REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 28th October, 2021

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

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

PRAYERS

COMMUNICATION FROM THE CHAIR

CASA GAMES 2021 FLAGGING OFF

Deputy Speaker: Hon. Members, I have some communication to make. I wish to put across matters concerning CASA Games that will be held next week in the Coast region. I will be flagging off our teams who are participating. Therefore, you are kindly requested that we flag off various teams from our Assembly going for the CASA Games. Thank you.

STATEMENTS

NOTICE PAPER

Hon. Stephen Ndiritu: Thank you, Hon. Speaker. On behalf of the HBC, I have got the following tentative businesses.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Tuesday (Afternoon) November 9th, 2021

A. **PAPERS**- Report of the Finance and County Planning Committee on County Government of Laikipia (Executive) quarterly reports and financial statements for the period ended 31st March 2020 for the department of County Planning and Economic Development.

B. **NOTICES OF MOTIONS**- Report of the Finance and County Planning Committee on County Government of Laikipia (Executive) quarterly reports and financial statements for the period ended 31st March 2020 for the department of County Planning and Economic Development.

C. **MOTION-** Report of the County Cohesion, Justice and Legal Matters Committee on County Government of Laikipia (Executive) quarterly report and financial statements for the period ended 31st March, 2020 for the department of County Administration and Public Service.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Morning) November 10th, 2021.

A. **RESPONSES TO STATEMENTS**- Response Statement No 003/2021 by the Finance and County Planning Committee raised on 21st April 2021 by Hon. Chris Mark pertaining to County Government Assets.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Wednesday (Afternoon) November 10th, 2021

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A. MOTION- Report of the Finance and County Planning Committee on County Government of Laikipia (Executive) quarterly reports and financial statements for the period ended 31st March 2020 for the department of County Planning and Economic Development.

It is notified that the House Business Committee has approved the following tentative business to appear in the Order paper for Thursday (Afternoon) November 11th, 2021

A. PAPERS- Report of the Trade Tourism and Cooperatives Committee on the 2nd quarter Laikipia County Cooperative Development Fund financial statements for the period ended 31st December, 2019.

B. PAPERS- Report of the Trade Tourism and Cooperative Development on the 2nd quarter Laikipia County Enterprise Fund financial statements for the period ended 31st December, 2019.

C. NOTICES OF MOTIONS- Report of the Trade Tourism and Cooperatives Committee on the 2nd quarter Laikipia County Cooperative Development Fund financial statements for the period ended 31st December, 2019.

D. NOTICES OF MOTION - Report of the Trade Tourism and Cooperative Development on the 2nd quarter Laikipia County Enterprise Fund financial statements for the period ended 31st December, 2019.

E. RESPONSES TO STATEMENTS- Response Statement No 004/2021 by the Health Services Committee raised on 22nd July 2021 by Hon. Joseph Kiguru pertaining to Universal health programme so-called NHIF Subsidy for indigents and vulnerable.

Thank you, Mr. Speaker. That is the tentative business which will be held on that week when we resume from recess.

Deputy Speaker: Thank you, Hon. Stephen Ndiritu. I think it is wise that you stick to the program that we have today. Once you start telling us about the recess, we are not sure of recess up to this minute.

MOTION

QUARTERLY REPORT AND FINANCIAL STATEMENTS BY THE EDUCATION AND ICT COMMITTEE

Hon. Catherine Kibue: Thank you, Mr. Speaker, Sir. I beg to move the following motion;

THAT this Assembly adopts the report of the Education, Vocational Training and ICT Committee on County Government of Laikipia (Executive) quarterly report and financial statements for the period ended 31st March, 2020 for the department of Education and Social Services dated 26th October, 2021.

Preface

Mr. Speaker, Sir, on behalf of the Members of the Committee on Education and ICT Services in pursuant to the provision of Standing Order No. 191(5)(G), it is my pleasure and duty to present to the House the Committee's report on County Government of Laikipia (Executive) quarterly report and financial statements for the period ended December 2019.

