mimi ninashukuru sana na kuwasihi Wajumbe tuiridhie na kupitisha hii ili sisi pia tuweze kusonga mbele. Mimi nitaendelea kusema. Pengine kuna wengine wanasema eti kwamba hili linakuja kugawa viti. Hata huo uchaguzi ukitangazwa, unatangaziwa Wakenya wenzangu. Ndiposa namshukuru mwanangu mdogo aliyeniuliza leo asubuhi; *'Baba, unaeleweka ukijenga Kenya moja ama unatangatanga ukiunda hasira na hasara katika taifa hili?'* Nilimjibu kwa busara sana.

Nitarudia tena. Mwanangu aliniuliza; *'Baba, unaeleweka ukijenga Kenya yenye umoja ama unatangatanga ukiunda hasira na hasara?'* Nikamjibu, mwanangu, mimi ninaeleweka nikijenga Kenya moja. Asante sana Mheshimiwa Spika, ninaunga asilimia mia kwa mia na nawasihi Wajumbe wenzangu kuunga mkono mswada huu wa Katiba.

Hon. Salma Zamzam: Asante sana, Mheshimiwa Spika kwa kunipa nafasi hii nijumuike na wenzangu kuchangia marekebisho ya Katiba. Nashukuru wananchi wazalendo wa Laikipia Walio pale juu kutazama jinsi ambavyo tunaendelea na mjadala wetu wa marekebisho ya Katiba. Nashukuru pia Kamati ya Uwiano na Utengamano katika Nyumba hii na Wajumbe wote 24 kwa kujitokeza kusikiza maoni ya wananchi katika Kaunti ya Laikipia.

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Kabla nisahau, BBI *taskforce* ikiongozwa na marehemu Yusuf Haji waliketi vizuri na kuona kuna umuhimu wa BBI hapa Kenya, pia Rais wa Kenya, Uhuru Muigai Kenyatta na ndugu yetu, Baba, tunayemwita Raila Amollo Odinga kwa kuleta mambo haya humu Kenya ili tupunguze vita katika Kenya yetu. Tunakumbuka mwaka wa 2007 tuliona maafa ambayo hatungetaka kuona katika kuanzia sasa hadi mwisho wetu. Ndiposa wanaume wawili waliketi na kuona ni vizuri kupambana na vurugu katika Kenya.

Tuache siasa ya 2022 na tupambane na yaliyo mbele yetu na kujumuisha *inclusivity.* Tumeona katika nyaraka za *BBI* iko *inclusivity.* Hiyo haimaanishi kwamba kama wewe ni kabila nyingine eti… utasikia joto ya serikali. Kuna kitu kinachoitwa joto ya serikali. Sisi makabila madogo tusiyoweza kuwa kule juu tunashukuru serikali yetu ya Uhuru Muigai Kenyatta kwa kuona ni muhimu kuwa na ujumuishaji katika BBI.

Bwana Spika, kuna mambo mengine ya usawa wa kijinsia. Nikisimama hapa kama mwanadada, tumenakiliwa katika makaratasi yaliyo mbele yetu kuhusu mambo ya Seneti. Lazima usawa wa kijinsia uangaliwe. Mimi nitasimama kwenye debe langu na ndugu yangu hapa wa jinsi ya kiume pia atasimama kwenye debe lake. Nikinukuu jinsi ndugu yangu mwingine alivyosema kuhusu Ugavana, sio lazima tuteuliwe, sisi tutasimama kwenye kinyang'anyiro cha Ugavana. Tutasimama wala sio kuteuliwa.

Tukiendelea tunaona kuna mambo ya Waziri Mkuu. Sisi akina mama tukiamua kufanya jambo linaloitwa WVWW *(Women's Votes Women's Win)* inamaanisha hata hicho kiti cha Waziri Mkuu katika Bunge la Kitaifa tutapata kama wanawake katika Kenya hii.

Kuna kitu kinachoitwa *Ombudsman* wa Mahakama. Mengi katika Kenya hii unasikia wakati mwingine watu wakisema ukweli wauma. Inabidi niseme ili itoke kwenye mapafu na kuingia kwenye roho. Ni vizuri tuwe na ofisi hiyo humu Kenya ya kutetea wanyonge wanaonyanyaswa. Mengi yamesemwa na jana tulisikia wananchi wa Laikipia, sio sisi wajumbe wa Laikipia. Wananchi wa Laikipia walisema wako ndani, ndani, ndani ya BBI kabisa. Nafikiri hata wewe ulisikia ukipitapita kwenye pilka zako wananchi wakisema tunawapa dakika ishirini pekee kupitisha mswada wa BBI. Sisi hatuko hapa kupinga haki ya mwananchi. Wanalaikipia tumeongezewa eneo Bunge moja, pesa imeongezeka…

Hon. Wilson Wakahiu: Sorry, Mr. Speaker. I thought she is done.

Hon. Salma Zamzam: Bwana Spika, sikumaliza. Nasema hata sisi tumeongezewa eneo Bunge kama hili ndugu yangu anawakilisha na ambaye anamwakilisha Gavana wa Laikipia. Ni vizuri tuangaliwe. Sisi tutapata pesa zetu. Tusidanganywe na siasa baridi. Waswahili husema, *'kizuri chajiuza na kibaya chajitembeza'*. BBI imefika nyanjani na watu wanaona uzito ni nini. Sisi kama eneo la Mlima Kenya pia tutasikia huo uzito.

Lile la '*one man, one vote, one shilling',* sisi tulio chini ninahakikisha kwamba upangaji wa uzazi utaisha na tutazaa na wazee wetu kuongeza watoto. Tunaunga BBI mkono mia kwa mia. Rais akiwa huko ajue kwamba Bunge la Laikipia likiongozwa na Wawakilishi wa Wadi ishirini na wanne tuko nyuma yake kabisa. Asante.

Hon. Irene Wachuka: Asante sana, Bwana Spika. Kwanza nashukuru Kamati, na kabla sijasema lolote, ningeuliza kwa ruhusa yako, Bwana Spika, tusimame kwa dakika moja

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tusimame tumkumbuke kinara wa BBI, Bwana Yusuf Haji ambaye alikuwa DC wangu hapa Laikipia. Dakika moja tu kwa heshima, tafadhali.

Speaker: I wish to give you that permission to stand for a minute as the Member has requested.

(Members stood for one minute of silence in honour of the late Senator, Hon. Yusuf Haji)

Hon. Irene Wachuka: Asanteni. Asante sana, Bwana Spika. Nimesimama hapa nikiwa kinara wa BBI. Kwa majina ni kama vile mmesikia ni Mheshimiwa Wachuka na kwa jina lingine, Mama Yao. Ninasimama hapa kusema asante sana kwa Mheshimiwa Rais wa Jamhuri ya Kenya, Uhuru Muigai Kenyatta pamoja na ndugu yake, Mheshimiwa Raila Amollo Odinga ambao waliketi chini na kufikiria mambo ya nchi hii sio ukabila. Hicho ni kitu muhimu sana.

