REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 24th May, 2022

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

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

PRAYERS

COMMUNICATION FROM THE CHAIR

VISIT BY COUNTY GOVERNMENT INTERNSHIP STUDENTS

Deputy Speaker: Hon. Members, we have got some students with us. They are actually attached to the County Government of Laikipia in the Department of Finance, County Planning and Economic Development. I wish to recognize the presence of the following students;

1) M/s Habiba Wako
2) M/s Joan Ngahu
3) Mr. Brian Mwangi
4) Mr. Jonathan Kemboi
5) Mr. Daniel Kaingi
6) Mr. Fredrick Mwangi

Thank you for choosing to work with Laikipia County Government although it is in the short-term. Let us make Laikipia better than the way it is. Let us take our seats. Hon. Members, I don't know if there is anyone who wishes to make some additional due to that communication.

Hon. George Karuiru: First, I want to appreciate and welcome the interns. The name was not very clear where they come from. This is a good moment of learning and appreciating the endeavours of every county leadership does. Through this Assembly, I know you will learn a lot. As you have put it, we have limited time in this Assembly and if we do not skip any session then they are going to learn a lot. I want to applaud and appreciate their thinking for coming to be with Laikipia County Assembly and I know they will go far. Thank you.

PAPERS LAID

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT OF FINANCE AND COUNTY PLANNING

Hon. Joseph Suge: Thank you Mr. Speaker I have a paper to lay. Before I proceed allow me to also welcome the interns from the Department of finance who has come to learn in this assembly. I believe they are the leaders of today and tomorrow. Having gotten that opportunity to come and learn, I am sure they will be well equipped to the task ahead of them.

(Hon. Joseph Suge laid the Papers on the Table)

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QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT OF AGRICULTURE, LIVESTOCK AND FISHERIES

Hon. Joseph Suge: On behalf of Hon. Simon Kanyutu representing the people of Marmanet and the Chairperson for Agriculture, Livestock and Fisheries, I have a Paper to lay on the Quarterly Report and Financial Statements for the period ended 31st December, 2020. Thank you.

(Hon. Joseph Suge laid the Papers on the Table)

LOCAL FISCAL AND LAND USE DEVELOPMENT PLAN 2021/2031 FOR RUMURUTI MUNICIPALITY

Hon. Joseph Kiguru: Thank you Hon. Speaker. I welcome our interns from the department of Finance though the time is limited, they have a lot to learn. I welcome them even at Committee level to interact with Members and learn matters pertaining to planning and finances. I want to lay this paper on local fiscal and land use development plan 2021/2031 for Rumuruti municipality. Thank you, Mr. Speaker.

(Hon. Joseph Kiguru laid the Papers on the Table)

Deputy Speaker: The Paper laid by Hon. Kiguru is committed to the Committee on finance and County Planning.

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT O COUNTY ADMINISTRATION, PUBLIC SERVICE AND OFFICE OF THE GOVERNOR

Hon. Stephen Ndiritu: Thank you Hon. Speaker. On behalf of the Chairperson for the Committee on County Cohesion, Justice and Legal Matters, I want to lay a paper on the County Government of Laikipia (Executive) Quarterly report and financial statement for the period ended 31st December, 2020 for the Department of County Administration, Public service and Office of the Governor. Thank you.

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

NOTICES OF MOTION

WAIVER OF LAND INTEREST RATES AND PENALTIES

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

NOTING THAT Section 159 of the Public Finance Management Act, 2012 read together with Section 43 of Laikipia County Finance Act, 2022 empowers the County Executive Committee Member for Finance with the approval of the 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 accrued interest and penalties which amounts to Kshs. 6,811,776,855.

This House URGES the County Government pursuant to the provisions of section 159 of Public Finance Management Act, 2012 and Section 43 of Laikipia County Finance Act, 2022 to provide 100% waiver of interest rates and penalties on Land rates for a period of one month with effect from 20th May, 2022 to 20th June, 2022 to offer much needed relief to rate payers.

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Thank you, Hon. Speaker.

