REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 27th April, 2023

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

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk, confirm whether we have got quorum.

(Clerk confirmed lack of quorum)

Speaker: I direct the sergeant at arms to ring the bell for ten minutes.

(Quorum bell was rung for six minutes)

Speaker: Clerk, confirm whether we have got quorum now.

(Clerk confirmed achievement of quorum)

COMMUNIATION FROM THRE CHAIR

VISIT BY GCCI CHURCH SCOUTS

Speaker: Hon. Members, I wish to recognize the presence of 22 scouts, two teachers from Glory Christian Church International, under Pastor Mwaniki. Kindly stand up. You are welcome to this County Assembly, please follow the proceedings in silence. You may sit down, thank you.

MESSAGES

CHIEF OFFICER NOMINEE

Speaker: Hon. Members, I have got a message from H. E the Governor as follows;

Pursuant to Section 45 of the County Government Act and other applicable laws, I Joshua Wakahora Irungu in my capacity as a Governor of Laikipia County, hereby forward to the County Assembly for approval a name of this person successfully shortlisted by the County Public Service Board, to be considered for appointment as a County Chief Officer, namely;

Burji Mohammed Ibrahim.

- Burji Mohamed Ibrahim is a 32 years old Kenyan, talented manager with variable experience in skills in accounting, financial management, business development and tax administration.
- He attended Chogoria Boys High School where he acquired his Kenya certificate of secondary school education.
- Later he advanced his studies by pursuing the certified public accountancy (CPA) in Orbit School of Management studies.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

- He furthered his career by a bachelor's of Health Services Management from Kenyatta University in 2010 to 2014.
- He is awaiting graduation for master's in business administration.

Professional Experience

- 2008-2010, he was an Assistant Manager at Soyama Hardware Limited.
- 2013, management intern at Mathari National Teaching and Referral Hospital.
- 2014, assistant accountant and admin in interactive communication
- 2014-2015 Finance administration manager at Soyama Hardware Limited.
- 2015-2016, a branch manager communication limited.
- 2016-2023, audit senior and head of North Eastern regional office.
- He is also a certified public accountant by the Kenya accountants and Secretary National Board (KASNEB)

Signed by H. E the Governor, Joshua Irungu. Following this communication, I want to commit this communication to the Finance and Economic Planning Committee.

PAPERS LAID

PUBLIC PARTICIPATION REPORT ON ANNUAL ESTIMATES FOR 2023/2024, COUNTY ASSEMBLY PBB BUDGET 23/24 & LAIKIPIA COUNTY ANNUAL BUDGET ESTIMATES 2023/2024

Hon. Stephen Ndiritu: Thank you, Mr. Speaker. I want to take this opportunity to welcome the scouts who have visited our County Assembly to follow what we are doing in this Assembly. I want to lay the following papers.

1. The public participation report on the annual estimates for the financial year 2023
2. County Assembly of Laikipia Programme based budget for the Financial Year 2023/2024.
3. Laikipia County annual Based estimates of recurrent and development, expenditure for the year ending 30th June, 2024 dated April, 2023.

I am doing this on behalf of the majority Leader, Hon. Maina Gichuki. Thank you.

(Hon. Stephen Ndiritu laid the Papers on the table)

NOTICE OF MOTION

100% WAIVER OF INTEREST RATES AND PENALTIES ON LAND RATES

Hon. Stephen Ndiritu: Hon. Speaker, I beg to give notice of the following motion;

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

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

FURTHER NOTING THAT most of the Land Owners are hesitant to pay for land rates because of the accumulated interest and penalties which amounts to Kshs. 5,842,944,626;

This House URGES the County Government pursuant to the provisions of Section 159 of Public Finance Management Act, 2012 to provide 100% waiver of interest rates and penalties on land rates for a period of one month with effect from 15th May, 2023 to 15th June, 2023 to offer much-needed relief to rate payers.

STATEMENT

NOTICE PAPER

Hon. Stephen Ndiritu: Hon. Speaker, I have got a statement for tentative business.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Afternoon) June 6th, 2023.

A. **PAPER** - The Report on the Status of Health Services at Doldol Sub-County Hospital by the Health Services Committee dated 12th February, 2023.

B. **PAPER** - The Report on the Public Participation Report on the Annual Estimates for the Financial Year 2023.

C. **PAPER** - The Report on the Laikipia County Budget Estimates for the Financial Year2023/2024 by the select Committee on County Budget and Appropriations.

D. **NOTICE OF MOTION** - The Report on the Laikipia County Budget Estimates for the Financial Year 2023/2024 by the select Committee on County Budget and Appropriations.

E. **NOTICE OF MOTION** - The Report on the Status of Health Services at Doldol Sub-County Hospital by the Health Services Committee dated 12th February, 2023.

F. **NOTICE OF MOTION** - The County Government to liaise with relevant National Government agencies to build a Huduma Centre in Rumuruti town by Hon. Caroline Kihika.

G. **MOTION** - The Committee's progress report for the period between October, 2022to 31st December, 2022 by the Liaison Committee dated 3rd April, 2023.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Morning) June 7th, 2023.

A. **STATEMENTS** - Response Statement No. 001/2023 to the Chairperson Education Vocational training and ICT Committee (Hon. Daniel Mugweru) raised by the Member representing Mukogodo East Ward (Hon. Paul Leshuel) on 7th March, 2023 pertaining to Emergency fund vote of Kshs. 50 million appropriated in the Financial Year 2022/2023.

