REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 28th February, 2022

The House met at the Assembly Chambers at 9.00 a.m.

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

PRAYERS

STATEMENT

NOTICE PAPER

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

(Lack of quorum confirmed)

Deputy Speaker: Serjeant at Arms to ring the bell for ten minutes.

Hon. Stephen Ndiritu: Mr. Speaker, I think that we have got quorum already because the quorum of this House is supposed to be achieved by seven Members and as per my count, we are already seven. So, we have got quorum and therefore the business of this House should continue because you are also a Member although you are today's Speaker.

Deputy Speaker: Serjeant at Arms, ring the bell for the next five minutes.

Hon. Joseph Suge: Hon. Speaker, I have a request as we wait for the quorum to…

Deputy Speaker: Hon. Members, nobody is supposed to talk in this House until we achieve quorum as we are supposed to. Let us respect ourselves and also the House.

(The quorum bell was rang for less than five minutes)

Deputy Speaker: Clerk, can you confirm whether we have got quorum?

(Quorum confirmed)

Deputy Speaker: If we have achieved quorum then you can stop ringing the bell.

STATEMENT

NOTICE PAPER

Hon. Stephen Ndiritu: Thank you, Mr. Speaker. On behalf of the HBC, I wish to read the tentative business for next week.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Morning) May 3rd, 2022.

A. **BILL**- The Laikipia County Finance Bill, 2022(Committee of the Whole House)

B. **BILL**- The Laikipia County Finance Bill, 2022(Third Reading)

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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) May 3rd, 2022

A. **PAPERS** -Public Participation report on the Laikipia County and Community Wildlife Conservancies Bill, 2021 by the Agriculture, Environment and Natural Resources Committee.

B. **NOTICES OF MOTIONS -** Public Participation report on the Laikipia County and Community Wildlife Conservancies Bill, 2021 by the Agriculture, Environment and Natural Resources Committee.

C. **BILL -** The Laikipia County Revenue Administration Bill, 2022(Committee of the Whole House)

D. **BILL -** The Laikipia County Revenue Administration Bill, 2022(Third Reading)

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Thursday (Morning) May 4th, 2022.

A. **MOTIONS-** Public Participation report on the Laikipia County and Community Wildlife Conservancies Bill, 2021 by the Agriculture, Environment and Natural Resources Committee.

Mr. Speaker, that is the business that has been approved by the HBC and I would urge the concerned committees and their Members to bring those businesses in this House as to ensure that the House runs as it has been planned.

Hon. Stephen Ndiritu: Thank you, Hon. Stephen for that observation. I would also urge the various Chairpersons and the Members of those committees that those businesses will be flowing in this House as scheduled by the HBC. Thank you.

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

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

MOTION

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT OF COUNTY ADMINISTRATION AND PUBLIC SERVICE

Hon. Stephen Ndiritu: Mr. Speaker, I am a Member of that committee and I would like to bring that motion on behalf of the Chair who is absent. I need assistance because you know we are still learning to use the new i-pads. Mr. Speaker, Sir, on behalf of the Chair of the County Cohesion, Justice and Legal Matters Committee, Hon. Catherine Nyawira, I beg to move the following motion;

THAT, this Assembly adopts the quarterly report and financial statements for the period ended 30th September, 2022 for the Department of County Administration, Public Service and Office of the Governor by the Sectoral Committee on Cohesion, Justice and Legal Matters dated 10th March, 2022.

Thank you.

Madam Speaker, I will start with the preface.

Preface

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On behalf of the Members of the Committee on County Cohesion, Justice and Legal Matters, pursuant to the provisions of Standing Order No. 191/5(F), it is my pleasure and duty to present to this House the committee's report on the County Government of Laikipia (County Executive) 1st Quarter report and financial statements for the quarter ended 30th September, 2020.

Committee Membership

Mr. Speaker, the Committee Membership is constituted and comprises of the following Members:

1. Hon. Catherine Nyawira – Chairperson
2. Hon. Salma Zamzam – Vice-Chairperson
3. Hon. George Karuiru – Member
4. Hon. Daniel Nyausi – Member
5. Hon. Patricia Muthoni – Member
6. Hon. Judy Lukio – Member
7. Hon. Stephen Ndiritu – Member

Committee Establishment

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 management activities, administration operations and estimates of the assigned department among other functions.