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It is one of the Sectoral Committees established under Standing Order No. 191(1) and its mandate is on all matters related to pre-primary education, village polytechnics, home craft centres and childcare, children and youth welfare and ICT services.

Committee Membership

The Committee as currently constituted comprises the following members:

1. Hon. Catherine Kibue – Chairperson
2. Hon. Daniel Mugweru – Vice-Chairperson
3. Hon. Jacob Endom – Member
4. Hon. Chalumbo Ole Kaparo – Member
5. Hon. Joseph Kiguru – Member

Committee Meetings

The Committee has held a number of meetings to scrutinize the document as is required prior to tabling it in the House. On behalf of the Education and ICT Services Committee, I have the honour and pleasure to present the Committee's report. May I take this opportunity to thank the members of the Committee for their valuable contributions during the entire process.

Statement of Management Responsibilities

Mr. Speaker, Sir, the County Executive Member for Finance and County Planning is responsible for preparation and presentation of the County Government's financial statements, which give a true and fair view of the state of affairs of the County Government for and as at the end of the quarter ended March, 2020. This responsibility includes:

1. Maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period.
2. Maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the County Government.
3. Designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud.
4. Safeguarding the assets of the County Government
5. Selecting and applying appropriate accounting policies
6. Making accounting estimates that are reasonable in the circumstances.

Mr. Speaker, Sir, the County Government's financial statements were approved and signed by the CECM for Finance on 24th April, 2020.

Background Information

Mr. Speaker, Sir, pursuant to the Public Finance Management Act 2012, Section 166 which stipulates that not later than one month after the end of each quarter, and the County Treasury shall;

1. Consolidate the quarterly reports and submit them to the Assembly

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2. Deliver copies to the Controller of Budget, National Treasury and Commission on Revenue Allocation, and

3. Publish and publicize them.

In compliance to the above regulations, the County Government of Laikipia submitted the quarterly report and financial statements for the quarter ended March 2020 to the County Assembly.

Comparison of Budget Actual Amounts (Recurrent and Development Combined)

Mr. Speaker, Sir, during this third quarter of the financial year (FY) 2019/20 there was underutilization in most categories of receipts and expenditures due to late approval of the County Revenue Allocation Bill by both the National Assembly and Senate.

Disclosure Statement on Budget Execution Breakdown by Programs in the Education and Social Services Department

Mr. Speaker, Sir, the Education and Social Services Department is one of the key departments in the County Government. It seeks to promote the development of basic school infrastructure, improve early childhood education through construction of ECDE centres, provision of furniture, learning materials and capacity building of teachers. It seeks to provide quality education, training and skills development in vocational training centres.

Own source revenue as at the end of the third quarter was at 69.35% because the County was unable to realize its target since many businesses were affected by Covid-19. The department by the end of this third quarter had not issued the bursary fund. Mr. Speaker, allow me not to go through this table because each and every Member has this copy.

Vocational Training Centre grant that had been appropriated for in the FY budget 2019/20 was Kshs. 34,674,162 and by the end of the third quarter only Kshs. 15,954,149 had been received and utilized.

Mr. Speaker, Sir, revenue generated during that quarter by the department was 6.99% of the total third quarter budget. The County Government reports and Financial Statement for the department of Education and Social Services on budget execution by programmes and sub-programmes for FY 2019/2020 third quarter is as follows.

EDUCATION AND SOCIAL SERVICES					
Program		**Description**	**Approved Budget(Kshs)**	**Actual Payments(Kshs)**	**Variance(Kshs)**
501000000		**Education empowerment programme (Bursary)**	**50,000,000**	**0**	**50,000,000**
502000000		**Administrative planning(headquarters services)**	**4,000,000**	**0**	**4,000,000**

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504000000		**Vocational training development(Infrastructure improvement)**	**98,153,311**	**0**	**98,153,311**
505000000		**ICT(Infrastructure improvement)**	**4,000,000**	**287,800**	**3,712,200**
506000000		**ECDE Development(infrastructure improvement)**	**37,450,000**	**0**	**37,450,000**
511000000		**Education training(vocational)**	**3,777,793**	**0**	**3,777,793**

Mr, Speaker, Sir as at quarter, the only payments made was towards ICT infrastructure improvements which were very minimal. A total of Kshs. 287,800 was spent out of the Kshs. 4 Million in the ICT infrastructure improvement cost which represent 7.195% absorption. No payments had been made for the Education empowerment programme (bursary) putting into consideration that's schools had been in session before closing for the holidays.