B. **MOTION** - The Report on the Status of Health Services at Doldol Sub-County Hospital by the Health Services Committee dated 12th February, 2023.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Afternoon) June 7th, 2023.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

A. **MOTION** - The County Government to Formulate policies that governs Waste Management by Hon. Amina Hussein.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Thursday (Afternoon) June 8th, 2023.

A. **MOTION** - The Report on the Public Participation Report on the Annual Estimates for the Financial Year 2023.

B. **MOTION** - The Report on the Laikipia County Budget Estimates for the Financial Year 2023/2024 by the select Committee on County Budget and Appropriations.

Bwana Spika, hizo ndizo biashara ambazo tutakazokuwa nazo kutoka tarehe sita mwezi wa sita. Ningeomba wale wenyeviti ambao tumesoma kamati zao wawe tayari. Tuko na taarifa ambayo italetwa na Mheshimiwa Mugweru, yeye ndiye mwenyekiti na ninajua ya kwamba atakuwa tayari. Tunajua ya kwamba yeye ni mtu wa kufanya kazi na yuko tayari. Tena tuko na *Budget Estimates* na Kamati ya Bajeti itakuwa tayari ili tuweze kupitisha hiyo bajeti kwa wakati ambao unaofaa. Nauliza wale wote ambao wako na biashara kwa huo wakati wajiandae ili tutakapofika hapo hiyo tarehe sita tuwe na biashara katika hili Bunge.

MOTIONS

100% WAIVER OF INTEREST RATES AND PENALTIES ON LAND RATES

Hon. Stephen Ndiritu: Hon. Speaker, I beg to move the following motion;

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

FURTHER NOTING THAT most of the Land Owners are hesitant to pay for land rates because of the accumulated interest and penalties which amounts to Kshs. 5,842,944,626;

This House URGES the County Government pursuant to the provisions of Section 159 of Public Finance Management Act, 2012 to provide 100% waiver of interest rates and penalties on land rates for a period of one month with effect from 15th May, 2023 to 15th June, 2023 to offer much-needed relief to rate payers.

Bwana Spika, huu ni mswada ambao tunaleta hapa Bungeni kwa sababu wananchi wetu ambao wanadaiwa na serikali yetu ya kaunti pesa za *land rates,* kuna shida sana kwa sababu tumeweza kuwa na faini ya zaidi ya bilioni tano. Bwana Spika, kama tutaweza kupeana hiyo *waiver*, ni kumaanisha ya kwamba wale ambao wamechelewa na wamekuwa na shida hapo mbeleni kama vile hali ngumu ya maisha, ni juzi tu tumetoka kwa Covid na tunajua ya kwamba kuna changamoto za watu kupata pesa.

Wale wananchi ambao wako na maploti majengo na kaunti nzima, tunaomba Serikali ya Kaunti iweze kuwaondolea hizo faini ili waweze kulipa hizo *land rates* kwa muda wa haraka. Tunaelekea kufunga mwaka mwezi wa sita na tangu hii serikali iingie mamlakani ambayo inaongozwa na Joshua Irungu. Mimi nikiwemo kama wakilishi wa wadi pamoja na wale wengine wote, hakuna zawadi hata moja tushawahi kuwapa wananchi walio kule nje. Ndio maana sisi kama Bunge tunauliza tuweze kuupitisha huu mswada ili angalau wananchi walio na mashamba na wanaodaiwa pesa nyingi waweze kulipa na kaunti yetu iweze kupata pesa.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Bwana Spika, pesa tunayopata kutoka kwenye hazina, ambayo ni fedha ya usawazishaji, tukisema ndiyo tutategemea kuleta maendeleo katika Laikipia hakuna maendeleo tutakayokuwa tunaleta. Kwa hivyo, ni lazima serikali ije na mikakati ya kuhakikisha ya kwamba tunaokota kodi kwa njia inayofaa. Njia mojawapo ya kuokota hizo fedha ni kuondoa adhabu ambazo wananchi wamesukumiwa.

Ukiingia hapa Majengo iliyo kwenye wadi ninayowakilisha ya Thingithu, utapata mwananchi aliye hapo ana ploti aliyoachiwa na babu ya babu yake, kwa hivyo ni miaka mingi. Huyo mwananchi hajawahi kupata nafasi ya kulipa riba ya ardhi. Kwa hivyo, wengi wao hulia na kuja hadi kwenye ofisi yangu na ya Wajumbe wengine kuuliza iwapo wanaweza kuondolewa adhabu ili nao waweze kulipa pesa wanayofaa kulipa serikali, ili nayo serikali ipate pesa ya kuiwezesha kutoa huduma kwa mwananchi wa kawaida.

Bwana Spika, sasa hivi kuna watoto walio shuleni, kama wale ninawaona hapa na wengine walio kwenye shule za sekondari na vyuo vikuu na ambao huhitaji ufadhili wa karo. Tusipookota pesa, inamaanisha kuwa yule mwanafunzi hatapata ufadhili wa masomo, na pengine mzazi wake hana huo uwezo. Ndio maana tunauliza hili Bunge kuwa tukiupitisha huu mswada, walioshindwa kulipa bali wako na pesa na wangetaka kulipa kwa hiari isipokuwa wanaogopa adhabu, watakuwa na nafasi ya kuleta hiyo pesa na tuingize kwenye huo mradi wa kupeana ufadhili wa karo. Vilevile, tutapeleka pesa nyingine kwenye miradi ya kujenga mabarabara na kuinua hali ya wananchi wetu.

