REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 4th November, 2024

The House met at the Assembly Chambers at 10.00 a.m.

[The Speaker (Hon. Lantano Nabaala) in the Chair]

PRAYERS

QUORUM CALL

Speaker: Clerk, confirm if we have quorum.

(Lack of quorum confirmed)

Speaker: Without quorum, I direct that the bell be rung for ten minutes.

(Quorum bell rang for seven minutes)

Speaker: Hon. Anthony?

Hon. Anthony Theuri: Good morning, Mr. Speaker. I think we now have the quorum.

Speaker: Thank you. Clerk, confirm if we have quorum.

(Lack of quorum confirmed)

(Quorum bell rang for another one minute)

Speaker: Hon. Anthony?

Hon. Anthony Theuri: Mr. Speaker, as I had stated before that we have the quorum, I was speaking prophetically. You should understand me from now onwards.

Speaker: Thank you. Clerk, confirm if indeed we have quorum.

(Clerk confirmed achievement of Quorum)

Speaker: Very good. Now that we have quorum, I direct that the bell stops ringing and we proceed to the business of the House.

PETITION

REPORT ON A PETITION FROM THE NANYUKI BUS PARK KIOSK OWNERS

Speaker: Hon. Members, as we have a petition, I would like to refresh our minds through our Standing Order No. 202. Allow me to read as I allow the Member from the committee with the petition to go ahead. Standing Order No. 202 says this;

1) *Every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Sectoral Committee.*

2) *Whenever a Petition is committed to a Sectoral Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid*

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on the Table of the Assembly and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty minutes.

I, therefore, invite the Hon. Member to lay and give the report in regards to this petition.

Hon. Stephen Ndiritu: Thank you, Hon. Speaker. As you have stated, we received a Petition from a kiosk owner by the name of Meshack Ndegwa. As a committee, we have sat and listened to the petitioners, and I have a report;

Report by the Committee on Finance and County Planning on the petition to Laikipia County Assembly on the imposition of monthly rent by the Laikipia County Finance Act, 2024 within Nanyuki Bus Park, Nanyuki town, Laikipia County.

Thank you, Hon. Speaker.

(Hon. Ndiritu laid the Report on the Table)

Now that I have laid the report, it is now my pleasure to table it before this Honourable House. I think the Members have the same report in their gadgets and we can go through it together. As I had stated before, we had received a Petition from the Nanyuki bus park kiosk owners. As a committee, we have already sat down with the petitioners. We have invited the petitioners, the Executive, and other interested parties to come to the committee and give any information related to that Petition. We held that meeting at the boardroom.

Hon. Speaker, it is good to remind Members that the Finance Committee as currently constituted comprises of the following Members: -

- Hon. Stephen Ndiritu - Chairperson
- Hon. John Gichuki - Vice-Chairperson
- Hon. Catherine Umija - Member
- Hon. George Karuiru - Member
- Hon. Mary Gathoni - Member
- Hon. Samuel Mugambi - Member
- Hon. Paul Leshuel - Member

On the fourth page is the signature. On page five we have the background to the Petition.

Background to the Petition

2.1. The Right to Petition

The right of Kenyan citizens to petition public authorities and Parliament is a right conferred by the Constitution under Articles 37 and 119, the Petition to County Assemblies Act, No.15 of 2020, and by Standing Order 194 of the Laikipia County Assembly. The right to petition is an essential citizen participatory tool that allows for direct intervention by the Assembly on issues relating to the promotion and protection of the rights of citizens.

2.2. Committal of the Petition

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The Petition as in Annexture 1 was received by the Clerk in his office on 20th November 2024 and was committed to the Finance and County Planning Committee for further consideration with a view to responding to the issues raised in the Petition.

Mr. Speaker Sir, Pursuant to provisions of Article 119 of the Constitution of Kenya and Standing Orders 198, the petitioners sought that the County Assembly: -

1. Intervenes and ensures that the monthly rent of Kshs,1500 and/or Kshs. 1,000/ is not imposed upon Nanyuki bus park kiosk lessees before the expiry of the 25 years as agreed upon on the Memorandum of Understanding dated 2nd March 2009: and
2. Any other action that the Assembly may consider necessary to protect public property and the constitutional rights of the Nanyuki Bus Park Kiosk lessees be taken.

