REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 17th June, 2021

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

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

PRAYERS

PAPERS

QUARTERLY REPORT AND FINANCIAL STATEMENTS BY THE AGRICULTURE COMMITTEE

Hon. Patricia Muthoni: Thank you, Mr. Speaker. I beg to lay the report by the Agriculture, environment and Natural Recourses on Quarterly report and financial statements for the quarter ended March, 2019 for the 2018/2019 financial year for the department of Agriculture Livestock and fisheries dated 8th June, 2021.

(Hon. Patricia Muthoni laid the Paper on the table)

NOTICES OF MOTIONS

WAIVER OF PENALTIES ON SINGLE BUSINESS PERMITS

Hon. Joseph Kiguru: Thank you, Mr. Speaker, Sir. I beg to give notice of the following motion;

THAT NOTING THAT County Planning and Development, including statistics, land survey and mapping is a function of County Government as stipulated in Part 2 of the Fourth Schedule of the Constitution of Kenya;

FURTHER NOTING THAT Section 159 of the Public Finance Management Act, 2012 read together with Section 43 of the Laikipia County Finance Act, 2020 empowers the County Executive Committee Member for Finance to waive a county tax, fee or charge imposed by the County Government and its entities;

AWARE of the current COVID-19 pandemic which has adversely affected business operations;

THIS House URGES the County Executive pursuant to the provisions of Section 159 of Public Finance Management Act, 2012 and Section 43 of Laikipia County Finance Act, 2020 to provide 100% waiver of penalties on single business permits for the remainder of the time to the close of the financial year 2020/2021 to offer much needed relief to rate payers due to COVID-19 pandemic.

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LAIKIPIA COUNTY GOVERNMENT AGRICULTURE QUARTERLY REPORT AND FINANCIAL STATEMENTS BY THE AGRICULTURE COMMITTEE

Hon. Patricia Muthoni: Thank you, Mr. Speaker. I beg to give notice of the following motion;

THAT this Assembly adopts the report by the Agriculture, environment and Natural Recourses on Quarterly report and financial statements for the quarter ended March, 2019 for the 2018/2019 financial year for the department of Agriculture Livestock and fisheries dated 8th June, 2021.

Hon. Patricia Muthoni: I wish to ask the Clerk in charge of Agriculture Committee to provide us with legible papers.

Speaker: It looks faded.

Hon. Patricia Muthoni: Yes

Speaker: There are some words that are lacking though mine is clear.

STATEMENT

NOTICE PAPER

Hon. Mary Samken: Thank you, Mr. Speaker, Sir. I stand to read the tentative businesses of next week on behalf of the Deputy Speaker. It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Afternoon) June 22nd, 2021

A. **PAPERS**- Quarterly report and financial statements for the period ended March 2019 by the Water, Environment and Natural Resources department.(Agriculture Environment and Natural Resources Committee)
B. **PAPERS**- Quarterly report and financial statements for the period ended March 2019 by the Finance and Economic Planning department (Finance and County Planning Committee)
C. **NOTICES OF MOTIONS**- Quarterly report and financial statements for the period ended March 2019 by the Water, Environment and Natural Resources department.(Agriculture Environment and Natural Resources Committee)
D. **NOTICES OF MOTIONS**- Quarterly report and financial statements for the period ended March 2019 by the Finance and Economic Planning department (Finance and County Planning Committee)
E. **MOTION**- Quarterly report and financial statements for the period ended March 2019 by the Agriculture and Fisheries department. (Agriculture Environment and Natural Resources Committee).

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Morning) June 23rd, 2021.

A. **MOTION**- Quarterly report and financial statements for the period ended March 2019 by the Finance and Economic Planning department (Finance and County Planning Committee)

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It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Afternoon) June 23rd, 2021

A. **PAPERS**- 2021/2022 FY CFSP Report by the Budget and Appropriations Committee
B. **NOTICES OF MOTION**- 2021/2022 FY CFSP Report by the Budget and Appropriations Committee
C. **MOTION**- Quarterly report and financial statements for the period ended March 2019 by the Water, Environment and Natural Resources department.(Agriculture Environment and Natural Resources Committee)

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Thursday (Afternoon) June 24th, 2021

A. **MOTION-** 2021/2022 FY CFSP Report by the Budget and Appropriations Committee

MOTIONS

WAIVER OF PENALTIES ON SINGLE BUSINESS PERMITS

Hon. Joseph Kiguru: Thank you, Mr. Speaker, Sir. I beg to give notice of the following motion;

THAT NOTING THAT County Planning and Development, including statistics, land survey and mapping is a function of County Government as stipulated in Part 2 of the Fourth Schedule of the Constitution of Kenya;

FURTHER NOTING THAT Section 159 of the Public Finance Management Act, 2012 read together with Section 43 of the Laikipia County Finance Act, 2020 empowers the County Executive Committee Member for Finance to waive a county tax, fee or charge imposed by the County Government and its entities;

AWARE of the current covid-19 pandemic which has adversely affected business operations;

THIS House URGES the County Executive pursuant to the provisions of Section 159 of Public Finance Management Act, 2012 and Section 43 of Laikipia County Finance Act, 2020 to provide 100% waiver of penalties on single business permits for the remainder of the time to the close of the financial year 2020/2021 to offer much needed relief to rate payers due to covid-19 pandemic.