Naomba Wajumbe wote walio hapa tuungane kwa hili ili tuweze kupitisha huu mswada ndio mwananchi aliye pale Likii, Nyahururu, Doldol, Mwireri, Matanya, Ngobit na sehemu zile zingine ambapo riba za ardhi zinalipwa apate nafuu na kuweza kulipa hiyo pesa inayofaa kulipwa; pesa ya ushuru. Namwomba Mheshimiwa Mugweru, anayeelewa haya maneno na ambaye amechaguliwa na watu wa Umande kuwakilisha wananchi wa huko auafiki huu mswada ili tuweze kuwapa wananchi wetu nafasi ya kulipa riba za ardhi. Ahsante.

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I rise to second this motion. Before I do so, I wish to welcome the young boys and girls who are here in this House to watch the proceedings of the County Assembly of Laikipia. May they feel much welcome to observe how the proceedings go on in this House.

Hon. Speaker, it is a great day for the people of Laikipia to have a hundred percent waiver on land rates. There are so many people in this county who fail to pay land rates simply because of accumulated penalties and interests. If I take an example of Kalalu shopping centre, is worth approximately Kshs.800,000, but all of them have interests which have accumulated to more than one million. You just wonder why you should pay a penalty of over one million to sell a plot at Kshs.800,000.

As Hon. Ndiritu has given an example of the people of Majengo, that tells you that the penalties are more than the value of lands in this county. So many people in this county fail to pay that little that we really need because of the interests and penalties. As we are preparing the budget, we are really focusing on at least financing almost a hundred percent of our projects with own source revenue. So, this is opening for the people of Laikipia to pay land rates.

Hon. Speaker, as the motion has stated, I wish the HANSARD to capture the contribution of Members because it is so important. Firstly, most of the time we just pass a hundred percent waiver but we as a House are the only ones who get to know this information. The people who are supposed to pay the land rates do not get the information. So, it is high time that this one-month hundred percent waiver be publicized in the whole county. Let

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

everybody in this county know that there is truly a hundred percent interests and penalties waiver.

It is also our responsibility to make sure that we put it in our website. Let those people who are able to access the internet know that there is that waiver so that they may tell their parents and relatives. We need to even move a step forward and go to radio stations and TVs so that our people may be able to know that there is this one hundred percent waiver and it is only for one month.

Hon. Speaker, I have just remembered something when I was talking about the internet. Not all of us are conversant with these issues of the internet. Some of us, like myself, are slow learners. It is so embarrassing that the gadgets we have here; let me mention this before I forget, we have complained about this time and again, that the Department of ICT should bring at least one person into this House who is supposed to be helping us on these issues. Last week and last week but one, my gadget was not functioning and I do not know how to repair gadgets. It is so awkward when I call the Clerk there to come here and set my budget yet the responsibility that she has in this House is left without somebody.

It is either we say that we have a failed department and think about it and reconstitute it, and get the right people so that we may get the best in this House. It is so embarrassing when you open the gadget and cannot get whatever you want. You are expected to make a contribution in this House but cannot get the motion, yet you are expected to say something. That is why we have employed staff in this House. We have that department which has everything, a Director and all that. So, we need that at least every day when we come to this House, we get one person from the ICT so that when a Hon. Member's gadget has challenges, that person can come and address the issue of the gadget as quickly as possible. It is so important.

Most of the time, you see the Sergeant At Arms coming to this table or other tables. We are not having stories; we are telling him to come and reset the gadgets; he is not conversant with that. Even if he is conversant, that is not his responsibility. So, in future let us have those people in the House.

Hon. Speaker, when I was talking about the internet; that had just come to my mind. I was talking about our media team to make sure that today they publicize in our media that we have passed this, and also to inform the members of the public that it is for one month only. It is not a lifetime one hundred percent waiver, it is only for one month, thirty days, so that they may take this opportunity to pay the land rates. Those people who have interests which are bigger than the value of the land should take this opportunity of one month to pay the land rates so that they can be safe. As a county we will be able to get enough revenue to cater for our budget.

Even Members here today, it is our responsibility when we go to meetings, gatherings, churches and all sorts of meetings, let us inform our people that for thirty days there is a hundred percent waiver for the people of Laikipia. Not the whole country, it is the people of Laikipia who are enjoying this. So, we should also feel proud that we are helping the people of Laikipia. The neighbouring counties and all that cannot benefit from this, it is only the great people of Laikipia who will benefit from this because they elected Hon. Members who have value for them. I second and call upon Hon. Members to support this motion, thank you.

Speaker: Thank you Hon. Stephen Ndiritu and Hon. Daniel Mugweru.

(Question proposed)

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Speaker: Members, I open the floor for debate.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker for awarding me a chance to contribute to this motion. I rise to support this motion on waiver of accumulated revenues in this county. Still, as I rise to support, the people of Tigithi Ward are some of the beneficiaries of this. As the waiver for a one-month period starts, that will be a window for everyone who owns a plot in my ward to take this chance so that he/she can redeem himself and find ample time to pay the accumulated revenues or taxes.

As I was in this House, I think it was three weeks ago, I stated that let this not be a window for owners of the ranches who have refused to pay these taxes to take advantage of this and come rushing in whereas it has been five years and more without paying even a single penny in this county. I presented an issue here and forwarded that letter to the Office of the Governor yesterday. There is a particular ranch called Solio Ranch in this county and it has an accumulated bill of Kshs.9.8 million as well as another accumulated bill of Kshs.1.3 million which is tax on licensing because he has been operating for five good years without even a license.