The committee after a meeting held at the boardroom invited the petitioner through the office of the Clerk to attend a committee hearing on Wednesday, November 27th2024 at 11. 00am as in Annexture 2.

Hon. Speaker, we have those annextures in this report and the Members can go through them to understand what we mean and what we are reading here. The committee also requested for a detailed response to the petition which was received on 22nd November 2024 vide CGL/LCRB/ADM/OUT/VOL.2(32) as in Annexture 3.

In that regard, the Committee Report gives a detailed summary of the issues and the responses by the County Executive as well as the petitioners. The written and oral submissions, therefore, formed the basis of the Committee's observations and the requisite interventions towards the Prayers sought.

Mr. Speaker, Sir, it is significant to mention that County Government should appreciate that every person has a right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation.

The Petitioners' Submissions

Mr. Speaker sir, The Petitioner was invited to attend a committee hearing on Wednesday, 27th November, 2024 at 11.00 a.m. in the Assembly's main boardroom. The Petitioner, Misheck Ndegwa Kiragu appeared before the committee together with representatives of the lessees of the kiosks. They submitted as follows: In the year 2009, the Nanyuki Municipal Council held deliberations on ways to improve Nanyuki Bus Park. In the discussions held between the Municipal Council…

Hon. Speaker, Members can go through that agreement to see what they agreed on. I think it is very important for me to go through it so that Members can understand what we are talking about.

In the discussions held between the Municipal Council and the occupants of the bus park kiosks, it was agreed that the occupants of the bus park who occupied about 85 kiosks built using temporary materials, would nominate some representatives who would discuss with the officials of the Municipal council on the way forward. Some of the issues to be discussed included the construction of permanent kiosks, the cost of construction and who would cater for it, the expertise needed and mode of distribution of the completed kiosks.

Hon. Speaker, the report is here and I know that the Members have gone through it, and I think many Members understand the Nanyuki Bus park. I do not think there is need to waste

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a lot of time because we have the committee's observations and recommendations. It is good for Members to read it for themselves and understand it very well. Let me now go to the committee's observations.

Committee's Observations

Mr. Speaker Sir, having held a committee hearing with the Petitioner, representatives of the stall allottees and the Chief Officer in the department of Trade together with the CEO, revenue Board; the Committee made the following observations: -

1) An MOU dated 2nd March 2009 was signed between the Nanyuki Municipal Council and the representatives of the occupants of the temporary stalls located at the Nanyuki Bus park.

2) According to the Memorandum of Understanding, the Council was to provide the land, to open an account to enable people to deposit the agreed amount for construction and any other requisite payments, to keep proper records of materials and expenditure and provide expertise; while the occupants of the stalls and other interested parties were to voluntarily contribute money to be used for construction of the stalls, their representatives were to voluntarily offer supervision of the construction.

3) That phase 1 containing approximately 126 stalls was completed and allocation was done.

4) That approximately 144 stalls for people who had commenced payment of the construction fees and other additional payments whereby some completed payment of the full amount, has not yet been done.

5) That the distribution of the completed stalls in phase 1 caused a division among the stakeholders resulting to two factions with different chairpersons.

6) That the report of the department of trade, Tourism & Co-operative indicate that some stall owners currently in occupation have failed to avail documents to support their occupation while others presented proper documents.

7) That the Laikipia County Revenue Board begun implementing the provision of the Laikipia County Finance act 2024, which requires payment of rent being Kshs. 1,000/ for each stall on the upper floor and Kshs.1,500/ for each stall on the ground floor.

8) That there is need for the department of trade to conduct a comprehensive compilation of data which indicates:

    a) All the people who paid for the construction fees and other requisite payments,

    b) How much each paid,

    c) Those who made full payment and those who did partial payment;

    d) Those who were allocated stalls and the criteria of allocation

    e) The number of people who have not yet been allocated stalls

    f) When phase two of the project will be carried out and the beneficiaries who will be given priority on the allocation

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g) The documentation issued by the County government to the occupiers of the stalls and what is outstanding; and the terms of occupation including rent payable and duration.

