REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 18th July, 2021

The House met at the Assembly Chambers at 12.00 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR

Speaker: Hon. Members I wish to recognise the visitors, we have some guests in the Speakers and also the public gallery. These are Form three students from Doldol boys, you may be standing. They are accompanied by three teachers and may the teachers rise, before I welcome you, I want to sincerely apologise that we are late.

I understand you came quite early, we usually start our sitting at 9.00 a.m. but we had some issues that we were to solve and because they are issues of County importance, then we got late on that. Welcome, you have an opportunity to watch live proceedings of this House and I hope it will be a time to learn and see what happens in the Assembly. Welcome so much and the teachers are, Mr. Mwangi Samuel, Mr. Santaiya Jackson and Miss Betty Nyaga. Welcome and enjoy yourselves as you watch the live proceedings of this House.

Deputy Speaker: Thank you, Hon. Speaker, for giving me this chance.

Speaker: I thought you first wanted to say hello to the students?

Deputy Speaker: Thank you, Mr. Speaker. The Clerk wanted to give me some extra work here, but we have settled with him. I will thank you sincerely for giving me this chance to say hello to students of Doldol Boys High School. Doldol High School is within the jurisdiction of Mukogodo East Ward, and i am happy to see them here. Secondly, personally I was a student at Doldol Boys High School and that is why I have a lot of respect for them.

I know they have potential leaders, pilots, Engineers in this country and in this County. We are looking forward to seeing them prevailing in their exams so that in the near future we have more engineers, doctors and politicians. Thank you very much boys, please keep it up.

Speaker: Thank you, Deputy Speaker. Hon. Kanyutu, you have an issue?

Hon. Simon Kanyutu: Yes, I want first to thank the students who are here from Doldol. It is a very good learning tour whereby they will learn more on how the Assembly runs. I have a question; you have said we have delayed due to issues pertaining County importance. Some of us we are in the dark, we do not know what that issue pertaining county importance is. We have been outside since morning at 9:00 a.m and now it is midday. Mr. Speaker, I think you need to explain what the issue is which has delayed the Assembly up to this moment.

Hon. Peter Thomi: Thank you, Mr. Speaker. I want your guidance. We have two Order Papers. On the other hand, these Order Papers are reading the morning session and we are in the afternoon. So, either they be corrected or something done. Thank you.

Speaker: Hon. Mutahi then Hon. Veronica.

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Hon. Mutahi Muritu: Asante sana, Mheshimiwa Spika. Kwanza nawashukuru wanafunzi wa kutoka Shule ya Upili Ya Doldol na vilevile kuwakaribisha sana katika Bunge letu. Nimefahamishwa na Naibu Wa Spika kwamba ni wanafunzi wa kidato cha nne na tunategemea kwamba mwaka ujao watakuwa wapiga kura na ikiwezekana, wengine watakuwa wagombea wa viti kwenye majimbo yetu tulikotoka.

Mheshimiwa Spika, naomba mwongozo wako. Kanuni nambari ya 31 ya Kanuni za Bunge inaeleza masaa ya kukutana. Naomba mwongozo wako ili niweze kuelewa. Sasa hivi ni karibu saa sita na kanuni zetu zinasema, kupitia kwa Kiti chako tukufu na Kamati tulizo nazo katika Bunge, ikifikia masaa fulani mkutano ukiwa bado haujaanza basi huo mkutano unakuwa si halali. Nashindwa kuelewa, na sisi ni watu wa Kanuni za Bunge, inakuwaje siku ya leo, hata kama ni maswala nyeti ya Bunge, ningeomba kupitia Kiti chako tukufu utupe mwongozo zaidi ili tusipate mushkili kama ambavyo mwenzangu ameuliza. Asante.

Speaker: Hon. Veronica then Hon. Chris Mark. Hon. Veronica is done, Hon. Chris Mark?

Hon. Chris Mark: Thank you, Mr. Speaker. First is to welcome the students, as Hon. Mutahi has said. Indeed, they are the future leaders, probably a better advanced version of us if they can learn well now. My first issue is a national issue which affects all the MCAs in Kenya. You sit in the CAF as I think, a regional representative. This House has two CAF members.

Yesterday the SRC downgraded the MCAs all over the country. That issue should not be left to rest. I do not know whether since we got the car grant it made the SRC decide to pick a battle with us. They have put us at the lowest grade. Even what we are supposed to get when we go to Nairobi has been downgraded to around 10,000. We are not in these offices for that money, we are beyond that. But trying to put the work of an MCA is like to belittle the work we are doing here.

