REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 13th July, 2021

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

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

PRAYERS

PAPERS LAID

LAIKIPIA COUNTY FISCAL STRATEGY PAPER, 2021

Hon. Wilson Wakahiu: Thank you Mr. Speaker. Before I lay this Paper, the Laikipia County Fiscal Strategy Paper, 2021, I wish you give me two minutes to make comments on the same. Today I received two documents. One, that was deliberated after receiving the County Fiscal Strategy Paper in the month of February, 28th plus the Debt Management Strategy Paper. The Committee on Budget and Appropriations as they are mandated sat down and went through the documents. We invited the memoranda and did the public participation with our people, listened to the Sectoral Committee and even the County Treasury.

Today, and I want to say this categorically, today I received two documents that were not factored in our report. The other document that has some issues that were in the Debt Management Strategy Paper that is the structural board. Having two documents with me, I had to sign one documents. I signed the document that the Budget Committee had with the Infrastructural Board. That is the only document I can table in this House.

Hon. Jacob Endom: Asante sana Bwana Spika. Nafikiri kamati ya bajeti katika Bunge hii ilikubaliana kuongezwa kwa wanachama. Naomba kujua kama hio kamati imeletwa katika hii bunge.

Speaker: Hon. Jacob we have not gotten to that order. We will get the report of the committee which will be laid now after we have dispensed with the budget.

Hon. Chris Mark: Hon. Speaker, we have been in this House for so long. It is very unfortunate a whole Chair comes to give explanations that he did not know where the reports are coming from. The reason you become a leader is at times you employ wisdom. You don't come to tell us you signed because of this, we do not want those things. Lay the paper that you signed. You do not come and start explaining before you lay. It's discrediting the report you are bringing. If you are not proud of what you signed, then why did you sign it in the first place?

Speaker: In that case we are saying that he goes ahead and lays it?

Hon. Stephen Nderitu: Bwana Spika, mimi nimechanganyikiwa wakati mwenyekiti amesema yuko na stakabadhi mbili. Kuwa na ripoti mbili ni kusema hujui ni gani unafaa kutekeleza. Kama wewe ni mwenyekiti unaelewa ni biashara gani ulikuwa unataka kuleta kwa Bunge. Hii ni kama kuhadaa Bunge. Hii ni Bunge ambayo ina heshima. Jambo lingine nataka

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kujua ile CFSP ililetwa katika Bunge hii haikuwa na ile *Infrastructural Board*. Leo mwenyekiti anasema yuko na ripoti ya *Infrastructural Board.*

Speaker: Hon. Wakahiu?

Hon. Wilson Wakahiu: I think it is important that the Hon. Member understands that once the document is submitted to this House, it is committed to committees. On February 28th, I had stated that the Committee on Budget and appropriation received a document that was committed here on the County Debt Management Strategy Paper that was given outlining how the County Government will be able to receive the additional funding from the Infrastructural Board and at the same time how the funds will be paid.

I have said categorically and I repeat that I have the document that I signed. The document with Infrastructural Board. I don't have any other document that I have signed. The document I have it here with me.

Speaker: I think the problem is the fact that you have done an explanation because it has portrayed as if you have two documents yet you have signed one.

Hon. Stephen Ndiritu: Bwana Spika, kama akili yangu inanieleza vizuri, CFSP ambayo ililetwa hapa na ukaipatiana kwa Kamati ya Bajeti haikuwa na *Bond*. Kama kuna ripoti mwenyekiti alikuja nayo ni ile ambayo alileta kabla ya Bajeti ya Ziada na tuliiangusha. Ningetaka kujua ile ambayo alitolewa ikiwa na *Bond* ilitolewa lini, na nani na wapi. *We must be honest Mr. Speaker and for this one we must stay united because there are some people who are trying to play cat and mouse game. We cannot allow that in this Assembly. We must stand firm, we must protect our people and we must say no to the things that are brought in this House through the back door*.

Mr. Speaker, let this House stay united. Let us talk with one voice and let us protect the people of Laikipia with all the respect they have given us. Thank you.

Hon. Jacob Endom: Asante sana, Bwana Spika. Naona kama siku ya leo tumechanganyikiwa. Tulikuwa katika Kamati ya shughuli za Bunge na tukakubaliana tusilete hii nakala ambayo iko na *Bond*. Bwana Spika, hapa Bunge kumekuwa na wasaliti. Tukielewana wanapitishia mlango ya nyuma. Leo inaonyesha kuna watu wanataka kutumia wengine vibaya katika Bunge hili. Kama tumekubaliana kitu sijui kwa nini inaanza kupinduka.