Committee's Recommendations

Mr. Speaker Sir, the committee recommends as follows:

1. THAT the CECM and the Chief Officer of the Department of Trade, Tourism & Co-operatives and the Laikipia County Revenue Board do continuously inform the occupiers of the kiosks on the amount of monthly rent payable and when its due as stated in the Laikipia County Finance Act 2024 and the consequences of non-payment.
2. THAT the CECM and the Chief Officer of the Department of Trade Tourism & Co-operative and the Laikipia County Revenue Board immediately hold consultative meetings within 7 days from the date hereof with the stakeholders of the Nanyuki Bus Park kiosks and address the emerging issues with regard to;
    i. The allocation of stalls and the outstanding issues;
    ii. The identification of the bona-fide beneficiaries;
    iii. The proper occupation documents each kiosk occupant should have in possession.
    iv. The construction of the remaining stalls and the role of the County government in their construction;
    v. The distribution of the new stalls expected to be constructed, who will be given priority in the allocation taking into consideration the initial stakeholders who had contributed construction fees and have never gotten a kiosk;
    vi. Payment of monthly rent as may be determined from time to time by the Finance Act to the County government by the occupiers of the kiosks and other statutory payments that should be paid; and
    vii. The resolutions that will be arrived at in that meeting between the representatives of the County Executive and the stakeholders of the Nanyuki Bus park kiosks be captured in a written document and executed by all the authorized parties.
3. The CECM and the Chief Officer of the Department of Trade, Tourism & Co-operatives to do issue repossession notices on the stalls whose occupiers have failed to avail the requisite documents. Upon repossession, the stalls be reallocated fairly. The re-allocation to consider the initial proposals including the allocation of a kiosk to the youth, a person living with a disability, and an office.

Committee's Conclusion

THAT this House adopts the report of the Committee of Finance and County Planning.

Bwana Spika, nafikiri tumeweza kusoma ripoti vizuri kama ilivyoandikwa na Wabunge wameelewa kinagaubaga yale ambayo kamati inastahili kufanya. Tulipoketi chini, mambo

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mengi yalijitokeza, kwamba baadhi ya waliopewa vibanda hawakupata ilhali ilikuwa haki yao wapate. Sisi kama kamati tuliangalia na kuona ni haki yao kupewa kwa sababu walikuwa wamekubaliana na Manispaa kwamba wakitoa pesa watapewa vibanda. Sisi kama kamati tumesimama kidete na kusema kwamba wanastahili kupewa.

Mheshimiwa Spika, jambo lililojitokeza ni kwamba mwenye ombi alikuwa anasema hawataki kulipa hata shilingi. Hata hivyo, baada ya kuongea na kuwasikiza, tulipowauliza iwapo wanataka kulipa walisema hawapingi hilo. Sisi kama kamati tukashindwa mbona kwenye ombi walisema hawataki kulipa ilhali walipokuja kwetu walisema hawana shida na malipo mradi tu wapewe stakabadhi zinazohitajika na vyumba vyao.

Kama kamati, tuliona ni vyema Serikali Tekelezi kupitia ofisi ya mapato wachukue malipo kawa walivyokubaliana. Tuliwauliza iwapo wanapinga wakasema la, na kwamba wako tayari kulipa, bali kwenye ombi waliandika kwamba hawataki kulipa. Tulipochunguza zaidi tuliona kwamba kuna vikundi viwili vinavyong'ang'ania mamlaka, ndiposa wakaja kwa njia nyingine ya kutoa ombi la kukosa kulipa.

Sisi kama Bunge hatutatui ugomvi wao. Kazi yetu ni kuunda sheria, a hilo ndilo tumejukumiwa na katiba kufanya. Mtu awezaye kutoa suluhu kwa jambo hilo ni waziri kwa sababu jukumu la idara husika ni kuhakikisha kuwa watu wanaishi kwa amani na kila maegesho yana kamati inayosimamia.

Mheshimiwa Spika, naomba Wabunge kwamba vile tulisikizana hapa, hawa watu walipe kama walivyosema hapa na wasio na vibanda wapewe. Pamoja na Serikali tekelezi, tulikubaliana ya kwamba wakati pesa itaingia; nami najua sasa hivi tunapoongea kuna zaidi ya milioni mia moja inaingia kupitia kwa Manispaa. Tutatumia hiyo pesa kujenga maegesho ya magari na wanachama wote wanaofanyia kazi hapo watapata vibanda. Vilevile, hivyo vibanda vitakuwa zaidi ya walio hapo.