Mr. Speaker, everybody here knows that the problem brought by this pandemic has affected the business operations. You will find that even for someone to pay school fees nowadays it is becoming very hard. I urge that we support this waiver motion. I was thinking that any payment to the County Government including House rents and other payments of other kinds should be waived for our people and that way we will be doing what is required of us. I urge the Members to support this motion and to make sure that not even at the end of the year but even as we start the New Year we should stand with our people. I wish to welcome the Hon. Member from Umande to second this motion. Thank you.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I rise to second this motion. It is now evident that the House is ready to help the people of Laikipia because we all know what the

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country is undergoing and more so the people of Laikipia County; residents whom we represent.

Two days ago, we had a motion on waiver of land rates. Now that we found that it is not touching the common *mwananchi*, today we are having this motion which is touching on the common *mwananchi*, though it is not touching everyone. In this motion, we are talking of waiver of penalties on business permits. This is a good motion because at least a good number of the residents of Laikipia will feel the assistance of this House, but we still need to move ahead and say that if it is waiving penalties we are waiving penalties for everyone.

Mr. Speaker, it is also important to note that the County is interested in collecting revenue because as a government we cannot work without revenue collection. Now this motion suggests very well that we are not talking about the taxes but we are specifically talking about the penalties. Some of the residents will hear that there is a waiver and think that there is no more payment of taxes or business permits. Business permits will be paid but the penalties are the ones we are waiving. If someone has not paid their business permit he should continue to do so because the rule of law requires them to pay business permits.

The only thing that we have done, which I am pleading with the Hon. Members in this House, is to support this motion on waiver of penalties that reflect on single business permits in this County. At least the businessmen in this country and especially the ones we are talking about in the County of Laikipia have been affected by the pandemic for the last over one and half years. The suffering community will not manage to pay taxes and also penalties at the same time and so when we waive penalties for them it does not mean that we are telling them not to pay business permits or the other taxes. The only thing which we are giving them relief is on the penalties that accumulate due to failure of payment at the same time.

Mr. Speaker, in this motion, as I second it and urge the Hon. Members to support it to the end, we also need to feel as an Assembly that this House should go ahead and come up with a motion that waives penalties for each and every person. Yesterday we were talking about land rates, today we are talking about business permits and tomorrow someone else will come with another one. We might live here every day bringing waiver after waiver of penalties for different institutions or departments.

I second the motion and urge the Hon. Members to support it. It will help our people because the money these business people get circulates to almost everyone in this County. When businesses die the community dies. I second and support it, and call upon all Hon. Members to support the same, thank you.

(Question proposed)

Hon. Stephen Ndiritu: Asante, Bwana Spika. Nashukuru kwa kunipa nafasi ya kuchangia kwenye mswada ulio mbele ya Bunge hili, mswada unaouhusu kuondoa faini kwa wafanyabiashara wadogo wadogo. Nafikiri Kiongozi wa Walio Wengi ambaye ndiye ameleta huu mswada ameweza kupitia na kueleza kiini cha huu mswada. Nafikiri angeendelea na kusema huu ni mswada ambao tumeleta baada ya kuona mswada uliokuwa hapa ulikuwa unaegemea matajiri, na sisi kama Bunge tukasema ni vizuri tuwe na mswada ambao utawaguza wale wananchi wa chini.

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Kwa sababu haya mambo tunayozungumza leo yatawekwa kwenye HANSARD, ijulikane kwamba ni Bunge hili ambalo limesukuma, na ambalo limeona ni mwananchi wa chini ambaye hajakuwa akishughulikiwa kwa njia inayofaa. Kesho unaweza kusikia wale wanaopenda kutembea huko nje wakisema ya kwamba ni wao kama serikali waliamua kutoa msamaha, lakini ni vizuri waelewe kwamba ni sisi ambao tuliwasukuma hawa watu hadi mwisho, na nafikiri hizo wiki mbili hazitoshi.

Bwana Spika, mimi mwenyewe nilisimama na kusema kwamba ningetaka kuona mswada ambao unawashughulikia walalahoi, wale *mahustler* wa kawaida. Nikasema nataka kuona mama mboga pamoja na wachuuzi hapa, ila leo sijaona kama mchuuzi yuko hapa. Mimi naamini wachuuzi ambao tunawawakilisha wanafanya biashara na kulipa kila siku. Mimi nafikiri huu mswada utawashughulikia hao watu pia kwa sababu najua asilimia kubwa ni akina mama walioamka saa kumi na mbili wakaenda sokoni. Hao akina mama wanalipa hamsini kila siku na nafikiri hao watu ni vizuri tuwajali. Asante.

Hon. Joseph Kiguru: Thank you, Mr. Speaker, Sir. I just wanted to clarify to the Hon. Member Stephen that hawkers are also business people. We are talking about business regardless of how big it is. A kiosk is a business, *mama mboga* is a businesswoman, so as we talk we have put hustlers and sufferers in this motion. Thank you.