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT OF AGRICULTURE, LIVESTOCK AND FISHERIES

Hon. Stephen Ndiritu: Thank you, Hon. Speaker. On behalf of the Chair, Agriculture, Environment and Natural Resources Committee I beg to give notice of the following motion;

THAT this House adopts the Quarterly Report and Financial Statements for the period ended 31st December, 2020 for the Department of Agriculture, Livestock and Fisheries by the Sectoral Committee on Agriculture, Environment and Natural Resources dated 12th May, 2022.

Thank you.

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT O COUNTY ADMINISTRATION, PUBLIC SERVICE AND OFFICE OF THE GOVERNOR

Hon. Stephen Ndiritu: Hon. Speaker, I also want to give notice of the following motion on behalf of the Chair, County Cohesion, Justice and Legal Matters;

THAT this House adopts the quarterly report and Financial Statement for the period ended 31st December, 2020 for the Department of County Administration, Public Service and Office of the Governor by the Sectoral Committee on County Cohesion, Justice and Legal Matters dated 10th May, 2022.

Thank you.

MOTION

WAIVER OF LAND INTEREST RATES AND PENALTIES

Hon. Joseph Kiguru: Thank you, Hon. Speaker. I beg to move the following motion;

NOTING THAT Section 159 of the Public Finance Management Act, 2012 read together with Section 43 of Laikipia County Finance Act, 2022 empowers the County Executive Committee Member for Finance with the approval of the 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 accrued interest and penalties which amounts to Kshs. 6,811,776,855.

This House URGES the County Government pursuant to the provisions of section 159 of Public Finance Management Act, 2012 and Section 43 of Laikipia County Finance Act, 2022 to provide 100% waiver of interest rates and penalties on Land rates for a period of one month with effect from 20th May, 2022 to 20th June, 2022 to offer much needed relief to rate payers.

Hon. Speaker, I just want to elaborate further because we all know that economically, the people of Laikipia County and other counties are doing the same because of the financial constraints. Hon. Speaker, for the purpose of helping our land owners, it is good to have this spirit of waiving penalties. Mr. Speaker, when we waive the penalties and interests, the people of Laikipia are very good in paying rates. So I think it will be of great purpose to make sure that as

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we give one month and we also go to the ground and let people know that we have waived the interest so that they come to pay for their land rates,

I urge this Assembly to consider positively concerning this request. Hon. Speaker, I remember last time I brought the same motion and within a period of three months, people flocked the offices to pay. In one month, we collected more than Kshs.50 million. I urge Hon. Members to support this motion. I call upon Hon. Joseph Suge from Rumuruti to second this motion. Thank you, Hon. Speaker.

Hon. Joseph Suge: Asante, Mheshimiwa Spika. Kabla sijachangia ningependa kumshukuru Mheshimiwa Kiguru, mwakilishi wa wananchi wa Igwamiti kwa kuiwasilisha hii hoja ili Kaunti ya Laikipia iweze kufikiria kuhusu malipo ya kodi ya mashamba ili watu wetu waweze kusaidika. Nikijua ya kwamba kule Igwamiti kuna miji mingi yenye mapato ya chini, yakiwemo wadi nyingine. Katika mji wangu wa Rumuruti nina wananchi wanaoishi kwenye sehemu ya African, mahali ambapo mapato yako chini, na kila mwaka wanastahili kulipa shilingi elfu moja na mia tano kwa sababu ya yale makao ambamo wanaishi.

Kusema ukweli tumepitia matatizo mengi. Wananchi wamepitia matatizo mengi. Tunapoongea, sasa hivi uchumi uko chini. Hivi majuzi tulikuwa na pigo kwa sababu ya ugonjwa wa Korona ulitatiza shughuli nyingi na biashara nyingi kuathirika. Kwa hivyo ni wazo nzuri ili wananchi waweze kusaidika, kuwe na ondoleo la riba na walipe tu *principal rates.* Naona imekuja kwa wakati unaofaa. Wakati huu pia tumekuwa na kiangazi ambayo imegusa wengi. Tunapoongea sasa hivi wafugaji wengi wako kwenye sehemu mbalimbali kutafuta malisho. Wakulima, kwa vile wananchi wetu wengi wanategemea ukulima, wametatizika pia kwa sababu ya ukosefu wa mvua.

