REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 4th August, 2020

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

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

PRAYERS

PAPERS LAID

LAIKIPIA COUNTY REVENUE BOARD QUARTERLY REPORTS

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

a) Laikipia County Revenue Board quarterly report and financial statements for the year ending 30th June, 2019/2020 Financial Year.
b) Laikipia County Executive 4th quarter report.

Thank you, Mr. Speaker.

(Hon. Mutahi Muritu laid the papers on the Table)

Deputy Speaker: As per the papers laid, the County Government of Laikipia quarterly report and financial statements for the period ended 30th June, 2020, will stand committed to all Sectoral Committees of this House. They peruse and go through to see those statements. The second report, Laikipia County Revenue Board quarterly report and financial statements for the Financial Year ended 30th June, 2020 stands committed to Finance and County Planning Committee.

STATEMENT

RESPONSE TO A STATEMENT ON ANNUAL REPORT BY THE LAIKIPIA COUNTY DEVELOPMENT AUTHORITY BOARD.

Deputy Speaker: There is a response statement on annual report by the Laikipia County Development and Revenue Board by Finance and County Planning. This response statement was here last week on the floor of this House. It was discussed to some point. It is upon the Hon. Member who requested for the statement to say whether he is satisfied with the response as given by the committee or not.

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Hon. Chris Mark: Thank you, Mr. Speaker. When it was to be responded to, the Committee on Finance said that they needed some time as a committee because there are some findings they had found. If you remember, we had actually dealt with this one or we were to debate. I cannot see any Member from the Finance Committee. It would have been prudent to get to know the new findings. They said they would want to share those new findings with us. If it is something that I had not seen, it can be added to the debate so that I can either register my satisfaction or dissatisfaction. Hon. Chair, I do not know how you would guide on that.

Deputy Speaker: Hon. Chris Mark, this is what you requested. You just need to confirm whether you are satisfied or not. The Chair of the committee is not in but I am sure the other Members of the said committee are here. They can always respond. Since the Floor of the House has discussed, it is then up to you to say whether you are satisfied with what you asked or not.

Hon. Chris Mark: Okay. Thank you, Mr. Speaker. Actually, it has never been discussed on the Floor of the House. It is good that I am seeing the Chairperson for Finance. Maybe I and the Members can say a few things. The reason I asked for this statement is because it is prudent that anytime an organ of this county is appropriated funds approved by this Assembly, Mr. Speaker, I do not know whether the Chairperson for Finance is lobbying for the Finance Bill. Back to the matter at hand, I was saying that the reason I asked this is because it is good to see what an entity especially one approved by this House and the money that has been appropriated by this House is doing.

When I went through this document, I saw a lot of Memorandum of Understandings (MOU's). It is not bad to enter into as many MOU's as possible. You know an MOU is just an MOU if it is just signed and there is no actualization. I even saw an MOU with KIPPRA. That the MOU covers improvement in policy formulation matters in the county and it includes but it is not limited to training of policy makers and joint research activities. This is just a statement.

We have not seen those policies or activities that have come about courtesy of this. Those are the things that I really wanted. This is so that we can at least be sure that the Laikipia County Development Authority is not a rent seeking venture but actually something that is here to benefit this county.

I can see another one which was an MOU that covers technical and engineering support of the Laikipian entrepreneurs. If you are aware, in the social media Laikipia has the greatest invention in Africa. That is the BJ-50. We are getting a lot of backlash in the internet. I do not know whether this MOU was to improve on it. The last time I checked the BJ-50 was still the same. It is very unfortunate because I saw someone from Laikipia saying that it looks like something to hawk *smokies.*

They say technical and engineering support to Laikipian entrepreneurs and we do not see this type of support. It looks good when it is written but in actualization it would have been prudent

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if we actually saw the technical support. Who are these entrepreneurs in Laikipia that have been offered this technical support by the Dedan Kimathi University?

Unfortunately, there are no dates on when this MOU was signed. If there is a date, we can then trace it. It worries when something does not have a date. If I would say that I want to know when it happened I may then be told that it was signed yesterday. I am supposed to wait and see the outcome. It would have been prudent to have that kind of dating.