Either we remain the way we were being remunerated in terms of allowances; we have been put in one of the lowest job grades. We are even lower than the magistrates, where we were. We are in a very low job grade, I think it is beyond PR and what have you. That affects our foreign travels and everything. I know it is a silent issue and Members probably do not know about it but it will affect a lot of things going forward if the SRC adopts what has been done.

For the people who represent us in CAF, it is important that that issue is taken seriously from here. The other issue is to say, it is good that whichever issue maybe in the Assembly… The good thing is that we are both democrats and diplomats, we do not put emotions. After four years in this Assembly, we have known that emotions are left for other things. In politics we put sober strategy. It is good that we have been told why we have been left outside for that long. Since I came into this Assembly, I have never stayed outside for that long not knowing what is happening. That suspense is not good and maybe can also be explained. Thank you.

Speaker: Thank you, Hon. Members, for the concerns. I will start with that one from the SRC, just to clarify that CAF is also raising objection on the same. It is not right that MCAs have been taken to Job Group B4 which I think is equivalent to Job Group P unlike before when it was Job Group R. We are not agreeing with SRC, therefore CAF is responding to SRC. If SRC does not agree with us, then we have no option but to go to court.

I think that is what CAF is doing. I sit in the CAF Executive Committee and we are committed to that. It is something that we have discussed in all our groups and in the Speakers

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groups. We expected that they would appreciate the heavy workload that MCAs have but it seems that SRC looked at it in a different way.

Secondly, before I respond to what a number of Members had asked, it is in the wisdom of the Members when they see that the business in the House will not be concluded by the time we want to close by 12.30 p.m., to move an extension of time. Even as we sit now we are supposed to do our business until 12.30 p.m. and that should be done 30 minutes before but today we can allow that exemption because we came late but we have to wind-up by 12.30 p.m.

What we can adjust is the time by which the Member should move an extension. I am saying this so that if by the wisdom of Members, you see that we are not able to wind-up the business that we have in the order paper by 12.30 p.m., then a Member can go ahead and move an extension. It is just to alert ourselves.

As per the question that was being asked, Hon. Thomi, Member for Githiga raised that on your table you have got two order papers and that is what has caused this delay simply because there are things which we had to agree. When issues arise, we cannot just close our eyes and our ears without discussing them. The issue is that we have got a memorandum which came from the Governor and had a very heated meeting in the HBC which has taken very long and even seeking legal intervention from the Assembly.

We had the same business yesterday and then we had it scheduled today by HBC but it came late and therefore we had to decide as HBC and it took us long before we took that business, whether it was to proceed into the House or not. Finally, we agreed though late and came up with a new order paper. Therefore, the order paper that you are using is the one that has got only one business (motion on quarterly reports and financial statements) and has got no other paper to be laid.

MOTION

FINANCE COMMITTEE QUARTERLY REPORT AND FINANCIAL STATEMENTS

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

THAT this Assembly adopts the report of the Finance and County Planning on County Government of Laikipia (County Executive) quarterly report and financial statements for the quarter ended 30th September, 2019 dated 17th August, 2021.

Mr. Speaker, I also want to take this opportunity to welcome the pupils from Doldol Boys and say that I am an old girl of the same school when it was Doldol mixed. So feel comfortable, learn and put into experience what you are going to learn today.

Mr. Speaker, I have got a report with me which I want to go through. On preface, the committee membership is as follows;

1. Hon. Mary Samken -Member
2. Hon. George Karuiru -Vice Chair
3. Hon. Joseph Suge -Member
4. Hon. Joseph Kiguru -Member
5. Hon. Chalumbo Kaparo -Member.

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I take this opportunity to thank the Members of the committee for their valuable contribution during the entire process and the office of the Speaker and that of the Clerk for the support awarded to the committee.

On the background, the Public Finance Management Act, 2012 Section 166 allows the County Treasury to consolidate the quarterly report and submit them to the County Assembly, deliver copies to the Controller of Budget National and Commission on Revenue allocation and publicize them.

Mr. Speaker, the County Government Financial Statement presents the recent actual physical performance for the quarter of financial year 2019/2020 and makes comparison to the budget appropriation for the same year. It further provides a comprehensive and financial review with sufficient information to make changes from the projection outlined from the recent County Fiscal Strategy Paper, 2019/2020.