Sisi kama Wakenya tuliona ndugu wawili wakishikana, waliona kulikuwa na vita. Kama kuna mtu hakujua, mwaka wa 2007/08, Nyahururu ndiyo ilikuwa makao makuu ya Bonde la Ufa, pahali vita vilianza. Sisi hatutakubali hivyo vita virudi tena, na ndiposa ninasimama kuunga mkono BBI usiku na mchana. Haijalishi kipi kitatokea, nitakufa na BBI nikijua mwananchi wa Kenya atakaa jinsi anavyotaka. Kenya si ya kabila moja bali ya kabila zote 43 zilizo humu nchini.

[The Speaker (Hon. Patrick Waigwa) left the Chair]

[The Deputy Speaker (Hon. Daniel Nyausi) took the Chair]

Tuketi chini kama ndugu na dada. Mheshimiwa Rais wa Kenya, Uhuru Muigai Kenyatta haangalii maslahi yake mwenyewe bali ya watu wake na watoto wake. Aliposhikana mkono na Mheshimiwa Raila Amollo Odinga hakuna aliyeangalia kabila yake. Wakati niliupitia huu mswada wa BBI nilikumbuka Laikipia Magharibi iko na wapiga kura 283,000. Kuna mtu mwingine ako na wapiga kura elfu kumi na tano waliomchagua kuwa Mjumbe.

Rais alituuza kule Sagana: nitawaachia nini? Atatuachia mali na hiyo mali ndio hii, BBI. Kila mtu anajua BBI ndiyo mali tuliyoachiwa. BBI haichagui kabila bali inaangalia kila mtu. Kwenye Bonde la Ufa wamepewa maeneo bunge 17 na ya kumi na saba ni Laikipia. Mheshimiwa Rais, popote ulipo pokea shukrani wa watu wa Laikipia na Wakenya wote.

Ninamshukuru Kamishina wa Kaunti ya Laikipia ambaye ni Daniel Nyameti. Amezunguka usiku na mchana kuona kwamba jana tumemaliza ushiriki wa umma. Mimi nilikuwa kule Nyahururu ambapo watu 883 walijitokeza hata wengine wakakaa nje na wengine kupanda kwenye miti. Kwa nini? Kwa sababu tulipatiana hivi vitabu na watu wakaanza kujisomea. Wengine wanazunguka Kenya mzima kudanganya wananchi.

Tafadhali mkome kuanzia leo! Hili tunalipitisha ndani ya dakika tano. Wanaozunguka waambiwe kuwa Kenya ni ya Wakenya, si ukabila. Tumejitokeza na sitaongea mengi, masaa yameenda. Ningetaka Wajumbe wenzangu waiunge mkono usiku na mchana na Tutoke hapa twende mashinani. Hapa siyo mwisho, twende mashinani kueneza kitabu cha BBI. Tunashukuru Mwenyekiti wa Kamati, aliketi chini pamoja na Wanakamati ambao hawakulala jana. Nawapongeza wote walioenda kwenye ushiriki wa umma.

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Mtu hulala usiku na kufikiria kwa sababu ameshindwa anakimbia kortini haraka. Sisi tutapambana na nyinyi kabambe. Kwa hayo machache, Mungu awabariki. Asanteni.

Deputy Speaker: Hon. Wakahiu, and please Members let us try to be brief because of time.

Hon. Wilson Wakahiu: Thank you, Mr. Speaker. I'll be very brief because the document was with the public yesterday and as per what we learned I believe Wanjiku is informed and they will make their decision. As the Assembly of Laikipia we need to appreciate and make sure that we endorse the document.

As I stand to support, first I want to thank the proponents of this document that was born as BBI by then but now as an amendment to the Constitution of 2010. In support of this, I want to thank the President and the former Prime Minister because of the initiative. It's a brainchild to make sure that as the President leaves office he leaves a legacy where every Kenyan will feel like a Kenyan regardless of his race, gender, his class and even his/her age.

[The Deputy Speaker (Hon. Daniel Nyausi) left the Chair]

[The Speaker (Hon. Patrick Waigwa) resumed the Chair]

For that, I want to appreciate the initiative by the President and his brother. In support of this document, I want to dwell on three issues. Number one is the sharing of resources. I want to appreciate that from the 15% minimum of the equitable share from the National Government the amendment has proposed an increase to 35% as a minimum. I want to mention that for Laikipia, from four billion, the County Government of Laikipia in the first transaction of the equitable share will get an additional four billion.

As Hon. Matunge has said, when he was trying to clarify and explain this, I believe this will be additional development money whereby out of the total revenue from the equitable share of four billion, the previous one will be able to pay the salaries and recurrent expenditure from some developments that we've been doing.

So the additional will be a plus for us because it will entirely be for the development of our County. When I was doing my simple calculations, I would see that within one year, and this is realistic if it's endorsed and approved, I believe Laikipia will change. I want to thank the proponents of BBI once again because I have seen the Hon. Members of Parliament sometimes when they want their road to be tarmacked they sometimes go to the President to lobby for the road.

This has opened another door where it won't be a must that one goes to the Executive to lobby and even to kneel down for you to get a road or any project in your constituency. This makes us understand that there is something coming to the grassroots that will improve the living standards of our constituents.

The other thing is the Ward Development Fund. When I did my calculations I saw the minimum that every ward will be receiving for Laikipia is not less than twenty million per year. That does not mean we'll be getting the 20% only. The remaining 85 % or 60% after the recurrent expenditure will also come to our wards. So, I believe that as much as the ward

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Development Fund will be revolving around the ward level, the money from the Executive will also be enough to change our wards, working closely with the Executive.

I believe there'll come a law whereby it's not only the MCA who will be managing the money but the Committee at the ward level that will identify the projects to get to the public for the benefit of our people.

Number two is the issue of inclusivity. Bear with me, Mr. Speaker. Before the 2010 Constitution, in the 2007 election there was post-election violence. Many people were displaced, many lost their property and others died just because of feeling that the winner has taken it all. So in the issue of inclusivity, the positions of Prime Minister, Deputies Prime Minister, the President, his Deputy and even the Leader of opposition, I believe this will make every community feel represented in the Government.

Let us learn from that particular period. It's only when all communities came together that Kenya developed. Infrastructure, particularly in areas around Thika Superhighway came during that period when the country was peaceful because everyone felt they're in the Government. I understand the President has that wisdom to make sure that everyone is in the Government when he leaves office.

I want to thank the proponents of the BBI for the additional constituencies in our Republic. More so, Laikipia will benefit with one constituency. I know Laikipia is under represented. Having known that the three constituencies of Laikipia; Laikipia West has more than one hundred thousand registered voters. Laikipia East is the same with more than seventy thousand. Laikipia North is a bit marginalised and expansive in size. We need representation where everybody feels represented.