Committee Observations

1. That the County government had appropriated for Kshs.34, 674,162 for vocational Training Centre Grant and by the end third quarter 46% of the grant had been received and utilized.
2. That there was minimal allocation of funds to the department by the County treasury.
3. There was no bursary disbursement as at quarter ended March 2020.

Recommendation

1. That the department should prioritise on payments of the pending bills to avoid bringing them forward in the subsequent financial year.
2. That the County treasury should ensure equity in allocating funds to departments in every exchequer release.
3. That Bursary Fund disbursement should be the number one priority in the Department in future.

Committee Conclusion

Mr. Speaker, Sir, that this house adopts the Education, ICT Services Committee report. Since this report is clear and well elaborated, I will just invite my sister Hon. Salma Zamzam to second this report, thank you.

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Hon. Salma Zamzam: Asante, Mheshimiwa Spika. Kwa kunipa nafasi niweze kuchangia ripoti ya robo nusu mwaka ya kamati ya Elimu katika Kaunti ya Laikipia. Mwanzo narudishia kamati kongole ikiongozwa na mwenyekiti Mheshimiwa Catherine Kibue ameweza kuleta mbele yako.

Tumeona ripoti imeandikwa kwa ustaarabu na pia imeweza kutupea pesa ambayo imetumiwa na yenye haijatumiwa kwa sababu tunaelewa ni ya robo nusu mwaka kila baada ya miezi tatu ya mwaka wa 2020. Tukiangalia mapendekezo ya kamati nikiangalia ukurasa wa saba, nimeona kamati husika imeeleza ya kwamba wacha tupatie kipau mbele wana kandarasi waweze kulipwa pesa zao kwa sababu kuna changamoto katika hii Kaunti.

Tumeona wanajenga madarasa lakini malipo hawawezi kulipwa. Tumeona pia hazina inapaswa kupeana pesa kwa kila idara baada ya robo nusu mwaka. Kuna changamoto pia kwa sababu watoto wengi wanategemea ufadhili wa pesa za karo. Tunajua watoto wengi hawana uwezo wa kufikiwa na hizo pesa. Tumeona kamati husika imeweza kupatia Kamati ya Elimu watoto wapewe pesa za ufadhili wa karo. Sina mengi ni kusema wajumbe waweze kuunga mkono ili iweze kupita mbele ya Bunge lako.

(Question proposed)

Deputy Speaker: Vice Chair for ICT Committee

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I stand to support this report. These are one of the reports we have been discussing in this House. My concern in the report is mostly for the Honourable House and Members and the people of Laikipia to understand what this Department of Education has been going through since we joined this House.

The observation was very clear from the committee that there was minimal allocation of funds to the department by the County Treasury. Education is the key to success as we normally say. It turns to be unfortunate when we hear this department get minimal allocation and yet we expect much from this department.

The committee when it says that the County treasury should ensure equity. That equity of allocation is very important. You find some departments getting high allocation only to the time we are reading the quarterly reports, that 0% of the funds that were set aside for a department and nothing was utilised. Yet we have another department that is important but having minimal allocation.

If we ensure that there is equity of funds in all departments, you will find the Education department will get enough funds just like other departments. The committee also observed there was no bursary disbursement as at quarter ended March 2020. The budget of every County of this government of Kenya is always read, presented and approved in the month of June.

The Financial year starts in the month of June and we normally know it. Apart from nowadays, I have been hearing of the end of the year of school. I don't know whether it is March or April

The end of every semester used to come at around the end month of November, and having read the budget in the month of June then from June to December up to the month of March there were no bursary disbursement. Who will benefit with that bursary, if the year has ended.