Hon. Stephen Ndiritu: Asante, Bwana Spika. Mimi nafikiri Mheshimiwa Kiguru ana roho njema ya kuona kwamba mama mboga na *hustlers* wako hapa. Kwa kumkumbusha tu, nikiangalia hapa sioni mama mboga wala mchuuzi. Hii inasema kuhusu faini zinazolipiwa leseni. Kwenye mimi nimetoka wananchi wengi ninaowawakilisha wanalipa kila siku. Kila jioni naona maofisa waliovalia koti ya kijani kibichi wakienda na kumsukuma mama mboga alipe hamsini ama ishirini. Kwa hivyo mimi nafikiri huu mswada, wakati Kiongozi wa Walio Wengi atakuwa...

Hon. Simon Kanyutu: Mr. Speaker, I stand on a point of clarification from the Hon. Member because he is stating that there is no *mama mboga* in the motion. My question is: shall we have *mama mboga, mama sandle, and mama chai,* all of them written in this motion? He is stating *mama mboga,* so I wonder whether we will have all the names written in this motion.

Speaker: I think that the question which needs to be responded to is by Hon. Ndiritu. He says that what we have are people with business permits and they have not paid and therefore have accrued penalties. Those penalties are addressed by this motion. Hon. Ndiritu is arguing and saying that there is a person who sells tomatoes in town and does not have a business permit. Therefore, that person pays cash every single day, whether forty or fifty shillings, whatever amount it is. I think that is the clarification that Hon. Ndiritu is asking for. To me, I do not know whether they have any unpaid debts because I do not know what happens if you do not pay. Anyway, Hon. Ndiritu can proceed. I think that is the clarification he is asking for.

Hon. Stephen Ndiritu: Asante, Bwana Spika kwa kufafanua. Unajua tumetoka mahali tofauti tofauti, na huenda usielewe yale ninayonena kuhusu, bali naona Mheshimiwa Mugweru anaelewa. Akiwa pale naona anaelewa kabisa kwa sababu anajua kuna mama mboga ambaye hulipa kila siku, na huyo mama mboga analipa ishirini. Juzi tuliposema tunatoa msamaha kwa *land rates,* tulisema wanaoshughulikiwa nayo ni matajiri, akina Bemwaki, Chieni na matajiri wengine walio hapa Nanyuki.

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Tukasema ni vizuri tushughulikie akina mama mboga na *mahustler*. Kuna mama mboga anayeweza kuwa na kibanda na analipia leseni, hilo nakubaliana nalo kabisa. Ukitoka sasa hivi kuelekea hospitali, kuna akina mama wanaoweka vitu vyao hapo, na wanalipishwa. Mimi naomba mwenye mswada ambaye ni Kiongozi wa Walio Wengi, atakapokuwa akifunga, aongeze hata kama ni kwa mdomo tu, na iandikwe hapo, aseme kwamba wale akina mama mboga wote walio sokoni na wanaouza njiani watapewa msamaha wa angalau wiki mbili, kwa sababu wao pia wameadhirika na COVID-19.

Hii serikali haijawahi kusema hata siku moja kwamba hawataenda sokoni kuitisha malipo, na huwa wanafanya kwa nguvu. Mimi nataka tusukume hii serikali kwa sababu sisi tunawakilisha wananchi. Sisi tuko hapa kwa niaba ya huyo mama mboga ambaye hajafika hapa. Mimi niko hapa kwa niaba ya mchuuzi ambaye anazunguka akiuza vitu vidogo vidogo. Huyo ndiye nataka tumshughulikie pia. Kama ambavyo tumefanya leo; kuja na mswada wa kushughulikia walio na leseni, naunga hili mkono bali kesho tulete mswada wa kusema kwamba tumewapa msamaha akina mama wote wanaouza sokoni, hata kama ni kwa wiki moja. Mimi nafikiri wataridhika kwa sababu hao pia wanaumia na wameadhirika na Covid-19.

Mimi ninaunga mkono nikiomba Bunge iweze kubeba mzigo wa mwananchi anayelala hoi, anayesumbuka, na anayefanya biashara kila siku bila kupata kitu jioni. Mimi naelewa kule ndani sokoni, akina mama wanaouza na walio na vibanda huko Mirera, Sweetwaters na Ruai. Naelewa hao akina mama kwa sababu wanauza vitu vidogo vidogo, na kila wakati naona hao maofisa wakienda kuwalipisha. Hao ndio nasema tuwashughulikie. Najua Kiongozi wa Walio Wengi ni *hustler*, ni vile tu amevalia suti. Najua ametoka mbali. Najua wengi hapa ni *mahustler*, wametoka mbali. Mimi mwenyewe nilikuwa mchuuzi. Kwa hivyo ningetaka tuhakikishe kwamba tumewakumbuka na kuwaunga mkono hawa watu wanaofanya biashara ndogo ndogo ili wao pia wafaidi kutokana na huu msamaha.