Madam Speaker, the committee held a meeting to scrutinize the document as is required prior to tabling it in the House. On behalf of the Cohesion, Justice and Legal Matters Committee, I have the honour and pleasure to present the committee report. May I take this opportunity to thank all the Members of the committee for their valuable contribution during the entire process?

On no.2 there is the Committee establishment and because I think the Members have this document I will not go through that part because all the Members have that information as well as the background. On 3.1 it is fiduciary management of the fund. I think all Members have the report and have gone through that. On 4.0 is the fund's financial statement. Let me go through it.

Madam Speaker, the County Governments financial statement presents the recent actual fiscal performance for the quarter of the Financial Year 2020/21 and makes comparison to the budget appropriation for the same year. It further provides a comprehensive and financial review with sufficient information to show changes for the projection.

Outlined in the last County Fiscal Strategy Paper (CFSP) 2020/21, the estimates provide an overview of the actual performance of the 1st Quarter of 2020/21 affected compliance with the fiscal responsibility principles and financial objectives as detailed in the 2020/21 CFSP. On 4.1 it is budget execution by programme and sub-programme.

This is the First quarter ended 30th September, 2020. In that column there is program and subprogram, description and approved budget. We have actual payments, average and the

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last one is percentage. If Members can go through that table, they can see how the department used that money.

The department had observed the rate of 8.0 % which is Kshs 259,663,410 which was spent against a budget of Kshs.3, 239,459,602. The County Administration Program has the lowest absorption rate at 2%. On the committee observation, the County Cohesion Justice and Legal Matters made the following observations;

1. The County Administration Management Program has the lowest absorption rate at 2.8% where else the Administration and County Management Program has the highest absorption rate of 11.8%.
2. Administration Services decentralized service as well as Alcohol Control Committee did not utilize any of allocation fund for the First Quarter of the Financial Year 2020/2021.

In 6.0, there is the committee recommendations. The county Cohesion Justice and Legal committee, made the following recommendations;

1. The County Administration and Public Service Department should ensure that those projects that are budgeted for are complete and funds utilized accordingly.
2. The County Government should appropriately utilize the funds allocated for each vote.

On committee conclusion, is that this House adopts on the report of County Cohesion Justice and Legal Matters, on the County Government of Laikipia County Executive First Quarter for the year ended 30th September, 2020.

Nafikiri hiyo ripoti kila Mjumbe ameweza kusoma na kuielewa na ndiyo maana nikiangalia wale Wajumbe wenye wako kwa ile Kamati tuko na Mheshimiwa George Karuiru. Bi. Spika ukiangalia vizuri unaona vyema ya kwamba Mheshimiwa George Karuiru anaweza kuangalia kwa makini. Kama ni vile Kamati iliangalia kwa sababu hiyo ripoti tuliifanyia haki.

Tuko pia na Mheshimiwa Patricia, ambaye ni Mwanakamati anaielewa na pia anaikagua hii ripoti, kuhakikisha ya kwamba yale mambo ambayo kamati tuliweza kuongea na tuliweza kuangalia ndiyo iko kwenye hii ripoti. Vile Idara ya Utawala ilitumia pesa utaona kuna zile *programu* zingine hazikutumia hata shilingi moja kama ile ya *Alcohol*. Hawakutumia hata shilingi moja katika ile bajeti tulikuwa tumewapa.

Hiyo inamaanisha ya kwamba unywaji wa Pombe haukuweza kuangaliwa. Wale wenye zile Vilabu hawakuweza kuangaliwa mambo yao, ili wakaguliwe na pia kuandamana na vile wananchi wangependa. Nikisema hivyo ni kumaanisha ya kwamba serikali ya Laikipia ililegea. Tunajua Pombe haramu imekuwa ikisumbua vijana. Madawa ya kulevya na pia unywaji wa pombe umeendelea sana ama uko katika kiwango cha juu katika Kaunti yetu ya Laikipia.

Tungetaka tuwe mfano mwema kutoka viongozi kwenda kwa mwananchi. Ni vizuri tuangalie ya kwamba hiyo sehemu tumeiangalia

Vile vile, tunaona kuna pesa zilizotumika zaidi katika hiyo idara kwa sababu hiyo ilikuwa robo ya kwanza, na tukienda robo ya pili, huenda tukaona mambo mengi zaidi. Kwa sababu hiyo, ndio mimi nafikiri kamati tutaweza kukagua na tutaangalia ya kwamba pesa zote zimeweza kutumiwa vile ambavyo inafaa. Na kwa hayo machache, kwa vile mimi ninaelewa ya kwamba wanachama wameweza kuangalia hii ripoti, hatuwezi sema sababu ni *Financial Statement*. Hii inaonyesha vile pesa ilitumiwa, vile haikutumiwa na mambo yote inawekwa hapa ukweli.