So, let this not be a window that we have given to ranchers. As we were going through the county financial bill last week, I saw that the ranchers pay Kshs. 20 per acre in a year. So, if at all its twenty shillings, how comes for the last five years, someone who has got a thousand, two thousand acres, five thousand or ten thousand acres has not been able to pay twenty shillings per acre, is that really in order in this House?

As we push for the waiver to go through for our people who own 50 by 100 plots, let it not be ignored that we have ranchers here who have taken advantage of this county, of not paying revenue to our people. If at all we are working under strain, the budget itself cannot be able to do a lot.

We cannot even be able to have a bursary fund of a Kshs.100 million. We were planning for that but now we have just reached a ceiling of Kshs.70 million only whereas they are people who are in this county who have refused to pay. This is a refusal and so I stand to support this motion.

Speaker: What is Hon. Mugweru? Hold on Hon. Mwaniki.

Hon. Daniel Mugweru: Hon. Speaker, I am rising on point of clarification. I really need Hon. Member to clarify whether he wants us to have a discriminatory law, whereby, some people should get that waiver and others do not get. When it comes to law, it applies to everybody. So when we say that so and so should not do and others should do, not unless we say that all of them should not get the waiver. It is either all of them will get the waiver or all of them should not get the waiver.

Speaker: The Hon. Mwaniki, perhaps you will need to respond to that inquiry for clarification.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker for giving me this chance. As I have stated, I stand to clarify on this point according to how the Hon. Member, Mugweru has stated. Let it be understood in this county that there are rules that have been there. This is not the first time that we are talking about paying of taxes. The rules have been there and each and every person of this County must follow the rules to the letter.

If at all I am paying taxes for my plot of fifty by hundred or my farm which is eight acres for that land rate, why do we give some people chances to not pay or maybe we give them

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

a waiver whereas they should be paying for that. Even if someone has been practicing or operating in this county for the last five years and the record is there, the law states that you need to pay taxes in this country or in this county. Why have they not been paying? Do they have a reason as to why they are not paying taxes? Why should we give them a waiver whereas they have refused to abide by the laws of the land?

As we discuss this and put this motion in this House, it should be understood that there are people in this county who are the big ranchers and the big investors who are not paying taxes, whereas, the simple *Mwananchi* who is very low, the hustlers are paying taxes for their plots.

As the Hon. Member has said that we state a discriminatory law or maybe something that will divide the people who are not paying and the people who are paying, let it be understood that laws have been there in this land. If at all you choose not to abide by them, there should be steps to be taken towards that. It is time as a House we decide how we deal with these people and the big people who have refused to pay taxes in this county. Thank you, Mr. Speaker. I support this motion but I still have a pending question concerning the ranchers who have refused to pay the taxes in this land. Thank you.

Speaker: Thank you, Hon. Mwaniki for the support of the motion. The Hon. Paul Leshuel, the floor is yours.

Hon. Paul Leshuel: Thank you, Mr. Speaker. I stand to support the motion. The motion is very important and beneficial to our people. Why do we go for waiver Mr. Speaker? It is because we cannot separate the revenue and the penalties unless we go for waiver. It is very important, despite having only one month but within that month, if we give people full information, I am sure they will pay what they are supposed to pay.

It is very important and it is our responsibility as the representatives of our people to make sure that everybody has this information. It is very important. Mr. Speaker, we have a challenge in terms of revenue collection. The powerful people and the rich people are always beneficial in this country. I am very happy despite I am not sure whether the government will implement. I am very happy the way this president of the country has mentioned from the starting that everybody must pay revenue taxes.

If we do not pay taxes, then we will find ourselves in a very bad situation. How come the powerful and the rich people in this County of Laikipia are not paying taxes? I have mentioned several times here that 58 of Laikipia is owned by 38 people; only individuals. The entire public population of four hundred plus thousands of people owning only 42% percent. What is the percentage of revenue?

Mr. Speaker. If you compare and look into that direction, you will realize that the people who are paying taxes here are the *mama mboga*, the people who are doing small business but the rich people are not paying anything. One of the limitations the rich people, the ranches and the powerful people have is that they do not give you access to their land. You cannot even get inside their homes to know what they are doing.

The lodges in this Laikipia that are being mentioned in the House, those are lodges. What does the law say? How much are they supposed to pay? Are they paying? Who knows? I came to realize Mr. Speaker, We either give in the position to revenue collectors or the CEO for the revenue. Either we are giving to the coward people or compromised people. Either of the two.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

I am not comfortable to hear that we have a person, a powerful person who is not paying taxes for five years yet *Mama Mboga* is paying taxes every single day. The County is running because of the poor people but not the rich. It is our responsibility even if the law cannot be selective. We do not have a selective law, that we are going to waive for this and not for so and so.

It is our responsibility here that we must get inside of these rich and powerful people's land. It is a law, and if the law is selective, then we will make it selective here. Why not? If the law cannot make you to pay taxes, then we can also make you not to waive your whatever. That is the way to go.

So, you have options to either pay the tax or we do not put you in the categories of waivers. We have a responsibility as the representatives of the community because we may make our people pay tax and other people are just watching us here talking. The same case applies when we go to the finance bill. We must categorically identify those people and come out with a way.

Speaker: Hold Hon. Leshuel. What is it Hon. Mwaniki?

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. On a point, I think it is a question or a clarification I need from the Hon. Member.

Speaker: You need a clarification from the Hon. Member? Inquire on your clarification.

Hon. Nicholas Mwaniki: Can there be an amendment to this law because we are a House of laws and we make laws in this House? Can we do an amendment? Can we change these laws so that they can conform to the problems that we have as of today.

