REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 16th February, 2022

The House met at the Assembly Chambers at 9.00 a.m.

[Temporary Speaker (Hon. Veronica Ikunyua) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

VISIT BY NANYUKI GARRISON PRIMARY SCHOOL

Temporary Speaker (Hon. Veronica Ikunyua): Hon. Members, I wish to welcome the pupils from Nanyuki Garrison Primary School from Nanyuki Ward. They are sixty-four in number and are accompanied by their teachers namely; Kiprono Bett, David Ihura and Rhoda Mugo. It is my prayer that these pupils learn a lot about the County Government and County Assembly and take what they learn back to their school. Welcome so much.

PAPERS LAID

AUDITOR GENERAL'S REPORT

Hon. Joseph Kiguru: Thank you, Madam Speaker. I want to join you in welcoming the pupils of your ward and also teachers. Welcome and I know that you are going to learn more. I have got two papers to lay;

1. Report of the Auditor General on the financial statements of Nanyuki Water and Sewerage Company Limited for the year ended 30th June, 2019.
2. Report of the Auditor General on the financial statements of the Laikipia County bursary fund for the year ended 30th June, 2022.

As I sit, I urge the various committees to ensure that they go through the Auditor General's Report and report back to this Assembly soonest possible for us to end in a way that Laikipians will know that this Assembly deserves to come back. Thank you.

(Hon. Joseph Kiguru laid the papers on the table)

Temporary Speaker (Hon. Veronica Ikunyua): Thank you. I commit the papers to the County Public Accounts and Investment Committee (CPAIC)

MOTION

QUARTERLY REPORT AND FINANCIAL STATEMENTS FOR THE DEPARTMENT OF WATER, ENVIRONMENT & NATURAL RESOURCES

Hon. Simon Kanyutu: Thank you, Madam Speaker. Before I move the motion, May I also take this opportunity to welcome the pupils from Garrison Primary School and from your ward to

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this Assembly for them to learn. I also thank their teachers for organizing their coming. This is a very good exposure because they are bringing up our future leaders,

Madam Speaker, I beg to move the following motion;

THAT this Assembly adopts the quarterly report and financial statements for the period ended 30th June, 2020 for the Department of Water, Environment and Natural Resources by the Sectorial Committee on Agriculture, Environment and Natural Resources dated 8th February, 2022.

Madam Speaker, the committee comprised of the following Members;

1. Hon. Simon Kanyutu - Chairperson
2. Hon Patricia Muthoni - Vice Chairperson
3. Hon. Robert Maina - Member
4. Hon. Peter Matunge - Member
5. Hon. Wilson Wakahiu - Member

Madam Speaker, the Agriculture, Environment and Natural Resources Committee was re-constituted for the first time by the House on 21st April, 2021 pursuant to Standing Order No. 191 (1). The committee's membership according to SO No. 157 comprised of the following five honourable Members;

1. Hon. Simon Kanyutu - Chairperson
2. Hon. Patricia Muthoni - Vice Chairperson
3. Hon. Robert Maina - Member
4. Hon. Mutahi Muritu - Member
5. Hon. Wilson Wakahiu - Member

In addition, Mr. Speaker Sir, the committee was reconstituted for the second time on 28th September, 2021. The committee's membership according to SO No. 157 comprises of the following seven Hon. Members;

1. Hon. Simon Kanyutu - Chairperson
2. Hon. Patricia Muthoni - Vice Chairperson
3. Hon. Robert Maina - Member
4. Hon. Mutahi Muritu - Member
5. Hon. Wilson Wakahiu - Member
6. Hon. Peter Thomi - Member
7. Hon. Lochimidi J. Esokon - Member

Committee's Mandate.

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Madam Speaker, according to Standing Order 177, the committee is limited to its mandate as follows;

The deliberations of a select committee shall be confined to the mandate of the committee and any extension or limitation of that mandate as may be directed by the Assembly and, in the case of a select committee on a Bill, to the Bill committed to it and relevant amendments.

In the exercise of its functions, a select committee may not consider any matter that is not contemplated within the mandate of the Assembly under the Constitution.

Scrutiny of the quarterly report.

Madam Speaker, according to the committee's mandate (SO 191), the committee held several meetings to scrutinize the 2nd quarter report for the period ending 30th June, 2020 for the Department of Water, Environment and Natural Resources in order to report back to the House. After scrutiny of the report, the committee wrote this report in order to present it to the House for adoption.