For that case, I believe it will give an additional more than one hundred thousand and employment to our people once we approve this document. The issue of nomination; I don't want to dwell much on that but I believe it's a way whereby we'll feel our people during nomination will not be nominated from the headquarters, that is Nairobi, but from people who have already vied in the elections and are nominated. So we'll not be getting people from Mombasa or Kajiado or whichever place but people who'll be getting this nomination will be people who understand the place and know the problems of our people.

For me, I am 100% in support of this Amendment Bill to be adopted in this House. Thank you, Mr. Speaker.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I also rise in support of the Constitution Amendment Bill, 2020. Before I do that, I wish to commend the Cohesion, Justice and Legal Matters Committee of this Assembly because it was our responsibility to do public participation which as an Assembly, we did successfully yesterday in the five stations that were advertised.

As I support this Report, I wish to state that we as an Assembly today are going to do justice for the people of Laikipia and the people of Kenya. I'm of sound mind, Mr. Speaker. I'm not coerced by anybody, I am not intimidated by anybody and my conscience is very clean and clear as I support this Amendment Bill.

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Why I should support this Bill, firstly, we as the people of Laikipia are the beneficiaries by having a new constituency which comes with over a hundred million. In every year it comes with one hundred million which will improve development in this County. We've been crying to have that constituency because it is so frustrating that somebody in Ngenia assumes that his headquarters is in Doldol or someone in Nyahururu in Igwamiti Ward which has over 45,000 registered voters; in the same country we have other constituencies which have less than 20,000 registered voters. This will be a plus to the people of Laikipia.

Moving the allocation from 15% to 35% is also a plus to this County because at the end of the day the Ward Fund which is 5% will be based on the 35% allocation that we are getting. In Umande Ward, we'll be having over Kshs.30 million per year circulating to do development. I would feel it so unfortunate for anybody in Laikipia to go against such a proposal which is helping our people.

In this constitutional amendment we are bringing inclusivity in the national cake. We want to have shared responsibility. The young people, women, and people living with disability are included. We might lie and say anything else but people fight because of power. If the power which is there is shared among many, there is no chance of having post-election violence in this country. So inclusivity is key in these changes.

For us as the County Assembly of Laikipia, because we believe that the power belongs to the people, it is our turn to support this Bill because by supporting this Bill, we are giving the people of Kenya an opportunity to vote on their own to get the best they want. Failing to pass this Bill is denying them an opportunity to go and cast their votes as they wish. So I'm really in support of this and I believe this Assembly of Laikipia, as I urge all the Hon. Members to support this Constitution Amendment Bill, will register to be the first County Assembly in Mount Kenya to pass this Amendment Bill.

So, I urge all Hon. Members to continue supporting the Bill. It is for the good of the people of Laikipia and all of us. Supporting it is a great thing for the people of Laikipia and Kenya. Because I said that we are clean and have clear consciences and are of sound mind, we urge, Mr. Speaker that you even give us a chance to vote on roll call to prove that we are not cowards and are not coerced or intimidated and that we know what we are doing. Thank you.

Speaker: The following Members are in my list; we will start with Hon. Chris Mark, Hon. Robert Maina, Hon. Veronica Ikunyua, Hon. Suge, then Hon. Ndiritu.

Hon. Chris Mark: Thank you, Mr. Speaker for this opportunity. I rise to support the Constitution of Kenya Amendment Bill, 2020, dubbed the BBI. First is to thank the Committee led by Hon. George Meshami, he did a good job, and also Hon. Members in this House because together we were able to go to the various centres that have been listed to get to hear the views of the people.

Also, as Hon. Wachuka said, to pay tribute to Yusuf Haji because the BBI steering team faced a lot of challenges when they were doing their job. People think it was easy. Him especially, he faced backlash a bit when talking about the BBI because he was told to look at

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the people of the North but in his wisdom decided to balance the interests of Kenya and be impartial while conducting the hearings and during the formulation of the report.

Most importantly, the President of this Republic, Uhuru Muigai Kenyatta and the former Prime Minister, the Rt. Hon. Raila Amollo Odinga. It is through their wisdom that they saw there is a need to unite the country through the BBI. I've always heard the President say that if there is anything he would want to leave this Kenya with, it's a united Kenya. That has always been his rallying call. As Members, through supporting the BBI I believe we're supporting the call of the President to leave a united country so that the elections do not make us fight. That's why they came up with the nine agendas that today have led to this Report here which I would just like to go through.

One of them is ethnic antagonism and competition that we do not have to lose our lives because of political competition. It is only bad democracy where after every election and the beginning of another there are a lot of demonstrations. Someone feels that the community is not on the table. Like the Hon. Speaker said, it is about power but there is a feeling that if we are included as a whole there is equal opportunity on the table for everyone.

Number two, there is the division of elections which has always seen our economy loosing Kshs.500 billion as Hon. Matunge said. It takes us back in terms of GDP per income. We went way back with this on 2017 because economy could not thrive business and people could not continue with their normal lives. Corruption was outlined as a nine-point agenda that causes lack of unity in the country. In the BBI, they are saying that corruption cases must be concluded on time.

In Kenya people have been fighting corruption cases for 10 years but the BBI is bringing a conclusion to the case. There is a limit that a certain case must be concluded at a certain time. There is lack of National ethos; it has gotten to a place Kenyans can stand somewhere and be asked what one is proud of as a Kenyan and what you can identify to be a Kenyan. Such issues are important. You must go back to the roots and look at what is good for Kenyans. Is it the championship that we do at the athletics or wildlife? What makes us Kenyans as we are?

The other issue is inclusivity which is why there is need for the positions that have been created which is to make sure that everybody from every court of Kenya feels representing at decision making table. Devolution is also the nine point agenda that brought this report. Devolution is gaining, there is no need of going deeper. We have seen hospitals where there were no hospitals but this devolution needs to be done more. We cannot have a lot of money in the National Government yet at the county, devolution that needs to be felt closer to the people has less money.

15% to 35% is a big score. Devolution is one of the things that I feel Kenyans will always regret. Safety and security, there is shared prosperity and responsibility of rights of every Kenyan. We have always heard Kenyans say that it is their freedom of speech and as much as there is that freedom we must be responsible for everything we utter in public and private such as small issues that are being talked about.

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One other thing I would like to support in this BBI is the sanity of the votes. We have seen areas where an MP was representing almost 140,000 people while another one is representing 7,000 people. The same money is allocated for CDF. With an addition of constituencies, they are trying to do a ratio of one MP representing 60,000 people. I believe that is a score and everybody will feel represented and the resources will trickle down.

There is the issue of health and health has been a victim. In the current state of the nation Kshs.6.5 billion is owed to the government by people who benefit from health. They cannot pay because they do not have a job so I believe the four year tax relief in itself has a wisdom. Four years are enough and I know the Government is doing a lot. If I get employment I can start paying the seven years tax break. It is very important for young people who are starting business and the BBI has the issue of checking the tax regime.