Tusisikie tu ni msamaha kwa matajiri, tunataka msamaha pia kwa mwananchi aliye kule chini mashinani. Hilo likifanyika tutakuwa tumefanya haki kwa kila mwananchi na kila mfanyabiashara katika Laikipia. Najua Serikali Tekelezi ya Laikipia wanapenda sana kuokota kodi. Kuokota kodi ni haki, bali lazima pia tujue maisha ya anayetoa kodi yako vipi. Tunaweza kupenda kodi sana halafu tukute katika mwisho wa siku yule tunayemwitisha kodi alikufa ama kufunga biashara yake mapema. Tutamshikilia iwapo tutatoa misamaha kama hiyo na kusaidia biashara yake.

Ningetaka hili Bunge lisimame bila uwoga wala mapendeleo na tuangalie machoni serikali iliyo mamlakani, ambayo inaitisha leseni na kodi kutoka kwa wananchi. Tuikazie macho sana ili isije kuumiza mama mboga, *hustler*, mtu wa mkokoteni au wa rukwama. Hatutaki hao watu waumizwe. Tunasimama nao, tutakufa nao na tutawatetea hata kama tutaambiwa tunapinga serikali, wacha hilo lisemekane. Hatujali, kwa vile mimi mwenyewe nimeletwa hapa na mwananchi. Sijaletwa hapa na serikali yoyote. Hata nikitoka hapa nje kesho na kesho kutwa, kwa sababu msamaha umeletwa nitaenda kuwaambia watu wangu wasilipe kwa muda wa wiki mbili.

Bwana Spika nafikiria tutakuwa tumefanya haki kwa sababu mimi sitaki kusikia ni mtu wa biashara tu au mtu wa leseni halipi. Mimi nataka kusikia mama ambaye anayeuzia soko mjinga, *Old market*, Mirera, Ruai, na kila sehemu ya Laikipia amepata manufaa ya hii *waiver* Bwana Spika.

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Kwa hayo machache naunga mkono nikiomba wale ambao tuko hapa tuungane, tusukume hii serikali mpaka iweze kusikiliza mwananchi. Serikali pia iweze kufanya haki kwa mwananchi ambaye anayehitaji kufanyiwa haki. Kwa hayo machache naunga mkono huu mswada nikingojea mswada ambao utaweza kushughulikia huyo *Mama Mboga.*

Nafikiria Mheshimiwa Kiguru atakuwa mstari wa mbele kama vile ameleta hii, apige simu tena kwa sababu mimi kama Mjumbe sina uwezo wa kusema nimetoa *waiver.* Yule mtu ambaye yuko na uwezo wa kutoa *waiver* ni yule waziri. Kama itabidi aelezwe ya kwamba hakuna biashara tutafanya ya serikali, kama hatujaona *waiver* ya huyo *mama mboga* na hao wengine. Mimi ningetaka tuungane namna hiyo, tuungane kwa sauti moja ndio tuweze kuwatetea wale ambao walituleta hapa. Kwa hayo machache naunga mkono. Asante.

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

[The Temporary Speaker (Hon. Veronica Ikunyua) took the Chair]

Hon. Salma Zamzam: Asante Sana, Bi Spika kwa kunipa nafasi pia ya kuchangia mswada ambao umeletwa kwa Bunge lako na Kiongozi wa Walio Wengi kuhusu kusamehea ghadhabu za biashara katika Kaunti ya Laikipia. Nakumbuka jana na juzi tulijadili kusamehewa kwa *Land rates* na Waheshimiwa wakaona kuna umuhimu tuweze kuweka mpaka wale *hustlers* ama wale watu wa ngazi za chini kwa sababu mambo ya *Land rate*s inaguzia mabwanyenye katika Kaunti yetu ya Laikipia.

Bi. Spika na nikinukuu vile ndugu yangu amesema, tumeona ya kwamba watu wengi wameadhirika na janga la COVID-19 na sasa sisi kama viongozi tunaomba serikali iliyo madarakani kwa sababu ni wao wameweza kubadilisha pia siku ya leo. Tukiwa na dadangu mwenyekiti wa Fedha katika Kaunti yetu, Bi. Mary Samken, naomba hao watu wote ambao wameweza kutajwa na ndugu yetu Kagondu waweze kuingizwa hapa.

Tunajua wanalipa kwa siku kwa sababu hawana *Single Business Permit* ili waweze kuangaliwa maslahi. Tukiongozwa na ndugu yangu Mwakilishi wa Wengi kama mnaweza kuangalia mpaka hao watu wa Kichinjio wanapiga kelele sana ya kwamba hao huwa wanapandishiwa mara kwa mara. Kichinjio tunataka pia iangaliwe, na pia mama mboga waangaliwe na pia hao wapewe wiki mbili. Mimi naona hizi wiki mbili kuna watu hawajajua kama kimeondolewa. Wanapaswa wapatiwe mafunzo na serikali yetu ya Ndiritu Muriithi na iweze kutangaza na iweze kupiga injili ya kwamba watu wameweza kupunguziwa adhabu za ardhi na adhabu za biashara kuanzia leo na wiki mbili ambayo tunafunga kalenda ya serikali.