Mswada huu ukipitishwa na kutekelezwa kwa haraka utasaidia watu wetu. Utasaidia pia watu wetu kupata moyo wa kulipa kwa sababu wanapoondolewa zile riba wengi watakimbia kuchukua hiyo nafasi ya kulipa ada wanazodaiwa. Kwa hivyo serikali pia na Kaunti nzima zitakuwa zimepata hela za kutekeleza maendeleo ili wananchi wasaidike. Ninaunga mkono, asante.

(Question proposed)

Hon. Jacob Endom: Asante, Bwana Spika. Kwanza nataka kumshukuru Kiongozi wa Walio Wengi kwa kuuleta huu mswada kwenye hili Bunge. Kwa kweli mjadala wa leo ni wa maana sana kwa sababu ukiangalia sehemu tulikotoka, watu wameadhirika sana. Wengine hata wakiona watu wa Kaunti wakija kulipisha ada, wanafunga maduka kwa vile hawana pesa ya kulipa.

Bwana Spika, maji ya mto ambayo wakulima wa sehemu niliko walikuwa wakitumia yalikatika. Ukienda kwenye upande wa wafugaji, kuna wafugaji ambao wamekaa mwaka bila kufika nyumbani kwa sababu wanang'ang'ana na mifugo wakitafuta mahali ambapo watahamia kutafuta nyasi. Nashukuru kwa sababu najua leo huu mswada ukipitishwa hapa, watu wanaong'ang'ana na maduka na najua wengi wamefunga kutokana na kuadhirika; hii Kaunti itapata mapato ambayo yataisaidia kufanya kazi. Naunga huu mjadala mkono, asante.

Hon. Veronica Ikunyua: Thank you, Mr. Speaker. I rise in support of this motion and I congratulate Hon. Kiguru for thinking about the people of Laikipia. We all know that the economy is not very good, businesses are going down, and our people are being harassed because of very many things. Last week I heard that there are people who go downstairs from the Department of

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Trade; I do not know checking the weighing machines or charging business people about those weighing machines, I find that that is not very good.

So, when somebody comes up with an idea of helping our people, I am there to support. I have so many people here who have businesses in this town and if the waiver will be implemented my people will benefit. We need money in this County to do so many businesses, to make roads and install water for our people but if there is no money we cannot keep pushing our people to pay the land rates. I have many slums in Nanyuki Ward, I have Likii and Majengo which do not have any funds and their businesses are not doing well.

I appreciate what Hon. Kiguru has done because it is going to help my people in Nanyuki. Therefore, I know the little they are supposed to pay, they will pay so that we cannot shut down developments in this County. I support the motion and urge the Hon. Members, to go back there to the village encourage our people to pay the little they are supposed to pay so that again we can be able to continue giving out bursaries and also providing medicine in our hospitals.

If they do not pay the little that is left for them to pay, they will keep complaining that there are no doctors and medicine in our hospitals. We have to work together as a community and as leaders so that we can be able to do our part. I support and urge Hon. Members, to convey the message to the community who are supposed to pay whatever they are supposed to pay. Thank you, I support.

Hon. Stephen Nderitu: Asante sana, Mheshimiwa Spika. Nasimama hapa pia kuunga mkono, hata kama siungi mkono mia kwa mia ila shingo upande. Huu Mswada umefika Bunge lakini utaweza kusaidia wengine. Nasema hivyo kwa sababu nimeona huu mswada wa kuondolewa kwa riba ya faini kwa ploti zile ziko Laikipia na sanasana ni zile ziko katika Mjini.

Mimi nikaona ya kwamba hii kuondolewa kwa riba inaelekea kusaidia mabwanyenye ambao wako na mali katika hizi miji kubwa ambao wako na zile ploti. Leo Tukiwa hapa tunawakilisha kila sehemu ya Laikipia na tunawakilisha kila mwananchi na haswa huyu mama mboga, mtu wa mkokoteni na yule mtu wa bodaboda. Mtu ambaye ni wa hali ya chini.