As Kenyans and East Africa, we have looked at it and we are one of the most taxed nations. We pay tax on everything; in fact, the water we are drinking now is overtaxed. There is the need to harmonize these taxes so that Kenyans do not feel overtaxed. If they are overtaxed, they can see it in development. The aim of that tax is to create roads and new infrastructure.

Most importantly is the business incubation centres. Hon. Matunge talked about there being intellectual properties. These are the days where people can earn money through music, creativity and arts but these incubation centres are good because they will offer advice that you have concepts and ideas and you can create applications and they can't be protected by the laws so that nobody steals from you. We have always heard the story of a certain mobile company and that idea was started by youth and since that dude did not have the advice when we went to the negotiation table, he lost. Mobile companies are one of the most successful ones.

The issue of the youth is very important and until now we do not have a youth ministry. The youth fall under a department yet the youth cuts across in the police, arts, Assembly and Parliament. That issue will be well checked with the youth commission which has the reasons to be there. Most important is to say I see the BBI living together as a united country. Hon. Mugweru said Laikipia is the first one and I would like to believe that Laikipia leads and the rest of the Mt. Kenya follows.

I know where they are they are watching and they have seen that we have already shown the way. This is the right way and I believe fighting BBI is fighting development and denying opportunity to our people. Thank you, I support.

Hon. Robert Maina: Asante, Mheshimiwa Spika. Nasimama kama Roberto Mheshimiwa kutoka Ngobit kusema ndio kwa marekebisho ya Katiba ya Kenya. Ningetaka kuchukua fursa hii nishukuru Rais Muigai Kenyatta na ndugu yake Mheshimiwa Raila Amollo Odinga kwa kuona ni vizuri waweke Wakenya kuwa pamoja na kuweka viongozi kuwa pamoja. Mheshimiwa Spika, tumeshuhudia baada ya miaka tano Kenya ikiwa na machafuko. Hii itazikwa katika kaburi la kusahau. Wakati marekebisho ya Katiba itapita hakutakuwa na mapigano na Kenya itakaa kwa umoja.

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Mheshimiwa Spika, niko na sababu kuu ya kusema ndio katika marekebisho ya Katiba. Mambo ya vyeo tatu ambazo zimeongezwa katika Serikali Kuu ikiwemo Waziri Mkuu na naibu wawili itaweza kuongeza nafasi kwa viongozi ili wakati tunachaguana tunaweza kuwaweka wote katika serikali. Jambo la pili kuna mfuko wa *ward fund.* Hatutapigia Gavana magoti tena ili tuweze kufanyiwa maendeleo katika wadi zetu.

Nimenena haya nikiwa na uchungu katika roho yangu kwa sababu kuna uvumi ambao umeenezwa katika Laikipia kwamba Mheshimiwa Robert ndiye anapinga BBI. Nataka vyombo vya habari vinakiri yale ambao nasema kwamba ni ndio kwa BBI. Hao ambao wameeneza huo uvumbi ya kwamba napinga naambia Mungu awasamehe na nimewasamehe. Asante, Mheshimiwa Spika. Nashukuru na naomba wajumbe wote waseme ndio kwa BBI.

Hon. Veronica Ikunyua: Thank you, Mr. Speaker. I rise in support of this motion. The reason I am supporting this motion is because it has good things for our county. Therefore, I am here to support it. I would like to thank the Committee on Cohesion I being a member for the good job they did yesterday. They wrote a report and that is why we are here. Mr. Speaker, the BBI report has very many points. It has nine plus one points that are very good that is inclusivity, corruption, one man one vote one shilling and gender. They are making me happy and I have been supporting BBI since it was created.

I would like to thank H.E. the President Uhuru Muigai Kenyatta and Hon. Raila Amollo Odinga for being wise bringing people together. In this country, women are only 9% in the leadership and the BBI is creating many positions for women. The voice of women has not been heard for many years but today the position of women has been elevated to the Senator where they will be in decision making.

Therefore Mr. Speaker, they will be negotiating for other women who are there which is very good. Mr. Speaker, I would like to read Article 180, the Constitution is amended by inserting a new clause immediately after clause 5(a) in making the nomination under clause 5(a) candidate of election of a County Governor shall consider a person of the opposite gender. This tells you that the Governor will be appointing a female gender to be in that position which is okay.

Mr. Speaker, allow me to say what the BBI is doing. The BBI is aimed to empower women economically, socially, politically and to give them a voice to defend themselves in terms of election. Mr. Speaker, every woman candidate who will be vying will not be harassed. In 2013 when I was vying, my house was burnt and nobody came to my rescue. They said I am a politician and I can go to hell. Today, this BBI will defend me. I am urging Hon. Members to educate our people. Let us be trainers so that they can understand. Let us talk to them and not keep it to ourselves. If we understand the BBI report we educate our people so that we can move together. I support whole heartedly. Thank you.

Hon. Joseph Suge: Asante sana, Mheshimiwa Spika kwa kunipatia hii nafasi ili niweze kutoa mchango Wangu. Mheshimiwa Spika, niruhusu kwanza niweze kushukuru kamati husika katika harakati ya shughuli za jana. Walifanya kazi kubwa na wanastahili kupata hongera. Mheshimiwa Spika, naunga mkono mjadala wa ripoti ya kamati kuhusiana na marekebisho ya Katiba ya Nchi ya Kenya.

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Namshukuru Kiongozi wa Taifa kwa kuwasilisha hoja hili kwa viongozi na taifa nzima. Nilipopitia nakala hii wiki iliyopita ilinikumbusha jambo moja ambalo lilinenwa na aliyekuwa kiongozi katika nchi yetu ya Kenya na huyo ni Marehemu Saitoti na Mungu amlaze pema peponi. Alisema Kenya ni kubwa na inahitaji heshima. Wimbo wa taifa katika Nchi ya Kenya unasema tuishi kwa amani, uhuru na undugu.

Nilipoangalia katika pendekezo hili, niliona katika kifungu cha kumi kina wazo la kuwaleta Wakenya wote pamoja. Sisi kama wanalaikipia hiki kifungu ni muhimu. Uso wetu katika Taifa la Kenya uko ndani ya Kaunti ya Laikipia. Hilo ni wazo nzuri ambalo niliweza kuunga mkono. Wenyeji ambao wako katika mkutano wa Rumuruti waliweza kuunga mkono marekebisho kwa wingi. Mwaka wa 2010, Kenya ilipitisha Katiba mpya na ikakuja na mfumo wa ugatuzi. Kabla ya mfumo wa Katiba mpya sehemu nyingi ziliachwa nyuma katika maendeleo.

Ndiposa kukakuwa na ugatuzi na kukawa na Gavana na wadi lakini raslimali ilikuwa haba. Nakumbuka mwaka wa 2015 kukawa na *Ward Development Fund* lakini kwa muda mfupi wa miaka mbili iliondolewa kwa sababu haikuwa ndani ya Katiba. Kwa hivyo hili pendekezo la kuwe na fedha za kila wadi ambazo zitakuwa zinasimamiwa na kamati ni jambo nzuri ambalo naunga mkono.