Mimi sioni ni kwa nini tufunge na kalenda ya serikali, pia kuna watu ambao hadi sasa hawana hizo pesa za kulipa. Kama inawezekana na ombi langu ni hili kwa sababu mimi natilia mchango wangu, na vile ndugu yangu Kagondu amesema ya kwamba inaweza semekana tunapiga serikali. Wacha hii kitu ipelekwe mwezi moja ama mwezi moja na nusu kwa sababu hii pesa haipatikani na watu wako na shida.

Nafikiri ukikaa kwa hicho kiti chako ambacho tunakiheshimu unajua zile shida na changamoto wanapitia. Tuliona hii *Single Business Permit* kuna watu walileta *Petition,* kama watu wa vilabu katika Kaunti yetu, shule za kibinafsi na tunajua hii itawafaidi ni vizuri watajua na watalipa, hio ni kuongeza ushuru katika Kaunti yetu ya Laikipia.

Najua ushuru unafanya kazi lakini wale wa chini tunaomba kama ni Juma nne tuone imerejelewa kwa hili Bunge na watu wajue ya kwamba sio serikali iliyo madarakani, kazi yetu sisi tumepitisha kama Wajumbe wa Kaunti ya Laikipia. Ni sisi ndio tunafanya hii kazi na

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tunaomba kumbukumbu yetu ya hili Bunge liweze kusema na kunukuu ya kwamba ni Wajumbe wanapitisha na wale wengine ni kupeleka huko mbele. Mimi sina mengi, naomba Wajumbe wenzangu waweze kuunga, lakini tuunge tukiwa na umoja pia. Wale wa ngazi ya juu ama walalahoi waweze kupata haki katika Kaunti ya Laikipia ambao tunaona ni mabwanyenye tunawapa kipao mbele. Asante Bi Spika.

Hon. Mary Samken: Thank you, Madam Speaker, for the opportunity to also give my word on the motion on waiver of penalties on single business permit. Madam Speaker, if I may be asked, this motion is overdue. I know you agree with me that there was a time that there was an outcry in this town. People were being harassed, given bonds and crying because of single business permit.

We tried our level best to talk to the CEO of the Revenue Board, Chairperson Revenue and also to the CECM for Finance. The single business people wanted an extension from 1st of May to 30th of May to be able pay their single permit, which the CECM of Finance refused to extend their time. I am just surprised that two weeks to the end of the year, they are pretending to waive penalties which I know and you can go and look for the statistics of over 80%, of single permit have already been paid with penalties.

They know that even if they give this waiver it is not helping anybody and it is not going to affect their revenue collection. That is why maybe they have just thought of coming here and play with us that because we complain about the land rates and that's why they want to give waiver for the penalties for the single penalties.

Madam Speaker I know most of the people have already paid the penalties and the single business permits. The only thing I want to thank them for is because after we complained a lot, they agreed to stop or to remove the bonds. I want to urge the Honourable Members as the Chair of Finance, if we want to help our people, we have all the powers. I want to urge the Members come this year when we bring the Finance Bill to this House, let us be serious and know what we want our people to be or know where we want our people to get help.

Madam Speaker, what Hon. Ndiritu is saying about mama mboga's, it is already a law. A law that was approved in this House that every day, when you go to the market and have your potatoes or your *sukuma wiki* there you have to pay twenty bob and it is law even if we want to help that mama mboga today...

Temporary Speaker (Hon. Veronica Ikunyua): What is it Hon. Stephen?

Hon. Stephen Ndiritu: Asante, Bi. Spika. Ningetaka Mjumbe Mary Samken aweze kunifahamisha kama hii adhabu ambayo ninaoana tuna *waiver* kama hiyo haikuwa sheria. Mimi nasikia akisema kulipa kila siku ni sheria, hata kulipa adhabu mimi nafikiria ni sheria. Ningetaka anifafanulie kama kulipa kila siku ndio sheria, kulipa adhabu sio sheria.

Temporary Speaker (Hon. Veronica Ikunyua): Okay, Hon. Stephen. Hon. Mary, kindly make it clear to him so that he can understand.

Hon. Mary Samken: Madam Speaker, I will not answer it because I am trying to help him know where he can help the *mama mboga.* I just beseech him to please listen to me carefully. I am saying that when it comes to approving the Finance Bill, from the time we tabled the Finance Bill until the time we approve which it is before 30th of November, I am saying, let us all be serious. Schedule 1 of this Finance Bill talks about that *mama mboga* that Hon. Stephen Ndiritu wants to help. I don't have a doubt and I also want the *mama mboga* to be

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exempted from paying taxes. Am saying that we have powers if we can all be serious, and unite. When it comes to the Finance approval, we all agree because there are so many sectors where we can get revenue in this county and exempt the *mama mboga* with the twenty bob every day that we ask them to pay.

Madam Speaker, let the Honourable Members agree with me, come this year we exempt the mama *mboga*, the whole year. We approve a finance bill where they will not wake up every morning and go to the market and ask for the twenty bob from each and every person in the market. If only we are only serious when it comes to the Committee of the Whole House and we unite the way we united last time and remove the thirty per cent penalty, because if it were not for this House that removed the 30 per cent penalty, the penalties could be higher now. I know they are not very high now because we removed the 30 per cent and it remained the 10 and 20 per cent.