The Statements provides an overview of how the actual performance of the 1st quarter of 2019/2020 affected the compliances, physical responsibility principles and financial objective as detailed in the 2019/2020 Fiscal strategy paper. On 4.1 it is budget exclusion and some programmes and sub-programmes description and approved budget and actual payment, variant and absorption rate. I won't go through because I know Members have the report.

Mr. Speaker, Sir, the department had an absorption of 64% which Kshs.19, 439,199 was spent against a budget of Kshs.30, 297,000. This under absorption is explained by the slow release of funds by the National Treasury. The strategic partnership and collaboration sub-programme has an absorption rate of 130.53% which expenditure in this department are of recurrent in nature and no development can be reported even at the procurement stage.

On the committee Observation; we made two observations; that no development expenditure during the reporting period. They also noted that all the expenditures incurred during the period were largely recurrent. Secondly, there was under absorption of estimated expenses. However, the strategic partnership and collaboration went beyond the allocation which can lead to depletion before the end of the year.

On recommendation, the County Finance and Planning department prioritized on development during the next quarter. Also the County Government needs to plan for expenditures before use. Cash plans can be used for planning purposes to control use of cash. In conclusion, we want the House to adopt this financial committee's report on quarterly report and financial statements for the quarter ended 30th September, 2019. Mr. Speaker, I want to take this opportunity call Hon. Suge to second the report.

Hon. Joseph Suge: Thank you Mr. Speaker. I stand to second the report. Allow me to take this opportunity to thank the committee which I am also a Member because of the findings and the request from the Executive to give us the report in regards to the budget allocation.

As Members have seen, this is how the Executive, Department of Finance have spent their Recurrent Allocation. This is a document that in future it will be guiding the Assembly when it comes to the priorities and needs of various departments to ensure there is full absorption of money because there is no need of allocating a vote to somewhere and the money will not be spent.

Mr. Speaker, you have seen the allocation was Kshs.30 million and they will end up spending Kshs.19 million. During the CFSP discussion, these are the issues that need to be looked into. Secondly, I also want to thank the Executive because they were free to give us this

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report. If all the departments will follow the same ideas, this will make our work easier when it comes to oversight.

In regards to the department, we have seen most of the money allocated was recurrent. As we know the Finance Department doesn't cater for development projects. So the money which was allocated was just for recurrent excluding the money that was allocated for Laikipia County Development Authority and the Revenue Department.

Mr. Speaker, I urge the members to support the report as read by the Chair. Thank you, Mr. Speaker.

(Question proposed)

Speaker: It is time for Members to make their contributions. You can brief where possible.

Hon. Hon. Mutahi Muritu: Asante Sana, Mheshimiwa Spika. Kwanza nashukuru kwa nafasi na nashukuru Kamati ya Fedha na Mipango katika Kaunti yetu kwa kuweza kuleta hii ripoti. Hii ni ripoti muhimu sana kwa maisha yetu na katika matumizi ya fedha katika Kaunti yetu. Nasimama kuunga mkono ripoti ya kamati kwa sababu nimeisoma na nimeona jinsi Idara zinafanya kazi. Asante.

Speaker: May I now call upon the mover to give a reply if there are no more contributions.

Hon. Mary Samken: Thank you, Mr. Speaker, Sir. I take this opportunity to thank the Honourable Member who seconded and also Hon. Mutahi for support. It is true there is an under spending during that period. There is need for proper planning so that when money is allocated, it is used for the purposes that it was allocated for.

Mr. Speaker, I urge the Hon. Members to support so that it becomes a property of this House. Thank you.

(Question put and agreed to)

Speaker: I know that quite a number of us are tired. It happens automatically when you are charged for a business and then it takes long to come to this House. I know as we walk out for lunch we are going to prepare ourselves well for the afternoon sitting so that we can handle the business that will be there.

For the students and teachers, we thank you for choosing Laikipia County Assembly as one of the places you come for learning. You are also welcome for the next sitting at 2.30 p.m. I believe you will be on time so you are welcome to learn how we process business in this House. Thank you, Hon. Members.

I was worried when Hon. Mary Samken said that she was an old student of Doldol Boys. In my history I did not know that there was a time Doldol Boys was a mixed school. I thought she was confusing with St. Francis but with the explanation I got right. Thank you.

ADJOURNMENT

Speaker: Hon. Members, this House stands adjourned until later today Wednesday, 18th August, 2021 at 2.30 p.m.

The House rose at 12.30 p.m.

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