Speaker: Are you of the suggestion that we change the laws of the House here?

Hon. Nicholas Mwaniki: Yes, I am of the opinion on laws concerning tax collection and revenue collection in this County, they need an amendment

Speaker: The Hon. Leshuel, perhaps you need to clarify on that?

Hon. Paul Leshuel: Yes, Mr. Speaker. The laws are clear, the challenge is implementation. When you come to the finance bill, categorically it is very clear on what everybody is supposed to pay but the implementers of the law are the ones who are making all this mess. If you realize that there is an omission of certain areas that we need to collect revenue, absolutely it is our responsibility to identify that area and put it in the finance bill. That is our role.

So, Mr. Speaker, the laws are very clear but the challenge is how we implement. Who is implementing? You run away from the powerful people, you run away from the rich people and you target the poor people. It is not the law because the law cannot be discriminative. It is clear you are supposed to be pay revenue, each and every person in this County. Mr. Speaker, It is very clear and it is not about amending the law but the reinforcement of the law.

I stand to say, we have a lot to do because if we allow the Executive side to continue with that direction, it is not a good direction. We want to urge the Executive side, let us follow the law. Let the law bring justice to all of us. So, I stand to support and it is very important. I insist that we have got a responsibility to make sure that every Laikipian knows that we have a waiver for one month so that they can be able to implement it. Thank you.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Speaker: Thank you, Hon. Leshuel. I want to take this opportunity to invite the mover of the motion to reply.

Hon. Stephen Nderitu: Asante, Bwana Spika. Nachukua nafasi hii kuwapongeza Wajumbe wote kwa kuweza kuchangia huu mswada kwa maana huu ni mswada ambao utaweza kuwasaidia wananchi wengi. Vilevile, kuna jambo ambalo limegusiwa na Mheshimiwa Mwaniki, ambapo kuna wenye mbuga wengine ambao hawalipi ushuru. Haitakuwa jambo la busara ya kwamba, tunasukumana na mama mboga, mtu wa *boda boda* na mtu wa mkokoteni alipe lakini yule mwenye mbuga ambaye amekaa pale Solio, Ol Pejeta na zile zingine hifadhi halipi.

Ni lazima tujue ni vipi wanavyolipa ushuru wao. Vile vile, sisi kama Bunge, na mimi kama Mwenyekiti wa Kamati ya Fedha, nitahakikisha ya kwamba wenye mbuga wamelipa. Sio mimi nitakuwa nikitekeleza sheria kufanyika kule bali ni yule afisa ambaye ni wa mapato, ambaye anaitwa Kamunya. Tunamsukuma mpaka awamunye kwa maana hatuwezi ruhusu hawa wenye mashamba makubwa wakose kulipa eti kwa sababu yule ambaye anafaa kuenda kuokota pesa hajaenda kuokota Bwana Spika. Tutamsukuma hadi aingie ndani na akishindwa tutamuendea

Tunamsukuma mpaka afike ndani na akishindwa kuingia, tutamwendea tumtoe akishindwa kuwalipisha. Kama anajua anaweza kulipisha mama mboga, ni kwanini usilipishe mwenye ranchi ya Ol Pejeta, Borana na kwingine. Ni lazima wote walipe kwa sababu hiyo ni sheria.

Haiwezekani nikienda soko nanunua mboga ya shilingi ishirini na huyo mama analipa ushuru wa shilingi hamsini. Nikitoka hapa kwenda Ol Pejeta ama Solio kuona wanyama, ninalipishwa elfu sita na huyo mtu halipi ushuru. Hiyo si haki na ninaona..

Speaker: Hold on Hon. Stephen. What is it Hon. Benson?

Hon. Stephen Ndiritu: Bwana Spika, kulingana na sheria mimi ninajibu na hakuna sheria inamruhusu kunisumbua...

Speaker: Probably it is on a point of order.

Hon. Stephen Ndiritu: Bwana Spika, hata kama ni kwa ajili ya hatua ya utaratibu, nimelindwa kwa sababu ninajibu.

Speaker: Complete your reply. Hon. Benson, I rule that you allow the Honourable Member to reply.

Hon. Stephen Ndiritu: Ningeomba Mheshimiwa Kamara asome vile Kanuni za Bunge zinavyosema. Wakati mtoa hoja anajibu, hufai kubonyeza kwa sababu ninajibu yale yote wanasema Bwana Spika.

Speaker: Proceed Honourable Member.

Hon. Stephen Ndiritu: Bwana Spika, nilikuwa ninasema ya kwamba ni lazima tuhakikishe ya kwamba tumelinda wananchi wetu wadogo na wakubwa. Kama vile Mheshimiwa Leshuel amesema, kila mtu anafaa kufuata sheria na anafaa kulipa kodi. Bwana Spika, yale ambayo tunaongea hapa tunapeana muda wa mwezi mmoja. Ni vizuri tuangalie isiwe kuna watu wanakaa chini ya meza wakingoja *waiver* ili walipe.

Ni sawa sheria inapitishwa kwa wote wanyonge na wasio wanyonge lakini ni lazima sheria ikondoe macho. Kama wewe umekuwa ukilipa wakati kuna *waiver*, unafaa kusukumwa mbele ya *waiver* ili ulipe. Serikali iko na nguvu na mashine za kutosha ili wahakikishe ya

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

kwamba ushuru umelipwa. Kwa hayo machache, nashukuru kwa Waheshimiwa kuona umuhimu wa kupeana nafasi ya mwezi mmoja ili wale ambao wamekusanya penalti na *interest* walipe kwa wakati. Asante, Mheshimiwa Spika.