Madam Speaker, let us unite and when it comes to this Finance Bill we all be serious, we look into it, Schedule by Schedule, paragraph by paragraph, and let us know each and everywhere that they want to tax and see whether these people are being over taxed and whether the ones who are not supposed to be taxed are the ones who are being taxed. Let us familiarise ourselves with this finance, and remove where the common *mwananchi* is being over taxed.

I support the motion and my only plea is that when it comes to the Finance Bill, so that we cannot be coming to this House each and every time saying waive this and that, we be serious and help our people because we know where they are being over taxed. Having said that, we pay taxes and be independent so that we get development. Thank you, Madam Speaker.

Temporary Speaker (Hon. Veronica Ikunyua): May I now call the mover to reply

Hon. Joseph Kiguru: Asante, Mheshimiwa Spika, nataka kuchukua nafasi hii kushukuru Wajumbe kwa kuona umuhimu wa kuhakikisha ya kwamba tupitishe hii *waiver*. pia Ningetaka kuwahimiza pia ya kwamba ni vizuri tujue ya kwamba hata kurekebisha ingekuwa sawa. Ni vizuri kama vile Mheshimiwa Ndiritu amesema ya kwamba Kaunti kama ya Machakos waliondoa riba. Mwana biashara yeyote analipa elfu tano kurudi chini na waliondolewa hizo malipo. Hii Sababu haikuwa ya kuondoa malipo, hii ilikuwa ya shughuli za kushughulikia maneno ya adhabu na maslahi ya pesa. Mimi nawashukuru na naomba waipitishe.

(Question put and agreed to)

LAIKIPIA COUNTY GOVERNMENT LABOUR QUARTERLY REPORT AND FINANCIAL STATEMENTS BY LABOUR COMMITTEE

Hon. Patricia Muthoni: Thank you, Madam Speaker. I beg to move the following motion;

> THAT this Assembly adopts the report of the Labour, Social Welfare and Community Services Committee on County Government of Laikipia (Executive) quarterly report and financial statements for the period ended 31st March, 2018 dated 9th June, 2021.

Madam Speaker, on behalf of the Members of the Committee on Labour, Social Welfare and Community Services in pursuant to the provision of standing order No. 191/5 (f), It is my pleasure and duty to present to the House, the Committee's report on the 3rd Quarter Reports and Financial statements for the period ended 31st March 2019.

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The Committee as currently constituted, comprises of the following Members:

1. Hon. Patricia Muthoni - Chairperson
2. Hon. Christopher Mark - Vice Chair person
3. Hon. Joseph Suge - Member
4. Hon. Robert Maina - Member
5. Hon. Irene Wachuka - Member

Committee's Mandate

The Committee is established under the Standing Order No. 191 which provides that the committee shall investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operation and estimates of the assigned departments among other functions.

Committee Meetings

Madam Speaker, the Committee held a number of meetings to scrutinize the document as required prior to tabling it in the House. On behalf of the Labour, Social Welfare and Community Services Committee, I have the honour and pleasure to present this report.

Madam Speaker, Sections 163,164 and 165 of the Public Finance Management Act, 2012 requires that at the end of each financial year, the County Treasury shall prepare financial statements of each County Government entity, receiver of revenue and consolidated financial statements for all County Government entities in accordance with the standards and formats described by the Public Sector Accounting Standards Board.

1. The department was able to spend Kshs. 565,161,985 during the 3rd quarter against the budgeted expenditure of Kshs. 654,521,625. This represents 86.3%.
2. The vote with the highest expenditure was the Human Resource Management & Development, whose expenditure stood as Kshs. 1,401,040 against a budget of Kshs. 836,000 representing an absorption of 167.58%.
3. All other votes within the department were properly distributed and well managed. The absorptions within the votes in the department were as follows;

4. S/NO	**NAME OF PROGRAMME**	**ABSORPTION RATE**
1	Public Service Management	86%
2	County Public Service Board	90%
3	Human Resource Management & Development	167.5%
4	Special Programmes, Enforcement & Public Safety	58.4%

Committee Recommendation.

The Department should ensure that the programme on Trainings and Development should be properly managed within the stipulated budgets so as to avoid over-expenditures.

Conclusion.

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That this House adopts the Committees' Report on County Government of Laikipia (County Executive) Quarterly Report and Financial Statements for the quarter ended March 2019. Madam Speaker, I beg to call upon Hon. Zamzam to second this motion.

Hon. Salma Zamzam: Asante, Bi. Spika kwa kunipea nafasi ili niweze kuafiki ripoti ya Kamati ya Ustawi kwa jamii katika Kaunti ya Laikipia. Ni ripoti ya robo mwaka ya mwezi wa tatu wa mwaka 2019. Nikiungana na kamati ambayo imeongozwa na mwenyekiti Mheshimiwa Patricia Muthoni. Nawarudishia kongole kwa kuona umuhimu wa kutuletea ripoti ya robo mwaka katika Bunge hili. Tunashukuru Mheshimiwa Mugweru kwa kuleta ripoti ya miundo msingi.