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Kwa hivyo hii ni kauli sisi kama wanachama tunafaa kuangalia kama Idara imetumia pesa vibaya na tuhakikishe ya kwamba wale maafisa ambao wako katika hiyo idara tumeweza kuwasukuma na tumeweza kuwaonyesha kazi yao lazima wafanye kwa maana sisi ndio tunaangaliwa na wananchi. Kama vile tulitoka uchaguzi, sisi Viongozi tuliulizwa maswali magumu magumu na wananchi na ilihali kazi zingine sio sisi tunafaa kutekeleza, kuna wale maafisa wanafaa kuwa wanatekeleza hiyo kazi.

Kwa hivyo mimi ningeulizwa, hata wale wote wanaofanya kazi kwa hizo idara tofauti tofauti, wanafaa kuwajibika kwa mwananchi. Na kama mimi ningekuwa naulizwa, kila mtu hata kama wewe ni karani ungekuwa unaenda kutafuta kura, ndio ukianguka unajua ugumu wa hiyo kazi. Kwa sababu wakati mwingine, sisi tunapigwa vita ya watu ambao wamekaa starehe kwa viti zao. Kama barabara zimeharibika, mimi sio mhandisi, mimi ni kuhakikisha ya kwamba bajeti iko hapo na barabara ikitengenezwa vibaya, badala ya mhandisi kuulizwa, mimi ndio naulizwa. Kwa hivyo mimi ningetaka huyo mhandisi awe wa kuwajibika kama anakosa kufanya hiyo kazi ili niwe na nguvu zaidi ya kumung'oa asubuhi na mapema.

Vita zingine ambazo huwa tunaletewa na wananchi sio zetu sisi binafsi. Mimi nafikiri wanachama tuungane na hii Ripoti tuweze kuipitisha na tuhakikishe ya kwamba serikali imesimama vile inastahili na pesa ya mwananchi tumeichunga kama maziwa ikiwa jikoni. Kwa hayo machache ningeweza kumuita Mheshimiwa Karuiru ambaye ninaona ya kwamba amekuwa makini nilipoanza kusoma hii ripoti. Tangu nilipomaliza, amekuwa akifuatilia na ninataka nimuite aweze kuafiki huu Mswada maana pia yeye ni mwanachama katika hii Kamati. Kwa hayo machache, asante.

Hon. George Karuiru: Thank You. Madam Speaker, I rise to second the Financial Statement by the Cohesion and Legal Matters Committee. Madam Speaker what worries me is the Report being a little bit backdated; it is clear what the Department has not utilised funds. Funds have been exchanged now on matters of Liquor Licencing to Financial Departments but due to the Covid-19 times, I know maybe it has not been incorporated well. As it is stipulated and the mandate of the Committee, I would only urge that the Department should be vigorous on matters pertaining to security up to whatever level the County Government can uphold. I know having now moved the Liquor issues to the Financed Department, I know they are equal to the task and I know they will push. Thank you, I Second.

(Question proposed)

Temporary Speaker (Hon. Veronica Ikunyua): Members, it is your time to contribute.

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I wish to make my contribution on this report from the County Cohesion Justice and Legal Matter Committee. It is a good report and as you have been saying in this House, these reports are very necessary for us as a House to understand how the County Executive is running this Government.

Madam Speaker, it is very clear that this House as an oversight body should always have reports on how the Executive is performing its duty. We as the representatives of the people should understand what they are doing, what they are not doing and what they are supposed to do so that we may be able to raise our voices on behalf of the people who brought us into this House.

This department of the County Administration is a department that has a huge budget. It is a department that does not have a lot of responsibilities in terms of development. It is the fulcrum of all the departments. So when we hear that the management itself used 2.8%, this

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tells us that this is the reason as to why all other departments fail. Madam Speaker, if the centre of all the departments fail, the other departments will automatically fail.