Sisi kama wajumbe na kazi ambazo ziko mashinani zinatuangalia. Kukiwa na fedha mashinani watu watapendekeza mambo yao na ziweze kufanyiwa kwa haraka na itakuwa jambo nzuri. Mheshimiwa Spika, jambo lingine limeniguza niunge mkono ni kifungu cha 207 ambacho kinaongelea kuhusu mgawo wa raslimali katika nchi yetu. Sisi kama wanalaikipia tukipata ongezeko la bilioni nne, Laikipia itakuwa mbele kwa maendeleo.

Mheshimiwa Spika, jambo lingine ni kuhusu vijana. Vijana wamewachwa nyuma kwa muda mrefu. Kuwa na kamishna ya vijana itarahisisha maswala yao kufikia mahali ambapo inafaa. Vijana watajisikia wakiwa ndani ya serikali na mambo yao yataweza kutatuliwa kwa haraka. Vilevile tunajua watakuwa na bajeti ambayo itakuwa inawasaidia kwa sababu katika Bunge hili tuko na Kiongozi wa Vijana na mara mingi vijana humtembelea kuhusu mambo yao lakini hana raslimali kwa hivyo hakuna jambo lolote atatatua. Naunga mkono hayo.

Jambo lingine ni kuhusu kipengele cha 230 kifungu cha 89 ambapo kinaongea juu ya maeneo ya Bunge. Kati ya maeneo sabini, Kaunti ya Laikipia itapata eneo moja. Hilo ni wazo nzuri kwa sababu wananchi watapata raslimali mashinani kwa sababu tunajua wakati tunapokuwa na maeneo ya Bunge tatu, ugavi wa raslimali na pesa za kufadhili masomo uko chini. Kwa hivyo kupata eneo lingine la Bunge ni jambo nzuri kupitia marekebisho ya BBI na itakuwa imefaidi wanalaikipia. Kwa hayo machache naunga mkono hili pendekezo. Asante.

Hon. Stephen Ndiritu: Asante sana, Mheshimiwa Spika. Nasimama hapa kuunga mkono ripoti ambayo imeletwa na Kamati ambayo inaongozwa na Mheshimiwa Meshami. Nampongeza sana kwa sababu ni kazi ambayo ilikuwa na uzito wake. Pia namshukuru Kamishna wa Kaunti kwa kufanya kazi jana ambayo ilionekana na najua Kenya yote ilijua usalama umeimarishwa. Kwa hivyo nampongeza sana. Katika utendaji wake serikali inafaa kuona yule ambaye anasimamia Laikipia huo upande. Hata akipata mamlaka itakuwa ni jambo la busara.

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Pia ningetaka kushukuru Mheshimiwa Maina Jenga ambaye ni Seneta wa watu kwa sababu alikuwa katika kikao *Social Hall*. Aliweza kushiriki kwa maoni ikikumbukwa ya kwamba tulikuwa tumeita viongozi wote ambao wangetaka kujitokeza katika Laikipia. Bwana Spika, tunajua tuko na viongozi wengi lakini wale ambao waliingia tunaungana na wao. Jambo moja ambalo linanifanya niunge BBI mkono ni kwamba kabla ya BBI tulikuwa tunaelezwa mambo mengi ambayo mengine ni uvumi, ukora na kudanganya Wakenya.

Jambo moja katika BBI ambalo Wakenya walikuwa wanadanganywa ni kwamba Waziri Mkuu atachaguliwa mahali popote. Walikuwa wanasema ni kazi nyingine tutaongeza lakini nikisoma hii nakala inaeleza vizuri kwamba Waziri Mkuu atakuwa akiteuliwa kutoka kwa Wabunge. Hili ni jambo ambalo Wakenya wanafaa kuelewa kwa sababu wanasiasa wengine wanatumia mbinu ili waweze kudanganya Wakenya. Leo hii najua Wakenya wameweza kuelewa.

Jambo la pili, nimeona wameweza kuwa na ofisi ya kuangalia mahakama na itakuwa ya busara kwa wananchi. Mahakama zetu zimekuwa na ufisadi wa hali ya juu lakini katika marekebisho ya Katiba utakuwa na nafasi kama unajua kesi yako imeamuliwa kwa njia mbaya ili kuweza kwenda kwa hizo ofisi upeleke malalamishi yako. Bwana Spika, Wakenya wengi wanalalamika.

Wale ambao wanasema si haki Rais kuteua wale ambao watakuwa kwa hizo ofisi naona ni haki kwa sababu Rais anawakilisha Wakenya wote. Wakati wanateuliwa na Rais wananchi wenyewe watakuwa wamemteua. Bwana Spika, katika uwakilishaji tumekuwa tukinyanyaswa. Wale ambao hawana kura nyingi wanapata vyeo. Nikitoa mfano Bunge la Kaunti lililopita yule ambaye alikuwa Kiongozi wa Walio Wengi Bungeni alikuwa amechaguliwa na kura elfu saba. Mimi mwenyewe nimeletwa katika Bunge la Kaunti na zaidi ya kura elfu nane. Hiyo ni kunyanyasa wale wengine. Tuwe na uwakilishaji wa haki.

Jambo lingine naelewa katika hii nyaraka ni kwamba wakati wa ugavi wa pesa tunapewa asilimia 15 na tunapigania Kaunti ziweze kuongezewa asilimia 35. Hii ni kumaanisha ya kwamba katika pesa za nchi ikiwa ni bilioni tatu, tunataka asilimia 35 zitoke hapo. Wanasiasa wengine wamekuwa wakizunguka hapa na kuambia mwananchi ya kwamba watarudi kwa mfuko. Ni lazima Wakenya waweze kuelezewa vizuri vile mambo yanaenda.

Nikitoa mfano kabla ya BBI kutoka, kuna wale ambao wanapinga bila kujua wanapinga nini na pole kwao. Nawalinganisha na mhubiri ambaye atazunguka akisema hakuna mtu atakufa. Mwingine ataambia Wakenya ukweli kwamba ni lazima watakufa. Watu watafuata yule ambaye anasema hakuna kufa ambapo ni uongo. Ni lazima tujue kama wale ambao tunafuata wanatuelekeza kwa njia nzuri ama mbaya.

Jambo lingine ningetaka kusema katika Bunge hili ni kuwa leo tumesimama hapa kama Bunge la Kaunti ya Laikipia na kusema tunaunga BBI kwa sababu hakuna mtu amepinga. Vile ambavyo tumesema hapa ni lazima tuonekane mashinani tukiunga mkono. Inaweza kuwa mtu anajificha kwa kioo na kusema hapa ndio na unapoenda nje unasema la. Tutawafuata na kuona kwamba vile unasema hapa ndivyo unasema nje.