I am seeing something on Tribus-tsg-A. They are saying that it is a subsidiary of the centum. The partnership will see Laikipia benefit from the construction of two youth friendly innovation hubs that are funded by the Melinda Gates Foundation. This is something very good. When someone sees that as a headline he sees hope. I have not seen these centers. There is no time frame. Maybe this MOU was to mature in two or three years.

Those are the things that would have made me feel satisfied when I am looking at this report. The dates, the timelines when the MOUs were signed, what was the time frame and what was being inputted. In fact, when they said that they are going to put two youth friendly facilities, an MOU then specifies what we are giving as a county. It might look good but you may find that the county is giving more than it is receiving. Maybe they are being asked to give land because these innovation centers must be built somewhere.

There is the National Housing Corporation (NHC). The MOU is aimed at promoting the Big 4 Agenda and affordable housing. It is good that we have the Chair of Infrastructure. I have been going around Laikipia and have not even seen the ground-breaking of these houses. That is why I said the dates are very key. If we had the dates we would have known. Maybe it is yet to start, maybe the MOU was to mature in 2021. I do not know. Maybe the Chair of Infrastructure would say whether he has seen any houses under the NHC being built. The list is endless, Mr. Speaker.

I can go on and on but I find that I am not satisfied. Out of 100% I am satisfied 30%. That 30% is because the committee actually sat down and burnt a bit of the midnight oil. That 30% is the appreciation that ink went to paper, it was properly formatted and there is proper English. These are not the things I am looking for. The 70% is what I will be seeking with your guidance.

Since this statement has really stayed it would be prudent if you give them a very short period of time. We need to dispense off this matter because we are in a new financial dispensation. Mine is just that and maybe Members would add on what is happening. As I finish, I am seeing corporate services here. They are saying that Laikipia County Development Authority (LCDA) has put a near ready investment which will use to push for strategic investors to pump resources for realization of; one, feedlot project in Laikipia North. The good thing here we have very vibrant Members from Laikipia North. Maybe they have seen that it has been a while since I went to Laikipia North.

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There is the Laikipia Leather Tannery project in Rumuruti. The Hon. Member of Rumuruti is not here but those are things that I am seeing being talked about. There are a lot of promises which are not bad entering in an MOU. When are they going to be actualised? When is the maturity? Such things make me not get satisfied. Thank you, Mr. Speaker.

Hon. Catherine Nyawira: Thank you, Mr. Speaker. I do not know whether this statement has really been answered by the Finance Committee. I just want to note that Hon. Chris has just delved into the matter without the committee taking us through and telling us exactly what this document is. Mr. Speaker, maybe you can advise on that. I do not think this statement has been before the Floor of this House.

Deputy Speaker: Thank you, Hon. Nyawira. This statement has been on the Floor of this House. It is on record and I have been informed that it was a continuation. It was then the time for the Member who requested for the information, yes, Hon. Chris.

Hon. Chris Mark: Yes, Mr. Speaker just to inform you we have never debated on this. The first time it came it had an error which was a dating and typing error. With your wisdom you gave it back to the committee to rectify. When it was supposed to be debated, the Hon. Chair of the committee requested for more time to add information. Actually it is the first time it is being opened. Maybe it was a miscommunication from the people who advised you but it has never been debated, Just to notify you that.

Deputy Speaker: Thank you, Hon. Chris. It is the information that I have gotten that this statement has landed in the Floor of this House. All the same it does not matter; what matters is whether the Member is satisfied with the information. Otherwise, we have the information on our hands at the moment. The very key thing is that so far so good, the Member is not satisfied with this information. Hon. Chair for Finance and Appropriation, I do not know whether you have anything to add or I give you time to go deeper for more information on what Hon. Chris has requested regarding the two questions that he asked.

Hon. Joseph Kiguru: Thank you, Chair. Mr. Speaker, Sir, I think I need your guidance because this statement has not been read officially in this Hon. House. In fact, I get shocked when it is already challenged even before I read officially. Mr. Speaker, Sir, I need you to guide me because the statement had been challenged. I do not need to go through or take Members through. I do not understand why your seat allowed the statement to be challenged even before officially. I do not want to use bad language. I do not know if it is mockery to the Chair of Finance or what it is. I have not understood why you allowed it. You should have waited for me, Mr. Speaker.