Bwana Spika, naona ni wengi wanafanya hii kazi. Kama hii nakala itaendelea inafaa wanalaikipia waone ni nini kinachoendelea katika Bunge hili. Kila siku hatutakuwa tukifanyiwa mambo. Ile bajeti ingine ilikuja kama hivi. Leo badala tuendelee na Kamati ya Bajeti kutolewa, inatolewa mlango wa nyumba. Kwanini tunatumiwa kama wanafunzi katika hili Bunge. Sisi ni watu wazima katika hili Bunge na tulichaguliwa na wananchi katika hili Bunge. Hakuna haja tudanganyane katika hili Bunge.

Tuambiwe kama mnaenda katika kamati na mnatengeneza kitu na kuwekwa kando kisha mnaleta ingine. Kama Spika, lazima utoe mwongozo katika hili Bunge. Wewe ndiye Spika na tunakuheshimu. Si vizuri kukubali vitu zingine kuingia hapa na watu hawajakubaliana. Ningetaka kueleza ya kwamba hatukukubaliana na *Bond* kuendelea hapa. Tumekuja kuona kamati ambayo tumetoa imetoka na wamefanya uchaguzi ili tuendelee na kazi ingine.

Pia nasikia wameleta ripoti mbili. Kama zinaletwa mbili na kusema wanaona moja si nzuri wanaleta ingine ambayo roho yake inaona ni nzuri, tutafuata gani? Kwa hivyo kama wewe ni Spika

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wa Bunge hili, toa mwongozo wako hapa kwa sababu vile tunapelekwa watu wengine hawafurahii. Mimi kama Mheshimiwa wa Sosian nitabaki kuwa peke yangu kupinga hili katika Bunge kwa sababu najua mnataka kumaliza watu wa Laikipia na wakose maisha katika hii Laikipia.

Hujachaguliwa hapa. Wabunge hapa ni ishirini na tatu lakini watu wa Laikipia ni zaidi elfu mia nne. Watu ishirini na tatu wanataka kusaliti watu wa Laikipia na kuwamaliza. Bwana Spika, hii ni vibaya na lazima watu waheshimiane na wafanye jambo ambalo litasaidia Laikipia. Hamjaletwa hapa kumalizia Laikipia ili wakose namna ambayo watajisaidia nayo. Bwana Spika, kwa hivyo hii ni nakala ambayo imepitia mlango wa nyuma. Watu wengine wanaenda kushawishi na kujifanya kama hao ndio kusema na ni vibaya kuuza watu na kuwapa taabu.

Leo Laikipia iko na deni ya Shilingi bilioni 1.3 ya *pending bill* na leo mnataka kuchukua deni ingine ya bilioni 1.45. Hiyo ni kumaliza watu wa Laikipia na hili si jambo la kuja kujadili hapa. Yule mtu atajadili hilo hapa anafanya Laikipia kukaa nyuma na tufe na madeni hapa. Hakuna mtu anajua kama tutarudi hapa kama Wabunge na sasa mnataka kumalizia wengine kufa ili mbaki. Mimi sijakubaliana na hiyo nakala Mheshimiwa Wakahiu amekuwa akipitishia mlango wa nyuma kila siku.

Kama Mheshimiwa Wakahiu ameshiba na anataka kumalizia watu wa Salama, sio watu wote wanataka kumaliza watu wa Kaunti. Mimi nimetoka Sosian na sitakubali watu wa Sosian wahangaike kwa sababu ya nakala ambazo zinapitia mlango wa nyuma. Hii ni mbaya kila siku tukifanya kitu watu wengine wanaenda kufanyia wengine biashara. Hii Bunge si ya Biashara ila Waheshimiwa wameletwa kufanya kazi...

Speaker: What is it Hon. Zamzam? Continue Hon. Jacob.

Hon. Jacob Endom: Bwana Spika, kusema ukweli leo tulikubaliana hiyo nakala isikuje katika Bunge hili na kwa sasa imepitia. Mheshimiwa Wakahiu aliitwa ilhali anajificha. Naomba hii nakala iwekwe kwanza Waheshimiwa wakutane kwa *Kamukuji* ili wakubaliane. Kwa nini *kamukuji* ilikataliwa? Yangu ni hayo na nata kama watu wengine watapitisha, mimi sitakuwa mmoja wao.