Mheshimiwa Spika, kuna wananchi wako hapa, na wananchi ni wa tabaka mbalimbali. Mwananchi ni mtu yeyote ambaye ni Mkenya, hata Rais mwenyewe ni mwananchi. Hawa Wabunge pia wakubali kuwa wao ni wananchi, ni vile tu wako hapa Bungeni. Kwa hivyo, vibanda vitakavyobaki vitapeanwa kwa wananchi. Litakuwa jambo la busara tukiungana na kuhakikisha tumeunga mkono ujenzi wa maegesho, kwamba tumeitengea pesa ya kutosha ili angalau baada ya miaka hii mitano tuwe tumeimaliza na kujenga vibanda na kuwapa wananchi hivyo vibanda pamoja na stakabadhi zote wanazostahili kupokea kutoka kwa idara husika.

Naomba hili Bunge liangalie hili ombi kwa njia inayofaa na kupitisha ili Kaunti yetu isonge mbele. Kama nilivyosema jana, tunao Wabunge wengi katika Kamati ya Fedha ambao wamejitolea. Wakisikia tuna shughuli, wanajitokeza kila wakati. Kwa bahati nzuri, leo nimejikuta ni mimi na Mheshimiwa Umija ambaye nilisema jana kwamba yeye ndiye mwenye bidii zaidi baada yangu. Tulipokuwa tunasikiza hilo ombi, Mheshimiwa Umija alikuwa makini sana akisikiza kama jaji. Kwa hivyo, najua anaweza na yuko tayari kabisa kuafiki hili ombi. Asante.

Speaker: Thank you, Hon. Members. I may allow one or two comments in regards to this Petition. Any Member who would like to comment on the same? Hon. Stephen, kindly switch off your microphone. Thank you. Hon. Theuri?

Hon. Anthony Theuri: Asante Bwana Spika kwa kunipa hii fursa. Kwanza niseme kwamba mimi ni mhusika kwa sababu maegesho ya magari ya Nanyuki yako katika wadi ya Nanyuki. Kwa heshima kuu, namtambua Mheshimiwa Stephen aliyenialika kwenye hiyo kamati kama rafiki wa kamati na zaidi ya hilo, hata akanipa fursa ya kutoa maoni yangu.

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Bwana Spika, mambo mengi yameandikwa hapa na siyapingi, ila kuna yale nisiyokubaliana nayo. Ningemwomba anayerekodi anirekodi vizuri nikiongea kwa sababu hili linahusu watu wangu wa Nanyuki. La kwanza, wacha nikupe historia fupi. Mheshimiwa Kagondu amesema ya kwamba sio jukumu letu kupatanisha watu, na huo ni ukweli kwa sababu hata Yesu alisema hakuja duniani kuleta amani. Kwa hivyo, sisi hatuko kwenye mlengo wowote.

Bwana Spika, swala ni hili; na naomba unielewe kwa upole na Mungu akupe hekima ili maneno utakayosema yawe ya kushikanisha. Iwapo umesikiza vizuri akisoma, alisema walikuwa na maktaba na Bunge la zamani lilikuwa hapa. Sasa Mungu ametuleta ju hio ilikuwa shule ya msingi bali sasa ni chuo kikuu, maanake hiyo ilikuwa manispaa ilhali hili ni Bunge la Kaunti. Walielewana iwe kama chama cha kuzunguka. Hapa naona tuko watu kumi.

Bwana Spika, twende polepole. Tuseme kuanzia leo tunatoa pesa tujengeane. Kazi yangu kama serikali iwe kuhakikisha hakuna unyang'anyi, usalama upo na mambo yanaenda vizuri. Bila kusema maneno mengi na kuleta siasa, niulize; tuanze kwa Mheshimiwa Lempaira, kisha Mheshimiwa Lekopien, kisha Mheshimiwa Umija, kisha Mheshimiwa Dennis na tumalizie kwa Mheshimiwa Nicholas. Shetani naye aingilie hapo katikati maanake humu duniani kuna Shetani na kuna Mungu; milango ni miwili.