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Ningetaka kuongeza jambo lingine ambalo linaenezwa na Wabunge wengine. Nitasema kinagaubaga kwa sababu kuna mambo ambayo yalisemwa na Mheshimiwa Rigathi Gachagua. Alisema wawakilishi wa Bunge za Kaunti wamehongwa. Sisi hakuna hongo tumepewa ila ni haki. Katika nyaraka ambayo inatupatia haki yetu inasema ni lazima tupatiwe. Ni vizuri Mheshimiwa Gachagua ajue alipatiwa pia. Kama ni kuhongwa pia yeye amehongwa na milioni saba. Kwa hivyo ni lazima tuelezane ukweli hapa imekuwa ni nyani haoni kundule. Unasema wengine walipewa ila wewe ulipewa kitambo.

Ni lazima tuelezane ukweli na tuheshimu kina mama, wazee, vijana na pia wale ambao wamechaguliwa. Nikifunga Bwana Spika, jana nilifurahi kwa kiongozi mmoja tulikuwa naye na yuko katika kikao hiki. Alipouliza tunataka aende afanye nini, yeye aliongea kama kiongozi na kuambia Wananchi huwezi kunichagua nikuongoze kisha uniongoze. Hilo ni jambo niliona huyo ni kiongozi shupavu. Huyo ni Chalumbo Ole Kaparo. Ikiwa wewe ni kiongozi, kuwa kielelezo chema. Naunga mkono na naomba tuunge ripoti ya BBI mkono na tupitishe haraka kwa sababu itakuwa ya manufaa wa Laikipia na Wakenya. Asante.

Hon. Mary Samken: Thank you Hon. Speaker for giving me this opportunity to support this amendment Bill to the Constitution 2010. I would like to take this opportunity to join the Hon. Members who have spoken to thank our President, Uhuru Kenyatta and Rt.Hon. Raila Odinga for putting their differences aside and coming together knowing that Kenya is bigger than anyone else.

Mr. Speaker, I also thank the Hon. Members who went out to sub-counties for public participation and the people of Laikipia who participated in the process. I was in Laikipia County Social hall, Thingithu ward. One person said that we can now proudly support the BBI because it is not what we have been told. That tells you that people are being misled.

It is important that when it comes to the time of taking this Bill for referendum we go to the people and tell them the truth so that they will make a decision to help them. As Mary, I support this BBI –Building Bridges Initiative, amendments Bill because of several reasons. Many have been said. I will say it briefly because many Hon. Members have talked. I want to say that I support because of the amendment of the Clause on election of County Governor and Deputy Governor (180);

The Bill amends the article to enhance gender parity in the governance of counties by providing for the candidates of the County Governor in nominating a Deputy to consider a person who is not of the same gender.

Mr. Speaker, when the Hon. Kanyutu was talking I heard some people shouting, 'Shall' and others 'May'. I think those who were shouting 'Shall' were women in the House and those for 'May' are men in the House. As a woman, I say that women in Laikipia and Kenya, we are equal to the task and ready to be in the list. I am ensure our counterparts that we will nominate you to be our deputies. Mr. Speaker, there is quarrel there because we are equal to the task. Those men who will be in the list ensure that you nominate the women to be your deputies.

Mr. Speaker, this bill amends Article 89; - increasing the constituencies from 290 to 360 meaning there will be additional 70 new constituents. This means to the people of Kenya

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that there will be more representation and resources to the counties as well as employment creation. There will be CDF going to the 70 additional constituents after amending.

Mr. Speaker, it is also important for our youth because of the new Article on creation of Youth Commission on Article 237(a). They have been crying all along that they are not represented and no one is talking about them. Creating a commission that will speak on their rights, I think it is a very good thing. We want to see them in the leadership positions. Time has gone when we used to say the leadership of youth is tomorrow. We want them to lead today.

I want to conclude by reading the new Article on creating a Ward Fund. This means more development to the grassroots. I know the projects that are of priority to the people will be done. There will be so much development going to the grassroots. We are praying that this amendments Bill of the constitution 2010 will pass so that the people benefit from its benefits. It's not about tribe, a person but about the people of Kenya. I support and I urge the Hon. Members we pass it. Thank you Mr. Speaker.

Speaker: Thank you Hon. Mary. In case you vie for governorship you can nominate the Hon. Member for Thingithu. He has been your friend for long to become your running mate.

Hon. Mary Samken: Yes, Yes Hon. Speaker. It is true I will vie.

Hon. Chalumbo Ole Kaparo: Asante sana, Mheshimiwa Spika kwa hii nafasi. Kuna mengi sana ya kusema lakini wacha niseme machache kwa sababu Waheshimiwa wamesema yale yalikuwa kwa akili yangu. Kwanza nashukuru mwenyezi mungu kwa sababu amefanya sisi kuwa mahali hapa leo.

La pili, nashuku Rais wetu wa Jamhuri ya Kenya, Uhuru Kenyatta na Raila Odinga kwa kile ambacho waliona na naona ni sawa. Kamishna wa Kaunti pia nampongeza kwa ile kazi alifanya tangu jana hadi wa leo. Bwana Spika, nilisema jana na ninarudia leo kwamba tutapitisha BBI na ndio sababu tuko hapa leo. Nikiangalia kitabu ya BBI na ile ambavyo tunaona kwa runinga ni tofauti zaidi. Wengine wanaeneza porojo.

Mambo ya BBI ni mambo ya kufaidi Wakenya kwa jumla hata watu wa Laikipia. Ninasema haya kwa sababu katika nyaraka ya BBI Kaunti ya Laikipia itapata eneo mbunge lingine zaidi ya zile tunaona leo. Sina sababu ya kusema BBI ni mbaya. Nitasimama na kuunga mkono mchana. Jana nilihakikishia wale ambao wamenipa sauti ya kuongea hapa.

Nashukuru ile kamati ilizunguka Kaunti mzima kuelezea Wananchi. Jana tuliketi na haraiki ya Wakenya wakiuliza maswali. Waheshimiwa wamesema mambo mengi. Mimi nitamalizia kwa kusema hivi, marekebisho ambayo ni madogo ya Katiba ambayo nimeona ikiwa na makosa. Wasomi wa Kenya wameketi na kuangalia na kurekebisha. Sijaona mtu yeyote akisema iko na makosa. Kila Mheshimiwa anasema BBI na tuko ndani. Asante Bwana Spika na naunga mkono.

Hon. Catherine Kibue: Thank you Mr. Speaker, for the opportunity to echo my contribution to this report. First, I want to congratulate the Committee on Cohesion and Legal

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matters in which I am a Member led by Hon. Meshami. I fully support this report. BBI will greatly help *Wanjiku* like the ward Fund which will bring development to our wards which they need most.

Secondly, there is a Youth Commission where issues of youth will be addressed. Lastly, there is this 35% to counties which will increase development to our wards. I am proud to be a Member of this House where we have shown loyalty to our party and most to our leader, Uhuru Muigai Kenyatta. I support.

Hon. Judy Lukio: Thank you Mr. Speaker for the opportunity. I rise to support this amendments Bill of the Constitution. I want to be precise and go straight to observation no.6. Allow me to read as it is; on amendments of Article 82, this Article is amended to ensure political parties complies with the principle that no more than 2/3s of the parties' candidates are on the same gender.