Tumeona ya Kamati ya *Cohesion* na jana tulipata ya Kamati ya Elimu. Wamefanya kazi nzuri kama wenyekiti wa Kamati katika Kaunti yetu. Mwenyekiti ameweza kusoma na tumeweza kuona kila karatasi. Nambari ya nne iko na utendaji wa fedha katika kamati. Wanatuelezea na tumeona kuna idara ambazo zimeweza kutumia pesa zaidi na kuna zile zimeweza kutumia kiwango kidogo. Bi. Spika, idara iliweza kutumia elfu mia tano sitini na tano. Tunawarudishia kongole wameweza kufanya kazi kama kamati.

Pili kuna *votes with the highest expenditure* ambayo ni usimamizi wa raslimali watu na maendeleo ambayo ni milioni 1,401,040. Hiyo idara imetumia pesa zaidi kulingana na zile ambazo waliweza kupatiwa kulingana na *ceilings* za bajeti. Katika nambari ya tatu ningeomba mwenyekiti aweze kuwa makini. Kamati ya Leba iliweza kuona kila idara imetumia pesa kulingana na mgawo wa bajeti. Tunaona hii ni kazi nzuri kwa Kamati ya Leba. Kwa hiyo sanduku;

S/NO	NAME OF PROGRAMME	ABSORPTION RATE
1	Public Service Management	86%
2	County Public Service Board	90%
3	Human Resource Management & Development	167.5%
4	Special Programmes, Enforcement & Public Safety	58.4%

Bi. Spika, kwa mchango wangu naona wametumia zaidi na tunaomba serikali iweze kutumia pesa nzuri katika usimamizi wa raslimali watu. Mheshimiwa Spika, mapendekezo ya kamati yamenukuu na tunaomba serikali iweze kutumia pesa kulingana na mapendekezo ya kamati. Wakiona wanaenda zaidi katika mafunzo warudishe chini ili wajipange mapema kabla ya kugawiwa mgawo wao ili tusizidishe mgao wa pesa.

Zote ambazo tumeweza kusomewa hapo chini kamati iliweza kuona na imefanya wajibu wake kuona pesa iliweza kutumiwa vizuri kulingana na mpangilio wa bajeti. Bi. Spika, sina mengi ila naomba wajumbe wenzangu waweze kuunga mkono ili tuweze kusaidia wanalaikipia. Tumebakisha muda wa wiki moja ili tufunge kalenda ya serikali mwaka huu. Asante, Bi. Spika.

(Question proposed)

Hon. Simon Kanyutu: Thank you, Madam Speaker for this chance to contribute to this. I first thank the Chair though I was shocked by a section in the Labour Committee that have spent over 167%. This is worrying because it pertains to Human Resource and Development. The development that have been done we need that clarity in future because this is a quarterly report. We shall go into details to get more to what transpired to that. I think that

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pertains to employment. We shall be able to peruse further those documents to see where the allocation of 167%. I support the committee's report for giving us the clear picture of what is happening.

Hon. Catherine Kibue: Thank you, Madam Speaker. I rise in support of this report by Labour, Social Welfare and Community Services. First is to congratulate the committee for a commendable job and more so to congratulate the Chair Hon. Patricia Muthoni. Mine is just to urge the County Executive to utilise the budget well and avoid overspending as the case of training. Thank you, Madam Speaker.

Hon. Stephen Ndiritu: Asante, Bi. Spika. Naunga mkono ripoti ya Kamati ya Leba. Napongeza kamati kwa kuweza kuleta ripoti hii ambayo inaeleza vizuri mambo ya idara. Napongeza pia mama kwa sababu akina mama wamejitolea sana na ni vizuri tuwapatie nafasi ili tuone vile wanaweza kufanya kazi. Mama amefanya kazi ya kuleta ripoti na ameweza kueleza yale ambayo yanafanyika katika hiyo idara.

Bi. Spika, hii ni ripoti ambayo huwezi badilisha sana kwa sababu inaeleza tu vile idara imefanya, vile kazi inaendelea, vile wanatumia pesa na ile ambayo imebaki. Nafikiri kamati wameeleza vizuri. Wameweza kuchunguza na kutoa mapendekezo na hayo ni mambo ambayo naona walifanya kazi. Nafikiri hiyo idara ingeweza kueleza pesa iliyotumika kwa michezo kwa sababu wakieleza kiwango cha pesa ambacho waliweza kutumia kuinua hali ya vijana.

Bajeti isipotumika vizuri nafiki tutakuwa tunawanyima vijana ambao wako na talanta haki. Nafikiri Mheshimiwa Patricia na tumezoea kuitana MR na sasa ni kama mambo yanabadilika. Sijui wazee tunapelekwa wapi. Wakisukuma wale wengine wote kwa viti yangu wasicheze nayo kwa sababu nimeikalia sawasawa. Napongeza idara na iweze kueleza vile inatumia pesa yake kwa michezo na katika miradi ambayo walikuwa wanafanya na pesa ambazo tulipitisha katika Bunge hili.