Speaker: Thank you, Hon. Ndiritu. Just to take a matter of two that have risen out of the discussion of the debate, taking note on the matter raised by Hon. Mugweru on a stand by technical assistant, it is taken note. I am also letting Members to understand we are discussing on matters of interests and penalties. We are not debating to remove taxes. That is the clarification.

(Question put and agreed to)

PROCEDURAL MOTION

ALTERATION OF THE ASSEMBLY CALENDAR

Hon. Stephen Ndiritu: Bwana Spika, kwa niaba ya Mheshimiwa John Gichuki Maina, ningetaka kuleta mswada ambao uko hapa. Hon. Speaker, I beg to move the following motion;

> THAT this Assembly approves the application of Standing Order No. 29(4) to allow it alter its calendar for the Second Session (Regular Sessions) by varying the period for the Recess with respect to the Second Part of the Session so that the Recess commences on Friday, 28th April, 2023 and ends on Monday, 5th June, 2023.

Bwana Spika, tunaleta huu mswada katika Bunge hili kwa sababu ya kazi ambazo ziko mbele yetu. Kama vile wengi wanajua ni kwamba kwanzia wiki ijayo, Waheshimiwa wote watakuwa Nairobi ili kuweza kusemezana na kujua hali inaenda aje na nchi inaelekea mwelekeo upi. Nimeleta huu mswada ili tuweze kuwa na marekebisho ya kalenda yetu ili tuweze kubadilisha wakati wa kwenda mapumziko na kuuleta karibu ili tuweze kuwa na nafasi ya kujumuika na waheshimiwa wengine ambao watakusanyika Kenya nzima katika uwanja wa Kasarani.

Bwana Spika, huu ni mkutano ambao tumepata mwaliko na sisi wote tutakuwa tunahudhuria. Itakuwa ni jambo la busara kama Bunge itapitisha huu mswada kwa sababu hatutaki kwenda ilhali Bunge inafaa kuendelea. Kama watu wako na akili timamu na wanaelewa kazi yao na hawana ugonjwa ambao nilisikia kwa mitandao kutoka kwa Mbunge wa Tanzania. Ni kwamba kuna watu ambao wako na shida ya ugonjwa wa akili kwa kukosa kujua mambo ambayo iko mbele yao na kujipanga.

Sisi tunataka kuwa watu werevu kwa kuleta huu mswada ili tuweze kuupitisha ili wakati ukifika wa kwenda mapumziko tutaenda kulingana na sheria. Kwa hayo nimeweza kuwafahamisha waheshimiwa nia ya huu mswada ambao Kiongozi wa Walio Wengi Bungeni amekusudia kuuleta. Ninaomba sisi wote tuweze kuona umuhimu na tuupitishe ili tukajumuike na wale wengine kuzungumzia mambo ya Kenya yetu na wananchi ambayo ni ya kuendesha Taifa letu la Kenya.

Kwa hayo machache Bwana Spika, namwomba Mheshimiwa Muturi wa Tigithi ambaye alichaguliwa kwa wingi na UDA ili aweze kuafiki huu mswada. Asante.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I rise to support this motion of adjournment of the Assembly as we head for recess. This is ample time for the Assemblies of the whole country to unite and have a meeting to deliberate on their agendas, their welfare and issues that are burning in this Assembly. So as Members proceed on recess, this is an opportunity for us as Members of the County Assembly to go to the ground, back to the people

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

who elected us to serve them and inspect the projects that we have been undertaking for the last few months in this county.

Our role as Members of the Assembly is oversight. It is a duty that we swore to uphold. This will be a very good opportunity to go on the ground and inspect projects. Still, we have family Members and we need to do some work as a family like interaction. So, this is ample time to do House issues. This is a House of the Assembly but still we have other issues to do at our homes that need our guidance and support.

As I second this motion, I urge all the Members to proceed to this meeting in Nairobi because there are heavy issues that concern running of the Assemblies in this Country that will be discussed. The decisions will be made in that meeting. I request every Member to be there so that every contribution will be of importance to our nation and our assemblies. Thank you, Mr. Speaker.

(Question proposed)

Hon. Daniel Mugweru: Hon. Speaker, I rise to support this motion which I believe Hon. Members have no choice apart from supporting. This is for altering the calendar. In the last few minutes, we have just mentioned about the waiver of interests and penalties. It is our responsibility to make sure that the people we represent get to know this information. They cannot know the information unless we give out the information. We cannot give out the information unless we go to the people who needs the information.

So, Hon. Speaker, it is a responsibility of this House to alter the calendar and to start our recess on 28th which is tomorrow and resume back on 5th June which is one month equivalent to the same month that we shall be having the waiver. Mr. Speaker, this being our responsibility as an oversight body and the representative of the people, we have represented them well here and we have passed the waiver for them. Now it is our responsibility to go and tell them how we have been representing them, to give them the information of what has been happening here and then later when we come back on 5th we come and represent their interests.

Hon. Speaker, you cannot represent my interests until you know the interests that I have. You cannot know my interests until you come to me to understand my interests. So, it is our opportunity to go to the people who elected us, who brought us to this House and get all their interests so that on the 5th, we may bring all those interests here so that the people of Laikipia may be served in the best way possible.

Hon. Speaker, next week we are having that meeting where we are discussing the importance of this county and country at large. I support the motion and I am sure Honourable Members are really waiting to support this motion. Thank you.