Sasa, mimi kama Anthony Theuri Wambui, Mheshimiwa Stephen hapa, Mheshimiwa Salim, wewe hapo na ndugu yangu Kironji hapa, tumetoa pesa yetu. Hebu tuelewane; pesa yetu ipotee? Wale tumewajengea, wanakula na kuishi ndani ya vyumba ilhali sisi bado tunaishi kwenye manyatta. Hio ndio hali tuliyomo. Mimi nasema, na ninukuliwe vizuri; wakati wa kula haramu, wakati wa siasa za uongo na za kuturudisha nyuma umefika mwisho.

Bwana Spika, kama hii serikali ikiongozwa na Gavana Joshua Wakahora Irungu ina nia njema na ni kweli wangetaka kumaliza vita kwenye maegesho ya magari, lazima tukutane katikati. Kuna watu waliotoa pesa yao hio miaka yote, zaidi ya miaka kumi na tano. Wengine walifariki, wengine walilipa mkopo bali vitu vya wengine vilichukuliwa baada ya wao kushindwa kulipa mkopo na hawana vibanda, yote hayo sababu ya siasa duni ya kufichiana.

Mimi nasema kama serikali ina nia nzuri, isichukue pesa ya hawa watu. Wasikie uchungu wao. Kwa nini serikali iitishe ushuru kwa vitu ambavyo haijajenga? Ndio wasikie uchungu kabisa kwa sababu wanataka kuchukua huo ushuru na wapoteze ili waanze kuwafikiria wale hawana. Kama sivyo, serikali irudi kwenye mkataba na kujengea wale ambao hawakujengewa, na kwa sababu ni kama chama cha kuzunguka, sisi katika upande huu pia tujengewe. La sivyo, haya yote ni propaganda na uongo mtupu.

Bwana Spika, ni vizuri sana pesa ya manispaa ikitajwa. Ikifika mezani tutaanza kukosana na Bwana Kagondu. Ataanza kusema hakuna mataa, lami, uwanja wa michezo hauna kitu fulani, hakuna maji na kadhalika. Ni aibu kuwa kwa miaka saba sasa tangu Joshua Wakahora Irungu kutoka kwenye Ugavana kwa mara ya kwanza, vibanda vilivyojengwa havipiti kumi. Katika hii miaka mitatu iliyobaki, ni miujiza gani watafanya kujenga vibanda mia moja na arobaini na nne?

Bwana Spika, tuwache kudanganya watu. Kama serikali ina nia nzuri, isimamishe ulipaji wa hiyo elfu moja, waketi katikati tutafute suluhisho na haki ipatikane kwa wote. Haiwezekani kuwa upande mmoja unakula ilhali mwingine hauli. Kama tunafanya kweli, tushughulikie jambo hilo mara moja na ya kutosha. Ni kweli walisema hawajakataa kulipa bali mimi nauliza; wakati huo, elfu mia moja na sitini ingetosha kununua ploti Likii. Sasa hivi, ploti Likii ni zaidi ya milioni tatu. Ingetosha kununua ekari moja Nturukuma, sasa hivi ni zaidi ya milioni nne. Kama ungenunua hisa za Safaricom wakati huo, ingekuwa pesa nyingi.

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Hawajapata pesa yao na serikali inakimbia tu hapo na kuokota pesa, haki itapatikana lini? Ndiposa nasema iwapo kuna nia njema, tupatane katikati. Ukisoma hii ripoti vizuri; walioandika hawajadanganya, na mwenyekiti ameongea ukweli. Wamepeana mia moja, ishirini na sita bali mia moja na arobaini na wanne hawajapata. Kwa hivyo, walio wengi hawajapata. Sisi ni nchi ya kidemokrasia na wengi wanastahili wapate. Kama serikali ingesema ukweli, hatuna pesa ya kujenga. Huo ni ukweli. Bunge lisimame hapa na kusema hivyo, na mwenyekiti wa Kamati ya Bajeti yuko pale, atatuambia. Tumebakisha bajeti mbili pekee, ni muujiza gani tutafanya?