If a student was in form 4 Mr. Speaker and that person is finishing his form 4 course in the month of November and by March we have not disbursed the bursaries, yet we had that

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money from the month of June, it would be so unfortunate. You will find that the students have not benefited from that money yet the Assembly has set aside that money for that purpose.

It is very unfortunate because the end of March is where we are going to the month of April and by the end of May we will start closing our budget. It shows that money set for bursary that year was never disbursed. 31st of March means it is the beginning of April, the *fool's day*, it tells us that in one month you will not be able to disburse the bursary, meaning the year ends and the budget closed, without giving bursary to our students, yet we are claiming that we want them to benefit. We claim to stand for the poor, and claim that education is the key to success. Mr. Speaker, it is very unfortunate that the year ended before giving out the bursaries.

And not just bursaries Mr. Speaker, it means it ended before we utilise the minimal allocation that was given to this department, we have very minimal allocation yet by that month we had not disbursed the money. We need to take the department of education seriously; the executive must take education seriously in this county Mr. Speaker. The executive must take serious actions when it comes to helping the needy students, if the needy students are helped today, they will stand for this county tomorrow, they are the ones that will help us move ahead in this county and so if we frustrate them at their tender age, it shows we are not serious with the future of this county.

We need to take this department seriously and as I said there before that this reports are to guide us on how to face the future, it is very unfortunate that we were late to disburse bursaries this year Mr Speaker. And the worst part about this year is that not only are we late, but we also don't have allocation for the bursaries, what an embarrassment for the county's future. This reports that could have guided us on bursaries, didn't guide anyone because we are moving from worse to worst.

We disbursed them late and this year we don't have the allocation; in future we may not even mention the word bursary in this county of ours. I don't know how we will survive in this county nor how the students in this county will survive, it seems as if the executive arm of government is not interested in the future of our children, is not interested in the future of the county because once we don't help them, the future is not bright for our county. We need to stand and push the executive and request the Governor to understand the importance of bursaries in our county.

As I support the report Mr. Speaker, as a member of the education committee I feel that as an Assembly, as a committee and as a whole Assembly led by the committee, we need to stand and push the executive arm of the County Government Laikipia to make sure that at this time the supplementary budget that is coming soon to include bursaries and once we do that, we give out the application forms in the month of November. This is to ensure that in the month of January, we disburse the bursary and we will feel that the report guided us. Since we were late, by 31st March we had not done so. We will feel that we have improved and the people of Laikipia will feel good.

Mr. Speaker, I support the report and call upon the Hon. Members to support and also when the committee of Education starts pushing the County Executive to include the bursary allocations in the coming budget, we stand together to make sure we do that for the benefit of young people of Laikipia, for the benefit of the future of Laikipia to make the our county bright by encouraging and supporting the young people who are in school at this time. Thank you, Mr Speaker, I support.

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Deputy Speaker: If there is no any other Member wishing to give his or her contribution on the same I call upon the mover to give a reply.

Hon. Catherine Kibue: Thank you, Mr Speaker. I take this opportunity to thank Hon. Members for their valuable contribution and I also call upon my fellow colleagues to continue supporting this committee. Thank you.

(Question put and agreed to)

Deputy Speaker: Honourable Members, I think this is the most colourful report I have ever seen because I have seen Members of particular committees present and another Member who is not a Member of it. I second the report that shows Members are proactive and they have gone through the report and I think it is very nice.

For the case raised by Hon. Daniel Mugweru pertaining to help the committee, I am very sure that it is one of the committee that gets support because it seems to be working with the entire Members of the House, I call upon the other committees to work the same, but let us ensure that in as much we do that all our members are very much comfortable with such decisions. Thank you.