Mr. Speaker, as we are experiencing currently in the National Assembly, this thing will be of the past. A lot has been said by the Hon. Members with passion. The debate has been very lively. For the harmony and unity of this country, this Bill is worthy for Kenyans and I support it. Thank you.

Hon. George Karuiru: Thank you, Mr. Speaker. I would like to thank the Committee on Cohesion, Justice and Legal Matters plus your office and that of the Clerk for facilitating the committee and actually coming up with a brilliant report on the Constitution Amendment report, 2010. My comrade has actually shared about the document. I was in Rumuruti where I represented my people to listen their views. I embraced their argument because it was positive. Where we did not agree, we agreed. I thank the legal office because we had legal officers who addressed the many questions raised by the citizen.

The ward development that will be made a law. My Olmoran ward, currently we have a class that was blown away by winds. If I had resources, actually the ECDE class would have been done. The other issue is on the 2/3 gender rule inclusivity. I think if well implemented and it will because we have full trust of this document.

On the Youth Commission that has been said about, it is very real. The youth sometimes feel unrepresented. One of the tasks we have as a committee led by Hon. Chris Mark is about this youth initiative. If that commission is realized, then the youth will always be included. As Laikipia County we have only three constituencies and the addition of one means addition of resources.

I want to beg the Members; I can see the Members are positive, and the National Assembly as well as the Senate that they go through they go through the document again and again. If there would be objectors to the document, I know by the time we're done they'll also embrace it. We'll go from house to house popularizing the document to our electorates so that we don't let our country down because I can't say the President.

The President is ending his two-round term and I would want to beg Members that there is no relationship between the BBI and the 2022 elections. I know we are a God-fearing country; this document will be embraced. Failing such a document which has got good issues

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means waiting for another ten years before all those resources and the Kshs. 4 billion Laikipia County is being added to, we will lose it. I beg to thank the whole House and commend the Members and beg again that we pass the document. Thank you.

Hon. Daniel Nyausi: Thank you, Hon. Speaker for giving me this chance to air my views about the Bill. I am of the position that supports this motion as brought by the Committee on Cohesion and County Integration. I would also like to thank all those who were involved in yesterday's public participation though earlier preparations were carried on.

I sincerely thank the Committee on Cohesion though I'm a Member. I also thank your Office, Hon. Speaker for enabling Members to make sure that the day was successful. I would like to thank the Office of the Clerk that our members of staff who haven't slept for a few days; particularly last night when they were making this Report. It was very tireless work and I congratulate them indeed for they've been able to make it.

Members have closely perused all the points in this document and it's true and we're all in support. I'm very much in agreement with the comments of the Members that a good thing can always be made better. Even if we add these amendments into our Constitution, there's probably another time we'll need to make it better than it is today. That's nature and we'll keep on improving it until we get the best document that will be serving our honourable people of Kenya.

I've just risen due to the public demand of these Members. We've heard Hon. Roberto saying that some people have been doubting him. The request of these Hon. Members is that we vote in a roll call division so that we can know the stand of each and every Member. It's not a crime for a Member to stand up and contribute this way and when the time comes to vote he changes his mind. So I request that we have a roll call when it comes to voting. I wholly support, thank you.

Hon. Peter Thomi: Thank you, Mr. Speaker, Sir. Very briefly, I stand to support the consideration of the Constitution of Kenya Amendment Bill 2020, dubbed BBI. I can read the mood of this House that we're going to approve this Report. Because of that, I am very proud and congratulate the Members of this House because, unlike other counties, Laikipia County Assembly is unique.

Voting 100% yes, I feel that we have our people of Laikipia and Kenyans at heart. I want to thank most sincerely the Cohesion Committee led by Hon. Meshami for the good work they have done. I've been in this House and since the day before yesterday and this Committee has had sleepless nights. The reason we've come to this House is because they've finished the Report and its ready and, most of all, they've told us that they've seen no problem with the House approving this Report. I congratulate them in a big way.

Just to say as other Members have said, I don't think it would be fair if the Head of State, President Uhuru Muigai Kenyatta could be in leadership as the President of this country for those nine or eight or ten years and being the Head of State, fails to see this amendment in the Constitution. It was very good and great of him to consider and come up with a Committee

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of Experts: Doctors, Professors, and Engineers to come up with this Constitution Amendment Report

These are learned people. It's not easy to be in those positions. As a result, we feel that for the sake of Kenyans we need to have these amendments so that we can save our people where we have not been going right. So I sincerely thank that Committee as well as the Opposition Leader, ODM leader, Rt.Hon. Raila Odinga because of his handshake with President Uhuru Muigai Kenyatta.

What is in this document is that, firstly, we need peace in this Country. Since the handshake, we've seen peace. That is great, Mr. Speaker. The other thing we need to ask ourselves and not worry much about the Wanjiku who might say no to this document simply because he or she may not have understood what is in the document. For the leaders who are in leadership, people who have positions of responsibility talking ill of this document, can one stand and tell us what is wrong with us having a new constituency in Laikipia.

Mr. Speaker, Hon. Kiguru is an MCA representing over 100,000 registered voters. Somebody else in this country is a Member of the National Assembly representing 706,000 people in his constituency. Are we fair to the people of Igwamiti? When we give bursaries we give them Kshs. 12,000 while in Igwamiti we are giving somebody Kshs. 1000. What is wrong coming up with amendments?

I wish I had the strength to come with amendments in Githiga Ward because I have been there for eight years and I have not done what they wish that I should have done for the eight years. There are so many things that I have not done. If there is what we can do to ensure that we win for our people it could be good for us, our children and parents.

Mr. Speaker, I also want to thank H.E. the Governor of this County because I believe Hon. Members including myself privately, we have visited him in his office seeking for extra work that can be done in our wards and he always queries that yes we need to work for our people by giving them a bridge where we feel that there should be a bridge, security roads but the Governor's worry is that we do not have the budget for that.

In support of all this, we need to approve the Constitutional Amendment Bill so that we get more funding. If we had strength we could have three more constituencies in Laikipia East, West and North. People will come with what an MP should be given and that will be of benefit to our people. Much has been said by Hon. Members of this House. The point is we approve this report so that we give the Wanjiku the strength to go for referendum and vote for this report so that we have changes of this constitutional amendment so that for the time we have been here we prove that we are winners to our people.

Mr. Speaker, in a big way I thank the Hon. Members because we have all supported this. As one Hon. Member has said, we are going to move out of this door and support in all ways possible talk to the Wanjiku outside and tell them that we are going to make sure that this document passes and that we shall have a constitutional amendment. Mr. Speaker, for the sake of the people in the gallery who are great supporters of this county, I wish to end my contributions and say that we are many in Laikipia and all these are supporters. These are the

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people who want a good Laikipia. We have done our part but we have young children who need to live better.