Bwana Spika, naomba hii Nyumba iangalie jambo hili kwa makini, iwape hawa watu haki. Tusipopata haki hapo, huo ugonjwa utapita hadi kwenye steji ya Doldol, hadi kwenye soko lake lililo kwenye wadi ya Thingithu, hadi kwenye soko ya mbuzi ya Rumuruti. Utaendelea kupita hadi ufike Doldol na hata Nyahururu. Tunajenga nchi ya aina gani?

Ni watu gani tunaongoza kama hatuangalii maslahi yao? Naomba Bunge hili liangalie kwa makini hii ripoti na isimamishe hili mpaka haki ipatikane. Kama wanajenga wasiseme wanajenga, wameteua ama watafanya. Tupatiane ramani na tuseme kama tutajenga nyumba hamsini kisha tuseme huo mwaka mwingine tutajenga zingine hamsini na tuonyeshe watu vile tunaenda lakini tusilete mambo ambayo haitawezekana katika hili Bunge. Asante, Bwana Spika. Ninashukuru kwa huu muda.

Speaker: Thank you, I am only going to give one more comment since Hon. Stephen laid the report and he had sufficient time. Hon. Umija.

Hon. Catherine Umija: Thank you, Mr. Speaker. I just want to support the petition report that we had earlier compiled on the bus park issues. I think we had made it clear and I want to support the Chair. We had made it clear that the leadership wrangles that we had seen when we were in that meeting, is something that is supposed to be solved within themselves so that they decide who they want to take the leadership in the bus park.

Apparently, it seems that there are two factions of leadership within the bus park. It clearly came out that there are sections. As a committee we had agreed that let the leadership wrangles and issues be sorted between the CECM, Revenue people and both factions of the bus park so that they decide whom they want to take the leadership of the bus park.

On the issue of paying Kshs. 1,500, let us make it clear and it was made clear by the revenue people that the people who contributed the Kshs. 150,000, it was deducted from part of the contributions that they did. When it was being deducted, if the Kshs.150,000 is over, then you are liable to start doing your revenue contribution of Kshs. 1500 per month and not all will pay at the same time. Some people have not yet recovered their Kshs. 120,000 or Kshs. 160,000.

I think that is clear. There are people who paid the full amount and they did not receive the shops. The report is very clear that they should be given the consideration of getting shops. We also stay within the area and we know the under dealings that are there. There are some people who have more than one shop. I know it is not clear but I know some people have many shops than the required.

The Revenue and the Trade Department had done their audit and some stores could not give the required documents that they were told to produce. The recommendations that the committee has made is fair for them to have time and sort out these issues once and for all as the municipality comes in to take over. Thank you, Mr. Speaker.

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Hon. Nicholas Lempaira: Thank you, Hon. Speaker. I am wondering why the rush. This is a matter of interest to the members of Nanyuki Ward and Members of Nanyuki Bus Station. I thought we should be given ample time to exhaust what we have in our mind and what we heard from the people that we had invited in the boardroom to listen to them…

Speaker: Just to guide you Hon. Members, this is not a motion. It is just a presentation of a report and Pursuant to our Standing Order 202, it does not allow us long debates. There will be no putting of the question, it is only comments.

Hon. Nicholas Lempaira: Thank you, Hon. Speaker. I stand guided although I have gone through the report of the Finance Committee. Mr. Speaker, I tend to oppose this report. I was privileged to be in the Committee. I was invited as a friend of the committee. I was listening to what the people of Nanyuki said. Whatever we wrote here is opposite to their request. We made it clear that we are not coming here to solve their issues of leadership. It is upon them to go and solve their issues.

The moment we agree and be brought to solve such kind of issues, we will be doing injustice to some of those people. Hon. Speaker, I thought their suggestion from the people who attended is that we meet in the middle. Instead of saying Kshs. 1,500, these people have been waiting for years to have these kiosks. The Finance Committee was to sit down and solve about Kshs. 1,500 and to either pay that of come down to Kshs. 1,000 so that we can serve people with justice.

Hon. Speaker, it is fair to put across that those people need to pay something to the County Government. This committee was privileged to see the amount that these people can be comfortable paying. These people have been waiting for these kiosks for years. Some of them have never gotten the kiosks yet we are recommending in our report we take this issue back to the same department that has failed to sort these issues for years.