Speaker: Members, I want to guide our discussion that we are not discussing the report because it has not been laid. What we are trying to talk about is the issue the Chair had said that he has two document but he has clarified he has signed one. We cannot discuss the content of the report that has not been laid. We cannot discuss a document that has not been laid. That is it. The issues that we are responding to is what the Chair was saying that he has two documents. He made some comments before then.

Speaker: So the issue that we are responding to, is what the Chair was saying that he made some comments before then. Who was to follow was Hon. Kanyutu, then Hon. Mugweru, who was ahead of the other? Hon. Mugweru then Hon. Kanyutu.

Hon. Daniel Mugweru: Thank you, Mr. Speaker, I stand as guided about what the Chair Budget has said, and the most challenging point is that we are having two documents as he has stated. He has said he has signed one and one of the documents has some things that maybe, I did not understand whether he said he did not expect them to be inside there.

If we have two documents, the choice we as Members need it to either see both documents before laying for us to decide which is which. The documents are for this House, they have to be

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laid to this House and I wish we can have time as Members go sit down see the two documents. If they are two documents one signed and one that is not signed, we should agree on which one was supposed to be signed or which is supposed to be signed.

Speaker: Hon. Zamzam

Hon. Salma Zamzam: Mheshimiwa Spika nikiongezea ndugu yangu kidogo, tukiwa kwa kamati ya mwongozo wa Bunge asubuhi, tuliweza kusema iletwe ambaye haina *Infrastructure Bond.* Sasa sijui kama kulikuwa na mkutano baadaye lakini sisi kama kamati tulisema hivyo.

Speaker: Kindly just repeat what you said, I need to follow on that discussion.

Hon. Salma Zamzam: Mheshimiwa Spika unajua inasemekana kuna uhuru wa kuongea na saa zingine sio vizuri kubebeshwa lawama ama kunyoshewa kidole cha lawama. Asubuhi tukiwa kwa kamati ya Biashara ya Bunge mbele yako ukiwa mwenyekiti, Waheshimiwa waliweza kuomba waletewe yenye haina *Infrastructure Bond.* Sasa nilikuwa nataka ndugu yangu aelewe asubuhi Waheshimiwa walikutana na wakaweza kukiri hivyo.

Hon. Daniel Mugweru: Mr. Speaker I think we are saying the same thing as Hon. Zamzam.

Speaker: Hon. Wakahiu.

Hon. Wilson Wakahiu: I think Mr. Speaker it is important you inform or maybe you guide this House. You know when committees do their work, it is not a must a document be taken somewhere to be discussed for them to bring to the House. What is important is the committee to bring the document to the House whether it be approved or rejected. For that, I think we are in order as the Budget committee to bring the report it be approved or be rejected. That is the procedure otherwise if that is not the case; there should be no Committees in the County Assembly.

Speaker: Hon. Members we have to be patient, I think we need to listen to one another because we have to give someone time and the point that Hon. Wakahiu is raising, is that what I hear him saying is that the work of House Business Committee is to schedule business. I think in fewer words, he is saying the work of House Business Committee is to schedule business and the House Business Committee cannot influence the committee on how to do their work. I think it is the House that has that mandate. I do not know how we will get all these interruptions or we go orderly so that we can maintain our comments then we can comment at the right time so that we go to Hon. Mugweru then Hon. Kanyutu.

Hon. Stephen Nderitu: Point of information.

Speaker: Hon. Nderitu.

Hon. Stephen Nderitu: Asante Mheshimiwa Spika, Mimi nafikiria yangu nimesimama kwa sababu Mheshimiwa Wakahiu, Mwenyekiti, amesema kazi ya kamati ni kuleta biashara hapa. Ni lazima aelewe hio biashara ndiyo ikuje hapa ni lazima ipitishwe na *House Business Committee* na ambayo hiyo biashara anasema hatujaiona. Ningetaka atufafanulie vizuri kama kamati ikienda ifanye biashara yoyote huko inaweza letwa hapa bila kupitishwa na *House Business Committee*.

Speaker: Hon. Jacob what is it?

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Hon. Jacob Endom: Mheshimiwa Spika, nilikuwa tu nataka kusema ya kwamba vile Mheshimiwa Wakahiu anasema, tuko na *Liason* na hio *bond* haijafika, pia tuko na *HBC* tulisema hio *bond* isikuje. Kwa nini anasema lazima kamati ilete na kamati zote zinapitia kwa hio njia, hii yake ni gani ambayo inapitia mlango ya nyuma?