Hon. Benson Kuria: Asante sana, Mheshimiwa Spika kwa kunikabidhi hii nafasi. Ninaunga mkono mswada wa Mheshimiwa Ndiritu kutoka Thingithu. Mheshimiwa Spika, ninaona ya kwamba Mheshimiwa ni mwerevu kwa sababu ameweza kulinganisha mambo mawili ambayo ni ya mapato na likizo. Ni kumaanisha wakati Waheshimiwa wataenda mashinani, watakuwa na nafasi nzuri ya kufikia wananchi na kuwaambia ya kwamba baada ya siku thelathini, inapaswa wawe wamelipa.

Huyu mzee ingawa mimi ni mzee kumliko, ni mwerevu. Hongera Mheshimiwa Ndiritu. Mheshimiwa Spika, ningependa kusihi Waheshimiwa wenzangu kwa sababu tunaenda mapumziko na baada ya mapumziko tunaelekea Nairobi.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Ningependa kusihi wakati tukapoenda Nairobi, tuwe tumepangiwa mipango ambayo iko na mwelekeo mzuri mahali tukapoenda na kutoka Kasarani si kutafuta tuktuk. Tupangiwe vizuri tusiwachane kama Wajumbe na pia umoja wa kuonyeshana Jimbo la Laikipia ni Jimbo liko na umoja.

Speaker: What is it Hon. Mugweru?

Hon. Daniel Mugweru: Mheshimiwa Spika, ningependa kumwarifu Mjumbe ya kwamba tunaenda KICC, sio Kasarani.

Speaker: Just a point of information, that has been passed over, continue Hon. Member.

Hon. Benson Kuria: Nashukuru kwa sababu Kasarani na KICC ziko Nairobi. Sisi wote tunaelekea Jimbo la Nairobi. Najua tutakuwa tumeungana Jimbo zote arobaini na saba za Jamhuri ya Kenya. Kwa hivyo Mheshimiwa Mugweru, nitakuonyesha barabara kidogo hiyo maneno kidogo kidogo juu najua huelewi. Mimi yangu ilikuwa ni kuunga mkono, kwa sababu ni jambo la kuweza kuunganisha jimbo hili letu. Asante sana, Mheshimiwa Spika.

Speaker: May the Mover give a reply.

Hon. Stephen Nderitu: Asante sana, Bwana Spika. Nataka kupongeza wajumbe wote kwa kuchangia huu mswada na pia kufanyia kalenda yetu marekebisho. Huu mswada ulikuwa wa kufanya marekebisho kwenye Kalenda, sio wa kwenda. Ni marekebisho tumefanya na tukishakubali kufanya marekebisho, nitaomba ruhusa kwa niaba ya Kiongozi wa Wengi ruhusa ya kuondoka.

Nimeomba ruhusa ya marekebisho na sasa tuko katikati. Ningeomba nyinyi wote Wajumbe tuweze kukubaliana kama vile Mheshimiwa Mugweru amesema hatuna lingine. Hapa sio mahali nasema nawaomba, ni kuwashinikiza waweze kupitisha mswada huu ndiyo tuendelee na safari iliyo mbele yetu. Ningetaka pia kusema ya kwamba, Mheshimiwa Kuria amesema yeye ni mzee kuniliko. Sijui ni wapi ameangalia, na pia sijui amepima miaka na kilo gani, akasema yeye ni mzee kuniliko. Tutapatana mahali tujue mimi na yeye nani mzee. Asante sana, Bwana Spika. Ninaomba Wajumbe tuweze kupitisha huu mswada.

Speaker: Thank you, Hon. Stephen Nderitu. Before I rise, just to make or notify the Hon. Members, we do not have Mr. Mugweru we have Hon. Mugweru. We do not have *mzee* here, we have Honourable Members.

(Question put and agreed to)

MOTION

ADJOURNMENT OF HOUSE SITTINGS

Hon. Stephen Nderitu: Asante sana, Bwana Spika. Kwa niaba ya Mheshimiwa John Gichuki, nimesimama kuleta Mswada ulio hapa. Hon. Speaker, I beg to move the following motion;

> THAT, this House approves the application of Standing Orders NO 29 (3) to allow its sitting from Monday 28th April 2023, to Monday 5th June, 2023 and to resume on Tuesday 6th June 2023.

Sasa ndiyo imefika mahali ambapo ninaleta huu mswada wa kuuliza tuwe na kuhairisha Bunge rasmi sasa, mpaka tarehe tano mwezi wa sita ambapo tutaweza kuenda mkutano tunaoelekea Nairobi. Tukimalizana na mkutano, tutaweza kujumuika na wananchi ambao

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

walitupea kura. Hapa ndiyo sisi wenyewe kama vile Mheshimiwa Mwaniki amesema, sisi ni binadamu, baba na pia akina mama na tuko na familia.

Tutakuwa na nafasi mwafaka ya kuonana na familia zetu na kuweza kukaa pamoja kwa muda mrefu kwa siku. Kwa hayo, naomba Wajumbe tuweze kupitisha huu mswada, ndiyo kuanzia kesho, twende ruhusa na kujumuika na wananchi.

Tutakapoenda likizo ya mwezi kama moja hivi, tutakuwa na nafasi ya kuweza kuangalia maendeleo ambayo yanaendelea kule mashinani. Tutaweza kutembea kila kona ya Wadi, ili tujue ni shida na changamoto gani, zinakumba wananchi ambao walitupea kura na kutuamrisha tuje hapa kuwatetea na kuwawakilisha kwa njia inayofaa. Huu utakuwa pia ni wakati mwafaka, wa wananchi kututembelea na kuonana na sisi macho kwa macho na pia karibu, ili tuweze kujua tutaweza kurekebisha na kutengeneza.