I thought this committee was to come and make strong recommendations here on the amount that needs to be contributed and on the issues of what the CECM was supposed to do. Also, on how the County Government is going to set their way by shedding the process of constructing the remining kiosks. It is not that half of the kiosks have been constructed. The constructed are 126 and the remaining are 144. The remaining are more than what was supposed to be constructed.

I was expecting this committee to come clear and tell us that this is how the oversight department came up with a way of constructing the others. Hon. Speaker, another thing that came out clearly when I was in a meeting is that this account had money that was contributed to the construction of these kiosks to a tune of almost Kshs. 20 million. This House needs to pick this up especially CPAIC and audit this account so that we know whether this account was exhausted through the right way.

Thirdly, the issue of these kiosks' distribution came out unfairly. I was expecting this committee to give us a proper guideline on how this issue should be sorted. Thank you, Mr. Speaker, since I can see your guidance on time. I want to ask the Chairperson for Finance Committee as I close my remarks to come up with a clear way and sort this issue once and for all. To me it is not clear. We are still going back to the same problem. Thank you.

Speaker: Thank you, Hon. Members. I allow the last comment from the Chair then we proceed to the next.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Ni vizuri nifafanue mambo mawili kwa sababu…

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Speaker: For not more than two minutes.

Hon. Stephen Ndiritu: Kwanza Mheshimiwa Lempaira anaongea na midomo miwili. Mheshimiwa Lempaira ndiye alipitisha Finance Act katika hili Bunge. Finance Act inasema shilingi 1,500 kwa zile ambazo ziko chini na shilingi 1,000 kwa zile ambazo ziko kwa ghorofa. Bwana Spika, ninajiuliza amesoma lakini hoja yake inanishangaza anaposema tuje katikati. Na sheria gani? Bunge ndio inatengeneza sheria. Kama inalipwa, inalipwa kulingana na sheria. Kama mtu ambaye yuko kwenye bustani ya basi analipa shilingi 500, yule ambaye yuko soko anafaa kulipa shilingi 500.

Bwana Spika, hakuna sheria ambayo inasema huyu alipe shilingi 500. Kwa hayo machache Bwana Spika, ni vizuri ieleweke ya kwamba wale wote ambao walichanga pesa tumeweka kwa ripoti…

Speaker: What is it, Hon. Lempaira?

Hon. Nicholas Lempaira: On a point of correction Mr. Speaker, the Chairman is misleading this House. He is sharing the same committee that has failed to bring us the current 2024/2025 Finance Bill. He is seated while we are still using the old one that has issues. We are four months down the line. Do not come here lecturing us with things that have already expired.

Hon. Speaker, when we were passing the Finance Bill, these issues were never petitioned…

Speaker: Hon. Lempaira, you are making a correction and I would not want you to proceed with the contribution now that you have made a correction.

Hon. Nicholas Lempaira: Hon. Speaker, we should not allow people to just speak because they have an opportunity to speak. This is the same person who has failed to bring us the Finance Bill that we want to pass and see the things that are being petitioned here…

Speaker: Hon. Lempaira, I think that is enough. It was just comments.

Hon. Nicholas Lempaira: He should not drag people's comments. We are educated and if he is not educated, he should go back to school…

Speaker: Hon. Member, I will allow the Member to make his conclusive remarks. Hon. Stephen, thank you so much for the correction. Hon. Stephen, I wouldn't like this thing to come along a tedious process. We can revisit is as a motion if the Members feel so. Deputy Speaker, I can see you are knocking your microphone. What is it?

Hon. Anthony Theuri: Hon. Speaker, I want Hon. Nicholas Lempaira to withdraw the statement that Hon. Stephen is not educated. Indeed, he is highly educated and it is unparliamentary to tell an Honourable Member that he is not educated. For the unity and respect of this House, kindly tell him to withdraw. We can only disagree on ideas but we cannot get personal. We are with him and we want justice for the people of Nanyuki Bus Park. Kindly, direct him to withdraw. Thank you, Mr. Speaker.

Speaker: Hon. Lempaira, you need to do the necessary.