Speaker: Hon. Members, let us allow Hon. Mugweru to continue then Hon. Kanyutu then we can be able to proceed like that.

Hon. Daniel Mugweru: Mr. Speaker before I get lost, Hon. Zamzam is claiming that the House Business Committee had met and discussed about the report that is supposed to be brought, which I do not deny were it not for Hon. Chair saying that there are two documents, we could not be having this topic. But now having mentioned there are two documents then we are also worried and that is why we as Members also need to put our eyes just as the House Business Committee put its voice on that one in the morning. For example, I am not a Member of House Business Committee, and I also need to keep my voice in that document.

Mr. Speaker that is why I am insisting that the two documents that are said to be in this House or around this Assembly, whether they are in the House or outside the House, or maybe in this compound, we as Members need to see them and agree on the way forward. Number two, the Hon. Chair of Budget, he is talking of the committee and the committee is composed of Members, we are just watching and waiting to hear what the other Members are saying.

There is no Member who has commented on the same, and it is important for us to hear the voice of those Members. From there because the committee acts on behalf of the whole Assembly, when I am elected as the Chair for Infrastructure I am not there to own Infrastructure. So whatever we do as a committee we do it on behalf of the all Members, and on behalf of the Laikipians. It is also important that whatever I am doing as a committee, the people I represent to understand and get what the information is and especially things to do with Budget because it touches every corner of this County.

On things to do with budget, everyone in this House need to be informed and it is always important to shed light on the same so that we may move in the same pace and in the same direction. I wish you can guide that this House has a sit down sees both the reports and agree on which is which, thank you Mr. Speaker.

Speaker: Hon. Kanyutu.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I am a Member of the Budget Committee and I concur with my Chair. Being in that committee, we received a document that was given in this House and was given to the Committee. We had a meeting at Panari; Let us be open. There is no need of beating about the bush. Whatever we deliberated on is what is in that report, and the Chairman is stating that he has signed what we deliberated on at Panari. There is no Member of that Committee who can say that they did not deliberate, unless he did not attend that meeting. It is the obligation of this House that if they feel that what the Committee deliberated on is not correct, we throw it away.

Hon. Daniel Mugweru: Mr. Speaker, I am sure that the budget is supposed to be guided by the reports from the Select Committees. The Select Committees are composed of all these Members.

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Speaker: The Sectoral.

Hon. Daniel Mugweru: The Sectoral Committees, Mr. Speaker. I am sure that when a Member like myself is speaking here, I am speaking as the Chair of one of the Sectoral Committees. When all these Members are saying something, it is supposed to be taken with a lot of seriousness because they are representing those Sectoral Committees, and the Budget Committee is supposed to do a report that is in relation to what the Sectoral Committees have said. We need to be careful with that.

Speaker: Hon. Catherine, if it is a note on the same, so that Hon. Kanyutu continues.

Hon. Catherine Kibue: Asante sana, Bwana Spika. Ningeomba tu kufahamishwa na Mheshimiwa Kanyutu iwapo walikuwa na akidi katika huo mkutano uliokuwa Panari. Nikisoma Kanuni za Bunge katika ukurasa wa 107, inanieleza vizuri kwamba wanakamati wa Kamati ya Bajeti hawastahili kukutana wakiwa hawajafikisha idadi ya watano. Ningeomba tu kufahamishwa.

Speaker: Hon. Zamzam, do you also want to put a word on the same before Hon. Kanyutu responds?

Hon. Salma Zamzam: Mheshimiwa Spika, nikiwa Naibu Mwenyekiti wa Kamati ya Bajeti, tulikuwa Panari na tulikuwa na akidi. Ningependa kumfahamisha kwamba waliweza kuelewa kwamba Kamati ya Bajeti inapaswa kuwa na watu wanane. Tulianza hili Bunge mwaka wa 2017. Kwa nini hamkuchunguza hiyo siku? Shida sio tu kwamba kuna mwanasheria au nani. Hakuna haja ya kukwaza Kamati...

Speaker: Hon. Zamzam, if you had quorum that is okay.

Hon. Salma Zamzam: Naam, tulikuwa na akidi.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I am happy because Members of the Committee… we have other Members who have not participated and I wish that they will also get a chance to give their views. I do not know why this Assembly seems to be hiding under the table. If the report is not good, why should it not be brought here and we do away with it?