PROCEDURAL MOTION

SITTING ADJOURNMENT

Hon. Mutahi Muritu: Thank you, Mr. Speaker. On behalf of the Majority Party Leader, I beg to move the following motion;

> THAT this Assembly approves the application of Standing Order No. 29(3) to allow it adjourn its sittings from Friday 29th October, 2021 to Monday 8th November, 2021 and resume on Tuesday 9th November, 2021.

I will call upon Hon. Ndiritu to second.

(Question proposed)

Hon. Salma Zamzam: Asante Mheshimiwa Spika kwa kunipatia nafasi nichangie muswada wa kuahirisha Bunge kuanzia tarehe 29, Oktoba mpaka tarehe 9, Novemba. Bwana Spika, tumeona kuna umuhimu wa kuahirisha Bunge kwa muda wa wiki moja. Tunaelewa kuna shughuli mingi ambazo zinaendelea kule mashinani na ni vyema wale ambao walitumwa kuwakilisha wananchi kwenda kujumuika na wapigaji kura.

Kama tunavyoelewa, saa hii ni wakati wa kurudi mashinani na kuweza kupata masomo ya ziada. Naunga mkono mia kwa mia.

Hon. Daniel Mugweru: Thank you, Mr. Speaker...

Deputy Speaker: Hon. Mutahi, maintain order in the House.

Hon. Daniel Mugweru: Thank you, Hon. Speaker. I rise in support of this procedural motion. As I had said earlier, as a House we have responsibilities that we have been given by God and the people we represent. Mr. Speaker, part of the responsibilities we have been given is legislation whereby we legislate in this House. Mr. Speaker, the laws we make are the laws that guide the people of Laikipia.

So it is important to go to the people and get exactly what they want. When we say that we represent we represent people and their interests. Mr. Speaker, this will be very good for us

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to go seek and understand the interests of the people we represent so that we may come into this House and represent exactly what they want. We represent their interests in the House.

When we talk that we need to oversight, you cannot oversight from this House. You must move out and get exactly what the Executive has done so as to come in this House and deliberate on the same without forgetting that this time there is the voter registration countrywide and it is our responsibility to inform our people the importance of being registered as voters.

Mr. Speaker, as much as we have been given a lot of work by the people of Laikipia we need to come into the House and do part of what is supposed to be done. It is also our responsibility to go and do what is supposed to be done outside this House. As I had said a day earlier, this procedural motion has a lot that we did not do, we need to get this opportunity to finish the businesses that we were supposed to finish then we bring them in this House on that date Hon. Ndiritu knew before we came to know about it. Thank you, Mr. Speaker.

Hon. Catherine Kibue: Thank you, Mr. Speaker. I rise in support of this procedural motion. I would like to take this opportunity to wish all our players who are going to represent us in Mombasa all the best.

Hon. Jacob Endom: Asante sana, Mheshimiwa Spika. Nasimama hapa kuunga huu mjadala mkono. Ni vizuri twende tukaunge mkono wachezaji wetu. Pia Bwana Spika, nimechanganyikiwa kwa sababu sijui ni nani Naibu wa Kiongozi wa Walio Wengi Bungeni kwa sababu yule ambaye amesoma amesema yeye ni Naibu wa Kiongozi wa Walio Wengi Bungeni. Naomba kufafanuliwa ili nijue kwa sababu ni vizuri kuelewa ni nani Naibu wa Kiongozi wa Walio Wengi Bungeni.

Deputy Speaker: Thank you, Hon. Jacob. Before we proceed, the Deputy Leader of the Majority Party in this House is Hon. John Muritu Mutahi. The Majority Leader is Hon. Joseph Kiguru. That is how the court ruled. The court did not mention the Deputy Majority Leader who was Hon. Veronica by then but Hon. Mutahi was brought back by the Standing Orders though the Leader of Majority was not. That is why we have Hon. Kiguru as the Majority Leader and John Muritu as the Deputy Majority Leader in this House.

Hon. Veronica Ikunyua: Thank you, very much Hon. Speaker. That is what I wanted to ask because maybe it happened when I was away. I have never been served with any letter to say that I am not the Deputy Majority and so I demand to get the letter because what I know is that I am still the Deputy Majority Leader. Maybe I can be the mover to reply.