Hon. Nicholas Lempaira: Hon. Speaker, it is unfortunate that I cannot withdraw because I have not seen his educational documents. He cannot tell me he is educated because he can speak English.

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Speaker: Hon. Member, I do not think we need to labour much about that because there has not been an authentication. Hon. Lempaira, I want to allow another Member to interject. Kindly switch off your microphone.

Hon. Nicholas Mwaniki: Thank you, Mr. Speaker. I am standing on a point of information. Today we are using the Finance Bill, 2023/2024. It was passed by this House and it is the one that stipulates that the stalls be paid the way Hon. Stephen has stated. So, Members should stand guided by the same Finance Bill that was passed in this House. Thank you, Mr. Speaker.

Speaker: Thank you, Hon. Mwaniki. Can you finalize and I will not allow anyone else? Hon. Stephen conclude your remarks.

Hon. Stephen Ndiritu: Bwana Spika, mimi sina mengi kwa Mheshimiwa Lempaira. Ninajua hoja zake ni za kibinafsi. Bwana Spika, si eti anatetea sana kwa sababu sheria ambayo tunaongea ni yeye alipiga kura na kusema ndio. Saa zingine inafika mahali na unashangazwa na watu wa ODM. Ananitusi na mimi sitamtusi, lakini tuongee mambo ambayo yametuleta hapa. Sisi kama Wabunge ambao tumechaguliwa hapa tuko na haki ya kuhakikisha wale wananchi ambao wanakaa kwenye bustani ya basi wanakaa na amani na hawasumbuliwi.

Speaker: Hon. Stephen, I want you to withdraw that, this is not a matter of ODM.

Hon. Stephen Ndiritu: Asante, Mheshimiwa Spika. Mimi ni mtu wa kanisa na ninaelewa mambo ya Mungu. I withdraw and apologise. Mimi si kama yeye.

Speaker: Proceed Hon. Member.

Hon. Stephen Ndiritu: Bwana Spika, mambo ambayo tumeandika katika hii ripoti ni yale ambayo tulisikiza kutoka kwa waombaji. Pia yeye tulimpatia nafasi na akaja kama amicus. Nilimpatia wakati na aliongea kushinda mwenyekiti na hatukuwa na shida. Bwana Spika, wakati tunasema wale ambao walichanga Shilingi 120,000, pesa zao zitakatwa wakati wanalipa kodi. Kama umelipa shilingi 120,000, unahesabiwa hiyo miaka yote mpaka wakati pesa yako itaisha ndio uanze kulipa.

Kuna wale ambao wamepata nyumba ilhali hawakutoa hata shilingi moja na hao ndio wanaanza kulipa mara moja kwa sababu hii nyumba ni ya serikali na iko katika ardhi ya serikali. Bwana Spika, hata wao wanaelewa na walijua hivyo. Walisema hawana shida na hilo. Bwana Spika, ni vizuri tuelewane na tujue haya ni mambo ambayo tunasuluhisha. Ninamuunga mkono Mheshimiwa Anthony Theuri kwa yale yote ambayo wanasema kwa sababu wale watu ambao wako hapo anawaakilisha.

Amesema vizuri haki itendeke. Kazi ya Bunge ni kuamrisha Serikali ya Utawala. Mheshimiwa Lempaira ambaye anasema watu hawajui kusoma, ni yeye hajui kusoma kwa sababu sijui vigezo vyake vya kitaaluma. Hata mimi sijui kama amesoma ama hajasoma na sishindanii lakini ripoti yenyewe inasema kwamba wale ambao hawana maduka na walitoa pesa wapatiwe na wale ambao hawajajengewa, wajengewe.

Sisi tunaungana hapa katika Bunge hili ili tusaidie Mheshimiwa Anthony kutenga pesa. Hata kama tutajenga ishirini, na mwaka mwingine tujenge ishirini, itawezekana. Kwa hayo machache, mimi ni mzee wa kanisa na sina maneno mingi. Naomba nikomee hapo. Asante.

Speaker: Thank you, Hon. Member, we now proceed with other orders of the day.

ADJOURNMENT

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Speaker: The sittings of this House now stand adjourned until later today Wednesday, 4th December, 2024 at 2.30 p.m.

The House rose at 10.50 a.m.

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