Naunga mkono ripoti na naomba wenzangu waunge mkono ripoti ya kamati ili kesho kamati iweze kuona imefanya kazi nzuri. Naamini wanafanya kazi kwa niaba ya Bunge yote. Naunga mkono na mama amefanya kazi. Asante.

Hon. Mary Samken: Thank you, Madam Speaker. I rise in support of the report. I want to thank Hon. Stephen of Thingithu for appreciating the leadership of women. I saw something circulating on social media when the President of Tanzania, H.E Suluhu was addressing the women's forum. She was telling women that they are like a tea bag. You may despise it but when you want to see its strength just put it in water. The colour that it will bring out you will notice it. Women are like tea bags and that is why Hon. Stephen can now see our strength.

Madam Speaker, as the Hon. Member has stated, we cannot change much. It is just reporting what is there. It is also good that we say that it is good we see these programs or what the department has undergone. If we are told that there was a hundred and sixty something percent on the budget that was allocated to that program that is more than a half a million over the budget estimates allocated. That is money moved from other vote-heads to do these trainings. They are saying its human resource and management and also development.

Madam Speaker, we may not see the developments and trainings which are more than the other ones. That is, the development or human resource which pertains the trainings, per diems paid etc. If we could have seen these programs we may have seen the essence of these programs being over by 167%.

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Madam Speaker, it is also good for department to stick by their budget. We have seen special program like public service management and county public service board. Money is moved from other vote-heads and there are challenges that occur due to over spending on one vote head. Having said that, I thank Chairperson Hon. Patricia Muthoni for the good work she is doing. I have no doubt that she is going to steer that committee to higher heights because she is equal to the task. Thank you.

Hon. Daniel Mugweru: Thank you Madam Speaker for this chance. I wish to thank the Labour, Social and Welfare Committee for bringing this report read by Hon. Muthoni. Madam Speaker, I have heard Hon. Samken saying Hon. Nderitu is feeling her strength. I don't know if she meant '*anahisi uzito wa mama'*. I don't know but it happened to come to my ears.

Madam Speaker, I am a bit confused by the report. One, about the observation. The committee observed that the department has ensured proper distribution and utilization of votes. When we say they have proper distribution and utilization yet we see there is improper utilization of 167%, I wonder. The 167% shows it was improper. I am a bit confused. The observation and recommendation is contradicting. Somebody utilizing 167% cannot be said to be utilizing properly.

Madam Speaker, if you look at the department, it is clearly a department of labour, social welfare and community services. When we see the issue of special programs, public safety utilizing the lowest and we are expected it to be the highest because the department is supposed to look at those things. We find they are utilizing 58.4%.

On the other hand on human resource management, I am not very sure but I want to believe that is it, on employed and workers welfare. This County we have continued talking about wage bills. This department, having utilized 167% on human resource management and development shows clearly there is no proper utilization of their votes. We had a budget of Kshs. 800,000 only for them to utilize Kshs. 1.4 million. I don't know if there are ghost workers in that department. How then did we find ourselves utilizing 167% and on the other hand we claim to have proper utilization?

Madam Speaker, I feel this committee should go back to this department. There is something wrong and fishy in that department. My confusion is if the committee observed there is proper utilization, I fear. In this department the committee needs to open their eyes and go deep because something is not adding up in that department. We need to understand how the vote went above the budget and on the other hand the special programs, enforcement and public safety utilized 58.4%.

Madam Speaker, as we thank the Committee because their work is to give us a clear picture of that department which is that the department is not prudently utilizing their vote. More so on that vote. The committee needs to go back to this department and check whether this was a quarter attended on March 2019. Check whether that of 2020 or 2021 may be they see using the same or over utilizing.

If their utilization is not proper we need to categorically state they are not properly utilizing their vote so that they may be warned not to misuse the funds. They are supposed to work within the budget. When you go outside the budget, it automatically tells us there are departments that are being affected and even the other section.

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Madam Speaker, I thank the Committee and urge them to work extra hard and look in to this department deeply. Our people of Laikipia are crying because of this department of labour. We have an issue of wage bill and we sent our people home. Tomorrow we employ others who are paid highly than the one we sent home. This where we are finding ourselves in this problem.

Madam Speaker, there is no point if sending somebody who is paid Kshs. 20,000 per month and claim there is high wage bill then tomorrow you find 10 people paid Kshs. 500,000 being employed. I urge this committee to go deep and work hard and make sure they streamline this department. Let me hope the Clerk to that committee may be it was a typing error that it was proper distribution and utilization. Thank you.

Temporary Speaker (Hon. Veronica Ikunyua): May I call the mover to reply.

Hon. Patricia Muthoni: Thank you Madam Speaker. I first want thank all Hon. Members who have supported this motion. I want to assure Hon. Kagondu that in sports and talents of the youth, as a committee we are looking upon that. I also support youth as part of my hobby. I also want to assure Hon. Mugweru as a Chairperson I will look upon that. Thank you madam Speaker.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Veronica Ikunyua): This House stands adjourned until Tuesday, 22nd June, 2021 at 2.30 p.m.

The House rose at 3.54 p.m.

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