Even before the report has been tabled, it is as if there is something that we are hiding behind the net. We need to be open. We should not just pretend that the Committee can do something that is not correct. If whatever we have brought here as a Committee is the wrong thing, it is the House that should say that whatever has been brought here is not what was handed over to the Budget Committee. But I am happy…

Hon. Jacob Endom: Bwana Spika, nilikuwa naomba tu, kwa sababu najua kwamba hii nakala imefichwa na inaletwa leo, ningeomba tupatiwe nafasi hata kama ni masaa mawili Waheshimiwa wakutane tutatue shida ya hii nakala. Jinsi ambavyo hii nakala inaingizwa hapa kupitia mlango wa nyuma haifurahishi baadhi yetu.

Hon. Mutahi Muritu: Point of order.

Speaker: It is not time for contribution unless you have a point of order.

Hon. Mutahi Muritu: Mheshimiwa Spika, mjadala unaoendelea hapa, mimi namshangaa mwanachama wa bajeti. Mwenyekiti ameelezea vizuri ya kwamba yuko na nyaraka mbili ambazo

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zilikuja wakati tofauti na tusianze kupotoshana hapa. Kwa hizo nyaraka akasema ya kwamba kuna moja ambayo ametia sahihi na pia iko na deni na akasema ya kwamba ameiwasilisha katika Bunge.

Mheshimiwa Spika, nikushukuru sana kwa sababu hapa kinachojadiliwa lazima tuwe makini sana. Katika kamati ya biashara…

Speaker: What is your point of order?

Hon. Mutahi Muritu: Hoja langu la nidhamu ni vile Mheshimiwa Kanyutu anasema ya kwamba sisi tuletewe tuangushe ama tupitishe na ilhali mwenyekiti amekiri ya kwamba yuko na nyaraka mbili. Kama angesema ya kwamba yuko na nyaraka moja na yuko na nia ya kuwasilisha, basi tungekuwa katika mjadala.

Sasa huu mjadala umetokana na mwenyekiti na pia ndiye ameisababisha huu mjadala kwa sababu aliomba ruhusa kabla na kusema ya kwamba apewe ruhusa ya kuweza kuelezea maneno fulani. Kama angenyamaza na atueleze ya kwamba yuko na nyaraka, basi tungekuwa na mjadala. Sasa hivi tunajadili na kukorogana. Ninaomba mwongozo wako Bwana Spika kwa sababu hapa hatuendi vizuri. Katika serikali yeyote na nyaraka yoyote inayowasilishwa…

Speaker: Hon. Mutahi, you should not rise to contribute because I will give everyone a chance to contribute. You were rising on a point of order while Hon. Kanyutu was making his remarks. It is better he finishes and then you can…

Hon. Mutahi Muritu: Unajua nilitaka nimjibu na yeye anakuja kututolea ufafanuzi mwingine zaidi ni kama yeye aliomba Bunge na aliyeomba Bunge ni mwenyekiti.

Speaker: And you have already answered him.

Hon. Mutahi Muritu: Yes.

Hon. Simon Kanyutu: Mr. Speaker, what I can attest in the floor of this House…

Hon. Catherine Nyawira: Hon. Speaker, this is a House of order and I am just doing a point of information. There is no time a Chair of a committee can bring two reports. The only thing that is allowed in this House is to bring a dissenting opinion. Therefore, bringing two reports is showing that he is failing to even follow the law.

Secondly, the report which they have done can only be complete through a memoranda, through sectorial committees, through the Standing Order of this County Assembly and fourthly through the PFM Act and the County Government Management, Act 2015.

Mr. Speaker, I believe that sectorial committees debated on this matter and I believe that the memoranda's which were brought forward also had an issue and when the Chair stands to say that he has two reports, I think that he needs to either withdraw one report or give us exactly what he is trying. It is unacceptable and it is not even within the law to bring two reports of the same document. Thank you.

Speaker: Hon. Kanyutu just finish and then I give Hon. Jacob.

Hon. Simon Kanyutu: Mr. Speaker, my point was …

Hon. Jacob Endom: Mr. Speaker, this House lacks quorum.

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QUORUM CALL

Speaker: Clerk, kindly confirm whether there is quorum?

(Lack of quorum confirmed)

Speaker: Serjeant at Arms to ring the bell.

(The quorum bell was rang for ten minutes)

Speaker: Clerk, kindly confirm whether we have quorum.

(Lack of quorum confirmed)

ADJOURNMENT

Speaker: This House now stands adjourned until tomorrow Wednesday, 14th July, 2021 at 9.00 a.m.

The House rose at 3.10 p.m.

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