Mimi ningefurahi sana na niunge mkono mswada huu mia kwa mia, kama ningeona kweli tumeweza kumshughulikia yule mwananchi wa kawaida. Tuone ya kwamba kweli tumetoa ile kuondolewa kwa riba ya faini kwa wale ambao wanafanya kazi za kawaida kama bodaboda, mama mboga, wachuuzi na pia vijana wanafanya kazi kule sokoni. Hao ndio wale watu ambao tungefaa tuone pia wao wametolewa ile riba ya faini.

Deputy Speaker: What is it, Hon. Veronica? Member of Nanyuki.

Hon. Veronica Ikunyua: Asante sana, Mheshimiwa Spika. Ningeomba kukumbusha Mheshimiwa Ndiritu, nimemsikia vizuri akisema wale watu wa bodaboda pia wao waondolewe ile faini lakini nimkumbushe ya kwamba tuliwaondolea na huwa hawalipi.

Hon. Stephen Ndiritu: Mimi nimeshangaa ni wapi wameondolewa kwa sababu yule mtu wa bodaboda, bado huyo mtu yuko kwa soko. Yule mtu pia yuko na ile duka yake ndogo. Anafanya biashara yake lakini sijaona hapa wakisema ya kwamba wale ambao walilipa kama wamechelewa kulipa ile leseni wameondolewa ile faini. Wale ambao hapa wameshughulikiwa sana ni wale Wapangaji na pia mabwanyenye wako na pesa.

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Hon. Veronica Ikunyua: Nataka kukumbusha Mheshimiwa Ndiritu, ya kwamba kuondolewa kwa riba ya faini inaguza pia mkaaji wa *Likii* na pia *Majengo* na asilimia kubwa inaguza wakaaji wa *Majengo*. Kwa hivyo atetee wakaaji wa *Majengo* kwa sababu viwanja zao ziko *Majengo* na wale watu hawana mashamba wanaishi hapo.

Deputy Speaker: Thank you, Hon. Veronica. I think Hon. Stephen, let us try to stick to the motion of the day. Otherwise you have a chance to craft any other motion that you think will help the people, you may continue.

Hon. Stephen Ndiritu: Mheshimiwa Spika, mimi nafikiri kulingana na kiti chako unaelewa mswada wa kutoa riba ya faini huwa unakujia wapi. Ukiwa Mjumbe huna ruhusa ya kuwasilisha mswada wa hii aina na pia unaelewa kabisa. Huu Mswada hutolewa na serikali na hata huu Mswada umesomwa na Kiongozi wa Wengi unaelewa pia vizuri yule mtu ameleta hapa ni serikali na hiyo ndiyo njia ya kuleta huu mswada.

Hii ndiyo sababu nauliza, kwa nini tuone hawa mabwanyenye wakileta mswada wa kutoa riba ya faini ya wanabiashara wadogo. Nakubaliana na Mheshimiwa Veronica ya kwamba kuna watu wako *Likii* na pia *Majengo*. Nakubaliana lakini nikasema naunga huu mswada shingo upande. naunga mkono asilimia hamsini kwa sababu kuna ile ambayo inaguza *Majengo* mahali nawakilisha lakini kuna yule mwananchi pia ambaye anauza vitu ndogondogo ambaye hana ploti.

Ukienda hapa mjini, uite wale wachuuzi wote na uwapatie huu mswada, uwaambie ya kwamba umetoa ile riba na faini kwa zile ploti, nafikiri wale wachuuzi watashangaa. Maana watauliza huu mswada kwetu, uko na maana gani na watakwambia hakuna.

Kwa maana hata ile ploti ambayo anakaa analipa mwenye nyumba ambaye ni bwanyenye mwenye kuondolewa ile riba, lakini yeye kwa biashara yake hajalipa leseni kwa muda unaofaa. Kwa hivyo ningetaka angalau serikali ilete mswada kama huo wa kusema ya kwamba zile biashara zote ambazo hazijalipia leseni, tumetoa faini. Wale kina mama ambao huuza mboga huko Old Market, wale ambao huuzia Nyahururu na Rumuruti, tusikie ya kwamba hata wao wameondolewa hizo faini ili angalau biashara zao ziweze kuinuka.