I do not need to go through because it has already been challenged. Just to add something...

Deputy Speaker: What is it Hon. Chris?

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Hon. Chris Mark: Maybe with your guidance Hon. Speaker, you know it is very wrong for Hon. Kiguru to say you would have waited for him. He should know the House and the Speaker never wait for the Chairman. It is actually the other way round so that one has really worried me. Maybe you can correct him on that.

Hon. Joseph Kiguru: Okay, I am sorry Mr. Speaker but I need time to go and find better clarity on the issues I had. If you allow me, please give me time because I have seen that there are many things he has mentioned. It is good to say that we as a committee have done our work with professionalism. Just like Hon. Chris has said there should not be an MOU in this county without passing through this Assembly. There is no MOU that has passed through this Assembly so I concur with Hon. Chris that this information is not sufficient. I also wanted to say…

Hon. Daniel Mugweru: Mr. Speaker, I need clarity from the Hon. Member. I am listening to him discussing a report that he has already disowned yet he is discussing it and saying that he will add more information to a rejected report. He himself has disowned it himself and said that it has been sneaked into this House. Thank you.

Hon. Joseph Kiguru: Ombi langu Mheshimiwa Spika, kwa heshima ya kiti, chako ni kwamba kuna kosa lilifanyika kwa sababu ruhusa ingetolewa kabla ya kusomwa rasmi. Ninafikiria kuwa hiki ni kitu ambacho tayari kimeisha na tuingie kwa biashara nyingine ukikubali.

Deputy Speaker: Thank you, Hon. Chair. I got the information that this statement has landed on the floor of this House. As I said the bottom line of this is that the information is not satisfying what the Hon. Member had requested. Whether the Chair or any other Member of the committee has read it before or not at the end of the day it will not satisfy the Member and that is where we are. Anyway, I apologize if this statement is not here the way I was told because then it is not the right procedure but it really does not matter a lot. What matters is whether the Member is satisfied with the information he had requested. I will accord you two more weeks

Hon. Joseph Kiguru: Unajua hizi mikataba ya maelewano zimetiwa sahihi na watu wengine hata walioko ng'ambo kwa hivyo ninahitaji muda wa kupeleleza…

Deputy Speaker: What is it Hon. Matunge?

Hon. Peter Matunge: Mr. Speaker, I am confused this afternoon because the statement was commented on by the person who requested and then the Chair who was supposed to respond came in and disowned it. When I look at this statement it was approved by your Chair. Secondly, it has gone through the Clerks and was then recommended. It was scheduled through the House Business Committee.

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

(The Speaker (Hon. Patrick Waigwa) took the Chair.)

It was signed by the Hon. Member so even before we schedule more time for the Statement we need to know if the right procedures were used for this statement to be in this House because we are a House of rules, order and procedure. If the statement has been disowned by the Chair who

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has already signed he needs to first withdraw that he signed it. We discussed this statement in the committee and then it came to this House but because of the fact that the Hon. Member has said he is not satisfied that is the only time I will request for more time to go and look at this statement.

Hon. Daniel Nyausi: Thank you, Hon. Speaker. I think we are trying to make some things that are not here. Let me start by saying that I got the information from our table Clerks that this statement has landed on the floor of this House and it was discussed up to a point where it was only for the Member who requested for the information to say whether he is satisfied or not. That is why Hon. Chris was given that time before the Chair because the information we had is that this statement has landed on the floor of this House before.

CONSIDERED RULING

Speaker: Hon. Deputy Speaker, allow me to give this House some information so that we do not get into confusion. This statement came into this House last week and to the best of my memory I requested the Hon. Member for Igwamiti to read the response. The Member said that there are certain things he had not yet agreed on with the committee but I told him that it was already a complete statement since it had come to the Table of this House. He insisted that he be allowed not to read the statement until they agree on some few things here and there with the committee.

Therefore, the Member did not have time to read that response in this House. Whether the information was read, I think we need to seek all the briefs from our table clerks so that we know whether it was read or not. The confusion came in because it was in the order paper. If the clerks look at it and realize that it was not in the order paper and it was supposed to be read last Tuesday maybe the Member without knowing insisted that he would read it sometimes back. I remember he was requesting that we bring it on Thursday but I said that it would be read today on Tuesday.