Deputy Speaker: Thank you Hon. Member. If you have not gotten the communication, you are going to get it. As we speak now the Deputy Majority Leader is Hon. Mutahi Muritu and therefore he is taking the full responsibility as the Deputy Majority Leader. I wish that you consult but I assure you that you will get the letter because this is not your fault. You should have been communicated to accordingly and I hope that the Office of the Clerk will do that promptly.

Hon. Veronica Ikunyua: Mr. Speaker, there is a problem in this House because if that happened then I needed to be informed because as I stand today, I am the Deputy Majority. That is why when you said the mover, I wanted to move the motion.

Deputy Speaker: Hon. Veronica, you wanted to move the motion but you could not move it because you do not own the motion.

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Hon. Veronica Ikunyua: Excuse me Deputy Speaker. I don't want to argue with you but I am just telling you that it is because I did not want to bring a motion in this House otherwise I know that I am the Deputy but I did not want to bring commotion.

Deputy Speaker: Thank you, for not bringing the commotion. You will be advised accordingly. Otherwise when you were not present a communication was done and that is why you are lacking such information. What is it Hon. Deputy Majority Leader? You are not supposed to talk until the time you respond to your motion. Preserve that please and do not engage with other motions. Hon. Veronica, are you not done yet?

Hon. Veronica Ikunyua: I am not done because until then I am still the Deputy Majority because I was not given any communication. I was away and the management knows that I was away. So it cannot happen. If the letter came then they were supposed to inform me when I came.

Deputy Speaker: Hon. Veronica, you are out of order. We are not discussing such and I have said that you will get the information. Now we are on a different motion and if the matter is not around the same motion, you are entitled to a proper communication and the office will grant you that.

Hon. Veronica Ikunyua: Then I need to reply to the motion because I am not out of order. I am fighting for my position.

Deputy Speaker: Do we have any other Member wishing to give their contribution on the same? Hon. John Mutahi Muritu, the Deputy Majority Leader, it is your time to give reply to the motion.

Hon. Mutahi Muritu: Asante sana, Mheshimiwa Spika. Nishukuru Wajumbe lakini kidogo nilikuwa nimetoka. Nadhani mimi sikusimama kimakosa ama sikuwasilisha mswada kimakosa katika hii Bunge. Labda kama nimemkwaza mtu anisamehe kwa sababu katika hili Bunge kupitia Spika, mimi nafanya kwa mujibu wa sheria na kanuni na maagizo yaliyopitia kwenye kiti cha Spika, barua iliyotoka kwa chama kinachotawala chenye Wajumbe wengi katika hili Bunge na ikafanyika kwenye hili Bunge na ikawasilishwa kwenye hili Bunge.

Sasa baada ya huo muda wote na ni zaidi ya mwezi mmoja, sijui ni kwa nini pengine tunapata mshakiri kidogo na huu ni wajibu wa Bunge. Ni vizuri umetoa mwelekeo vizuri sana kulingana na utaratibu. Pengine kama mwingine hajapata nafasi…

Deputy Speaker: Order Hon. Mutahi! Hon. Veronica, you know very well that the Member is responding to the motion and no other Member is allowed to talk until he finishes and then we go to the next order. Hon. Mutahi, sorry for the interruption. You may continue.

Hon. Mutahi Muritu: Asante sana, Mheshimiwa Spika. Nimeshukuru Wajumbe na waiunge mkono tuweze kuenda kwa hiyo wiki moja kama tulivyokubaliana jana. Asante.

(Question put and agreed to)

Deputy Speaker: Hon. Members, I communicated earlier that after this sitting we are flagging off the teams which are going to represent us in Mombasa. Please Hon. Members, join us in doing that. Pertaining to the issue of Hon. Veronica, you will be served right away with the right information.

ADJOURNMENT

Deputy Speaker: The sittings of this House now stands adjourned until Tuesday, 9th November, 2021 at 2.30 p.m.

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The House rose at 3.17 p.m.

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