Sisi wakati tulichaguliwa, tulichaguliwa tuje hapa kwa niaba ya wananchi. Tutakuwa na wakati mwafaka ya kupeleka ripoti yale ambayo mlinituma nimefikisha hapa, ni gani ingine mnataka pia nipeleke? Kwa hivyo, huo ndio utakuwa wakati mwafaka wa kujumuika pamoja na wananchi na kuweza kuelewa shida inayoendelea haswa wakati kama huu mvua inanyesha ya kwamba hata sehemu zingine watu wanasombwa na maji.

Sehemu kama iko hapa Thingithu, Majengo, Baraka na pia Sweetwaters ambapo nawakilisha. Nitaweza kujua changamoto iliyo pale ili tuweze kutatua zile shida kwa wakati unaofaa. Ningetaka kumwomba Mheshimwa Leshuel, ambaye pia ni mzee wa kazi na anaelewa mambo ya kushikilia familia na wananchi, aweze kuunga mkono huu mswada na kutuonyesha hapo mbele. Asante sana, Bwana Spika.

Hon. Paul Leshuel: Thank you, Mr. Speaker. I stand to second the motion. It is very important for us to go for recess for one month. First, we are going to Nairobi as a country and after that again we need to interact with our people. This will allow when we come back, we deliberate on issues in this Assembly, we can realize the challenges on the ground.

If you are not attached to the ground, you may talk of different things here. It is important for us to go and engage our people. We also do our role of oversight role, to know what is happening and the implementors of the project. Our role is oversight and make sure the work being done on the ground, is up to standard and the value of money. It is very important for us to go for recess for one month, and am very sure when we come back, we will be very energetic and have sober minds. Be informed and as well I stand to second this motion.

(Question proposed)

Hon. Salim Edung: Nashukuru Bwana Spika, kwa kunipa nafasi hii. Huu mswada ambao umeongelewa kwenye Bunge hili wa kuhairisha Bunge hili kwa mwezi moja, utatupea sisi nafasi pia kwenda mashinani kuangalia ile kazi ambayo imefanywa na Wakandarasi. Ndiposa tuangalie ile kazi wananchi walitupea. Pahali kuna kasoro kutarekebishwa kwa sababu tumekuja katika Bunge hili tukiwa waangalizi wa kazi ya wananchi.

Jambo lingine, hii nafasi inatupea fursa sana ya kukaa na jamii yetu wakati wanafunzi wamefunga shule ndiposa tuelewe hawa wanafunzi wetu, watakaporejea shuleni tarehe tisa, tuwe na mpangilio wa manyumbani na njia ya kuwarudisha shuleni.

Mimi nashukuru kwa huu mswada ambao umewakilishwa na Mheshimiwa Ndiritu. Ni kumaanisha kwamba katika Bunge hili, tunajali masilahi ya Wajumbe. Ndiposa tunaporejea, wakati tutarudi kwenye Bunge hili, tutakuwa na mambo tutaleta ya wananchi kwa sababu

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

tumepata nafasi mwafaka ya kusemezana na wananchi huko kwa mwezi moja. Ndio tuendeleze hili Bunge letu, mimi nimeunga mkono kwa asilimia mia moja. Asante sana, Bwana Spika.

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

Hon. Stephen Nderitu: Asante sana, Bwana Spika. Ningependa kuchukua nafasi hii kuwashukuru wote kwa kuweza kuunga mkono mswada huu ambapo tutaweza kupumzika kwa muda wa mwezi moja. Kama ujuavyo Bwana Spika, gari ikiisha mafuta huongezwa kwa sababu hawa Wajumbe wamefanya kazi mzito kuanzia mwezi wa Februari, ni vizuri wapumzike kidogo. Sio kupumzika kukaa nyumbani, ila ni kuenda kwa wananchi kuwauliza maoni yao pahali kuna shida ili tuendeleze hii Kaunti mbele. Watakapoenda kwa huo mwezi moja, nawatakia kila la heri na afya njema ili tuweze kuonana mwezi wa sita tutakapokuja hapa kupitisha bajeti yetu.

Pia wewe Bwana Spika, ningependa kukupongeza kwa kazi yako mzuri ambayo umefanya kwa muda huo wote. Mungu akujalie hekima, akupe nguvu, akulinde na pia akuonekanie pamoja na nyumba yako yote. Asante Sana, Mheshimiwa Spika. Na wageni wetu ambao wametutembelea, tunawashukuru na wakati mwingine mje kutembea muone vile tunafanya kazi. Mungu akiwajalia pia mchaguliwe, mje kwenye Bunge hili wakati tutakapoenda kupumzika rasmi na nyinyi muweze kuchaguliwa. Tunawatakia la heri na Mungu awabariki.

Speaker: Thank you very much. Just to let you know Hon. Members, our guests the Scouts, have requested after the session we take a photo together. Now I rise after the end of this session, I refer you to Standing Order No 29 (3) which talks about the adjournment of the House.

"On a day when the Assembly is scheduled to adjourn to a day or other than the next normal sitting day in accordance with the Assembly Calendar, the Leader of the Majority Party or the Leader of the Minority Party or another Member of the House Business Committee shall move a Motion of adjournment which shall be debated for not more than three hours after which the Assembly shall adjourn without question put"

ADJOURNMENT

Speaker: The sittings of this House, now stand adjourned until Tuesday 6th June, 2023 at 2: 30 p.m.

The House rose at 4.02 p.m.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*