That is the information that I wanted to provide so that we may not dwell so much on the same so that we can give the Hon. Member for Igwamiti time to read his response and then we can see what happens with the other response to statements. I think that I have now elaborated. Most likely the table clerks did not notice that it was well read and therefore might have told the Chair that it was read which the case is not.

Hon. Joseph Kiguru: Mheshimiwa Spika, Mheshimiwa Peter ndiye ambaye amerudisha hayo mambo nyuma na ni vizuri kuheshimu wakuu. Niseme ya kwamba nimekuta ya kwamba ujumbe ambao tayari uko katika hii nakala haikuridhisha mwenye aliyekuwa ameomba taarifa. Kwa hivyo hata kabla ya kusoma nikasema ya kwamba nilikuwa nimeita Mwenyekiti wa *Develoment Authority Board* na changamoto la Mheshimiwa Chris ni kuhusu yale mambo ambayo tulikuwa tunataka aongeze.

Sasa nikasema ya kwamba hakuna haja ya kusoma nakala ambayo tayari mwenye kuitisha ujumbe ameiweka tashwishi. Kwa hivyo tulikuwa kiwango cha kupewa muda ili tuongeze taarifa ambayo itaridhisha hii Bunge. Kwa hivyo nafikiri shauri ilikuwa tu kusema ya kwamba nahitaji

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mwezi mmoja lakini Spika mwenye alikuwa kwa kiti alikuwa anataka tuwe na wiki mbili. Kwa heshima kubwa naomba unikubalie huo mwezi mmoja kwa sababu nilikuwa nimeambia Bunge ya kwamba kuna wengine ambao wameweka MOU na wako nchi za ng'ambo na kwa hivyo nahitaji muda zaidi kuelewa. Kwa hivyo ilikuwa tu ni muda wa wiki mbili na mwezi mmoja na kwa sababu wewe unaelewa zaidi, najua utasema mwezi mmoja unatosha. Asante.

Speaker: Had the Chair ruled on two weeks?

Deputy Speaker: Mr. Speaker, I did not rule.

Speaker: It is because I found Hon. Peter Matunge asking the mover either to withdraw that response because he was not owning it. If the issue was about time, you said that there are some people who are supposed to give you this MOU. Are you sure they are coming even now that we are having issues of COVID-19? I don't know whether you have communicated to them or what guides you?

Hon. Joseph Kiguru: Mheshimiwa Spika, sisemi ya kwamba wao watatoka ng'ambo waje lakini ninahitaji muda wa kuingia kwa undani kuhakikisha ya kwamba taarifa nitakayosoma katika hili Bunge itaridhisha mwenye kuuliza taarifa na hata wajumbe wengine tafadhali.

Speaker: Hon. Chris Mark, you requested for this statement and I don't know what is lacking because that will guide us on giving reasonable time of either two weeks or more.

Hon. Chris Mark: Thank you, Mr. Speaker. Most of what we have here is detailed information but to the sense that it is not specific. For example, there are ten MOU's which shows with whom they were signed but not even showing when they are starting. For example a project like two innovation centers, when you do not put a date here and then we challenge, they might tell us that the date is not there because it is starting next year and such things.

I am very happy that the Chairman has seen that oversight and has seen that grey area and is ready to even seek people who are abroad. The Good thing is that I saw a list of countries where you can fly to and fro. I don't know how our money looks like because we should facilitate such a Member. I have seen that America and Europe are open and he can go with two or three Members including myself to get this information so that this House can be satisfied.

When I talked about NHC which is mentioned here, the Chair of Infrastructure, Hon. Robert has never seen that MOU or is not even aware of that. So it is good that the Chairman is willing to bring to light that information to this House. And so I see the time they had asked being appropriate.

Speaker: So from that kind of activity being involved, whether you will be approved to go to USA or not, let us consider that it might happen. With all that consideration then it means that he needs to get that information though the Chair requested that he did not want to go to America but just to have an online communication to receive that. Then I do rule that the response comes back here in 28 days on 4th Tuesday after today.

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ADJOURNMENT

Speaker: This House now stands adjourned until tomorrow Wednesday, 5th August, 2020 at 9.00 a.m.

The House rose at 3.00 p.m.

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