Bwana Spika, ninasema hivyo kwa sababu ninajali yule mtu ambaye yuko pale chini ambaye hufanya biashara kidogo na ambaye hana mtetezi. Ndio maana mimi kama kijana mdogo baru baru ambaye amepewa kura na wananchi, nimekuja hapa kwa niaba yao, angalau niweze kuwatetea kuondolewa zile pesa ambazo wanadaiwa na serikali.

Wengine hapa utakuta mtu kwa biashara yake kwa miaka kama mbili hajaweza kulipa hizo pesa lakini hakuna wakati tumeona serikali ikiketi kupitia waziri au maofisa ambao wanahusika, kuandika mjadala wa kusaidia mtu aliye pale chini lakini huona tu mambo ya mabwanyenye. Mimi nashangaa, kwani hii serikali ni ya mabwanyenye.

Bwana Spika, mahali umetoka kwa sababu najua wewe ni mwakilishi wa watu na watu huwa wanakupenda kama nyama na chapati, walikuchagua kwa sababu wanakujua. Ukienda huko utapata wale watu ambao wanauza huko chumvi, Ngenia na kwingineko kama Doldol, hata mtu kulipa leseni ni shida. Akiomba kupewa hiyo leseni analipishwa faini ya karibu miaka tatu na hataondolewa faini hata kidogo.

Ndio maana mimi nauliza Mheshimiwa Kiguru kama Kiongozi wa Walio Wengi na ambaye yuko na jukumu ya kuleta huu mjadala kisheria, lakini sio yeye kwa sababu kama ni yeye

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hangeacha kina mama mboga, wachuuzi na pia mwenye kuuza miwa. Angemuweka hapo, lakini kwa sababu sasa yeye ameletewa na kupewa jukumu ya kuleta huu mjadala kama Kiongozi wa Walio Wengi, yeye hana lingine.

Ndio maana mimi naunga mkono shingo upande nikisema ni nzuri. Wacha tuunge mkono kwa hao ambao waliondolewa nikiwa na imani ya kwamba kesho na kesho kutwa Mheshimiwa Kiguru atapiga simu na kuongea na huyo waziri, angalau aweze kuleta mjadala wa kuondolewa kwa faini za leseni. Kwa hayo machache naunga mkono na kuuliza tu ipite na pia hiyo ingine ije haraka ndiyo angalau hata hiyo ipite kabla ya kufunga hili Bunge mwezi ambao unakuja.

Deputy Speaker: May I call upon the mover to give a reply.

Hon. Joseph Kiguru: Thank you, Hon. Speaker. I want to appreciate the contribution of Members and also urge them to support and approve the same. I would also wish to assure Hon. Ndiritu that as he has stated, as a Member of the Finance Committee, I have written to the Executive towards the same but unfortunately for them, the one for the land rate I have requested them for more than a month ago. Concerning the late payment of licenses, we also have an addition of one month and I think that we extended the time when they can be penalized.

Even in the villages like Kiamaina, Muthengera and Likii, those people are there. You will find a plot worth Kshs. 200,000 but plus the penalty you will find that the late payer, the government is demanding from him more than Kshs. 500,000. So, it will benefit those people from villages because the plot is worth Kshs. 200,000 but plus the penalty, it becomes twice the value of the property. So I want to assure Hon. Ndiritu that it is catered for. I thank the Hon. Members and urge them to approve this motion. Thank you.

Deputy Speaker: Hon. Members, putting of the question of the same, will be done tomorrow morning as the first business.

MOTION

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT OF ROAD, PUBLIC WORKS, LANDS AND ENERGY

Deputy Speaker: We do not seem to have any Member from the said committee, the Chairman and his Members…

Hon. Stephen Ndiritu: Thank you, Hon. Speaker. I happen to be one of the Members of that committee but unfortunately I don't have any information regarding that motion. So we can defer that motion until maybe tomorrow when the Chair will be present.

Deputy Speaker: We defer that motion until an appropriate time when the HBC will be able to reschedule depending with the arrangements. That is fine but I would like to caution any committee particularly Members and their Vice Chairs that the information should trickle down to the Members so that we do not have any gap.

(Motion deferred)

ADJOURNMENT

Deputy Speaker: The sittings of this House now stands adjourned until tomorrow Wednesday, 25th May, 2022 at 9.00 a.m.

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The House rose at 3.08 p.m.

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