That is what H.E. the President of the Republic of Kenya is after. As a result, I wish to end there and ask the Members to vote yes so that Laikipia becomes as I have said unique and exceptional. We are going to do something that is not done by others because we are moving as one. Once again I say this is because of good leadership given by H.E. the Governor and the administrators led by the County Commissioner and all who have tried in all ways to ensure that Laikipia is peaceful, supportive and ready to move forward and not backwards. Thank you, Mr. Speaker. I am grateful for that.

Speaker: I now wish to call upon the mover to give a reply.

Hon. George Meshami: Bwana Spika, nasema asante kwa Waheshimiwa kwa sababu wamenena. Namalizia kwa kusema ya kwamba marekebisho ya Katiba yameangalia Wanjiku zaidi. Kaunti ya Laikipia ilikuwa inapata asilimia 15. Marekebisho ya Katiba yameangalia zaidi kwa sababu asilimia 35 itaongezeka katika Kaunti ya Laikipia. Asilimia tano itaenda katika kila wodi. Kwa hii asilimia 15, Wodi ambayo nawakilisha ya Magharibi mwa Mukogodo kila mwaka nimekuwa nikijenga darasa moja ya shule ya chekeshea.

Nikipita asilimia 35 nitaweza kujenga zaidi ya shule kumi na tano. Pia nitaweza kuajiri walimu wa kusomesha wanafunzi. Bwana Spika, katika Kipengele cha 207 pesa itatoka Serikali Kuu iingie mashinani. Katika Kipengele hiki kinaguzia pesa itaingia mashinani. Bwana Spika, nashukuru Waheshimiwa wenzangu kwa kuona ni muhimu kuunga mkono haya mabadiliko ili watu wetu mashinani waweze kufaidika. Asante, Bwana Spika kwa kazi nzuri ambayo umetuwezesha kama kamati pamoja na Ofisi ya Karani Mkuu ili tuweze kuleta ripoti ambayo imejumuisha Kaunti ya Laikipia.

Kwa hayo machache naomba tupitishe mabadiliko ya Katiba ili iwasaidie Wanjiku. Kwa haya machache Mungu awabariki. Asante.

(Applause)

Speaker: Hon. Members, just before I put the question, there was a request from the Hon. Members to vote by division. I agree but we will shorten time. As a matter of procedure, what we will do because we have our Standing Orders, we will vote by acclamation and after that even if there is no doubt as far as the results are concerned. If a Member claims a division and is supported by another five Hon. Members, we shall do another one to confirm.

Hon. Members the reason we are doing that is so that there is no person in this county will say that Members wanted to vote no or yes but because we were intimidated through division, they voted otherwise. We shall have the results first but at the same time, we shall be able to send that signal that this is what I voted. We will still combine both and I believe that is acceptable.

(Question put and agreed to)

(Loud Consultation)

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DIVISION

Deputy Speaker: Hon. Speaker, I request for a roll call division voting to ensure that we don't have any doubt regarding this matter.

Speaker: He is supported by Hon. Ndiritu, Hon. Mary Samken and by more than 10 members; then we can go for division voting. Hon. Members, we get to the standing order no. 70 (1) paragraph 1 which says, *'when the speaker directs a roll call voting to be taken, the division shall be rung for 10 minutes'*. In our case it will only be rung for 5 minutes, is everyone in? Then we will have it rung for 1 minute after the time I direct it. We are supposed to have the tellers of the **AYES** and **NAYS**.

Hon. Patricia will be the teller for the **AYES**, it seems we don't have any teller for the **NAYS**. At the end of that 1 minute the bar will be drawn and because we are all here and we don't expect any more members, we will not draw the bar. I therefore direct the sergeant at arms that at exactly 5.17 p.m. to ring the division bell for 1 minute.

(The division bell was rung for 1 minute)

Speaker: Hon. Ndiritu, I like that argument. If you volunteer to be the teller for the **NAYS**, you know you can still be the teller and vote **AYE** and when you were away I requested Hon. Mary Samken because she said she is equal to the task of vying for the governorship and she is willing to consider you as the running mate by being a good neighbour.

Hon. Members, our one minute is up and therefore I will kindly request the Clerk, we have Hon. Patricia for the **AYES** and the Hon. Ndiritu for **NAYS**. I therefore call upon the Clerk to call the names alphabetically. I have been in communication with Hon. Jacob Endom who is hospital, I tried to connect with him through zoom so that he can vote in this Assembly but it failed due to network issues. Even though he won't vote, he is together with you, those who believe in God will say by spirit.

ROLL CALL VOTING

(Question put and the Assembly proceeded to vote)

AYES: Hon. Catherine Nyawira, Hon. Catherine Kibue, Hon. Chalumbo Ole Kaparo, Hon. Christopher Mark, Hon. Daniel Nyausi, Hon. Daniel Mugweru, Hon. George Karuiru, Hon. George Meshami, Hon. Irene Wachuka, Hon. Mutahi Muritu, Hon. Joseph Suge, Hon. Joseph Kiguru, Hon. Judy Lukio, Hon. Mary Samken, Hon. Patricia Muthoni, Hon. Peter Matunge, Hon. Peter Thomi, Hon. Robert Murage, Hon. Salma Zamzam, Hon. Simon Kanyutu, Hon. Stephen Ndiritu, Hon. Veronica Ikunyua, Hon. Wilson Wakahiu.

ABSENTIONS: Hon. Jacob Endom

Teller of the AYES: Hon. Patricia Muthoni.

Teller of the NAYS: Hon. Stephen Ndiritu.

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Speaker: Hon. Members, we are still in the House. Just sit down. As you know, we already had done the vote and the **AYES** had it but this is to confirm we have no vote for **NAY** and therefore we have all votes for **AYE**.

AYE: 23

NAY: 0

ABSENTIONS: 1

(Question carried by 23 votes to 0)

Speaker: The 23 votes are all for yes, I therefore say once more that the **AYES** have it. I wish to take this chance, I had earlier recognised the County Commissioner in Absentia and it is now important that he is in to say that we have the County Commissioner, Mr. Daniel Nyamiti. You can just rise up, thank you so much.

We really want to thank the County Commissioner for addressing the security issues we have at the Assembly. You have given us members of the security team to ensure that we have security within the assembly, not only today but every other time.

COMMUNICATION FROM THE CHAIR

BBI Bill Signing Ceremony

Speaker: Hon. Members, I do not want to keep you here any longer. I just want to invite you to a signing ceremony, as you always know after we pass this bill, I the Speaker of the County Assembly of Laikipia must communicate to the Speaker of the Senate and National Assembly. Therefore, we have a short ceremony outside and we request that as we leave, we may not even take our procession to the Speaker's office. Once we get to the staircase, we will end the procession there then we proceed to the signing ceremony.

ADJOURNMENT

Speaker: We all rise up. For the guests who are in the gallery, I would request that you do not walk out until the sergeant at arms allows you so that we don't have confusion outside as the sergeant at arms is carrying the mace. This House now stands adjourned until Tuesday, 23rd February, 2021 at 2.30 p.m.

The House rose at 5.24 p.m.

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