Madam Speaker, this is a department you will find walking up and down thinking that they are too busy helping the people of Laikipia. They are the first to wake up and blame the other departments. As an Assembly, this is the Department of Administration where we report issues related to other departments. Madam Speaker, today's report tells us that it is too unfortunate because we report to a failed department.

We wake up as a Department of Infrastructure to report how infrastructure has failed but we are reporting to a failed Department of Administration. When we hear that they utilised only 2.8%, it is so unfortunate and it reflects why other departments have failed.

Madam Speaker, on the issues to do with decentralised services; as you can see, they utilised 0%. This is why we have all failed because when we talk about decentralisation, it is shifting power from one office and devolving it to other smaller offices. Madam Speaker, when you see a department that has devolved other functions to other small departments and the main department has utilised 0 Kshs, it is either the department itself doesn't feel comfortable when it decentralises its services.

They are holding all the services in their offices and they feel cheated and disadvantaged when they devolve services to other smaller offices. It is just like the National Government. Today if it has devolved functions to County Governments, then you will find that the National Government is still with the functions tells us that there is something they are hiding.

Madam Speaker, when the budget of the decentralised services is not utilised, this tells us that most of the small offices in this county are not functional. That is why you go to a sub county office or a ward office from the County Executive and you are referred to one person maybe in Rumuruti, Laikipia East Sub County. The functions that a ward administrator in Umande is supposed to administrate, you will find him sending you to the County Secretary or CECM for Administration.

It is the high time we push this department to devolve some of its functions so that services may reach the common citizen at their nearest point. Madam Speaker, this is a good report that tells us as an Assembly to wake up and push this Department on Administration not to hold powers in their office but decentralise it to other officers that are on the ground.

Madam Speaker, on issues to do with alcohol, we know Laikipia has been affected by alcohol. The Department was not able to utilise a coin and most unfortunately, the committee is stating very clearly that they did not utilise any of the allocated funds. The Department was allocated funds but they were not able to utilise them. This tells us either, the allocation was not important to that department is that in future when we are making budget like now, we should not give them money that they are not able to utilize whereby other departments have over utilized.

Madam Speaker, these reports are very important. We should not just go through reports at this time but also make use of them while preparing budgets because it will guide us on how to allocate funds to different departments. I support and hope the report that is here will help us as we make the next budget for this county.

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

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Hon. Stephen Ndiritu: Asante, Bi Spika kwa vile hiyo ripoti imeweza kuletwa hapa Bungeni na kila Mjumbe kuiangalia na kuiona. Mambo kadhaa yametajwa ni ya ukweli. Hii ni wizara ambayo serikali iko hapo ndani. Wakati unasikia serikali imetumia asilimia mbili ya bajeti yote ni kumaanisha hakuna kitu walikuwa wanafanya. Nafikiria hadi hiyo asilimia mbili ni mshahara ya mwezi wa Agosti na Septemba. Ikizingatiwa mambo mengi, yanaweza kuwa hayakufanyika. Kama ni mradi unafanya lazima uwe umefanya BQ na zingine. Hata kama haikufanya sio kumaanisha haitafanya kazi robo mwaka ijayo.

Jambo lingine ni mahali ambapo Mheshimiwa wa Umande ametaja kuhusu hali ya kudhibiti pombe. Hiyo pesa haikutumiwa na ni ukweli. Ni vizuri kama tusemavyo kwamba kiongozi anayeongoza akianguka, wote wanaanguka. Katika Laikipia pombe wanakunywa. Wale wako katika ile wizara ndio wanakunywa sana. Hawangetaka kutumia ile pesa kwa sababu wakifanya vile, pombe hawatakunywa. Ni vizuri tuelewe kama kazi imekulemea ujue shida ni hiyo. Nafikiria hiyo ndiyo ilikuwa changamoto ya kukosa kutumia zile pesa.

Kwa hayo machache naomba tupitishe hii ripoti ndio twende tuangalie ni wapi tunaweza chukua hatua ya kisheria. Tukipitisha hii ripoti ni kumaanisha ile wizara tutaweza kuikagua na kutafuta ni wapi kuna shida. Tusipopitisha ni kumaanisha hatutaweza kwenda kuangalia zile shida maana kama Bunge tunaongozwa na ripoti kama hii. Naomba wajumbe tupitishe na tuunge mkono kwa kauli moja. Asante.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Veronica Ikunyua): This House now stands adjourned until next week Wednesday, 4th May, 2022 at 9.00 a.m.

The House rose at 9.54 a.m.

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