Madam Speaker, the following information was derived from the quarterly report and financial statements for the period ended 30th June, 2020 for the financial year 2019/2020.

Approved Budget

During the period under review, the department of Water, Environment and Natural Resources approved budget, expenditures, absorption rate in Table 1 and received foreign grants in table 2: - I would wish all the Members to go through the report as it is contemplated in the table.

Committee's observations;

From Table 1, it is clear that the department had a total annual approved budget of Kshs. 219,789,839.00;

The total expenditure for the year totalled to Kshs. 51,889,903.00 out of which Kshs. 28,387,303.00 was spent in the fourth quarter (Table 1);

From the same table, the department spent a total of Kshs. 51,889,903.00 for the whole financial year 2019/2020 represented by 23.61% absorption rate of the total budget;

Despite the fact that the department did no spend any funds in the first quarter, it is evident that expenditures were incurred in the 2nd, 3rd and 4th quarters of the year;

The Rural Water Supply and Sanitation Program had the highest approved budget of Kshs. 177,436,995.00 out of which a total annual expenditure of Kshs. 24,303,369.00 was incurred representing 13.7% absorption rate. (Table 1);

The Goods and Services program had a total approved budget of Kshs. 14,019,589.00 and the total expenditure was Kshs. 11,717,762.00 representing about 83.6% absorption rate (Table 1)

Climate Change Adaptation & Mitigation was allocated Kshs. 3,574,067.00 and spent Kshs. 2,000.00 representing 0.06% absorption rate (Table 1);

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From Table 2, the department did not receive any grants in the first quarter. Kshs. 50,214,821.00 was received in the second quarter, Kshs. 14,771,019.00 in the third quarter and Kshs. 62,885,648.00 in the fourth quarter totalling to Kshs. 127,871,488.00.

Committee's recommendations;

1. The department to implement projects within its allocated budget and timelines;
2. The department to ensure proper work plans are put in place to avoid project implementation spilling over to the next financial year;

The House adopts the committee's report as they have clearly stipulated.

Thank you, Madam Speaker and I call upon the Hon. Vice Chair to second.

Hon. Patricia Muthoni: Thank you, Mr. Speaker. First, I want to welcome pupils of Nanyuki Garrison and their teachers. I arise to second this motion and urge Hon. Members to support this motion. Thank you.

(Question proposed)

Hon. Stephen Ndiritu: Asante Bi. Spika. Nasimama kutoa mchango wangu kwa hii ripoti ya wizara ya maji. Kabla nitoe mchango wangu nakaribisha wanafunzi walioko Bunge hili ndio wajue ni lipi linaendelea. Pia nawakaribisha walimu wote na nafikiria tangu serikali ibadilishe mfumo wa 8-4-4 tukaingia mfumo wa CBC, nafikiria hii ni moja wapo ya yale watoto wanafaa wawe wanafanya. Pia kuwe na vikundi vya kusaidia wanafunzi kutoa hotuba kwa sababu tunataka hawa watoto wawe wajumbe na wakubwa wa serikali na siku moja wakalie hizi viti.

Mheshimiwa Spika, katika hii ripoti ya maji kuna kitu nimeangalia wakati mwenyekiti alikuwa akisoma ile ripoti. Ni haki kwa serikali yeyote kuweza kutoa ripoti hii ndio kueleza wanalaikipia ni yepi yanayoendelea katika ile wizara. Nilipoangalia ile wizara niliona walipokea milioni 219. Hii ni wizara ambayo inafaa kuangalia sana upande wa maji na hali ya mazingira.

Mheshimiwa Spika, nikiongea haya naelewa wakati huu ni wakati wa kiangazi. Hii wizara ilipokea milioni 219 ambazo wangekuwa wametafuta mbinu za kusaidia watu wa Laikipia na hasa hizi mitaa kubwa ndio wapate maji ya kutosha. Ukiangalia hii wizara ni kama inazembea. Nilisema juzi kazi yeyote inafanywa na serikali ama waziri yeyote anafaa kufanya kazi akiwa amewajibika kwa sababu amepewa kazi na Gavana ambaye pia amepewa kazi na mwananchi.

Mheshimiwa Spika, sisi tuko na shida moja. Wakati maji inakosa wale wananchi wako huko hawajui ya kwamba ni waziri anafanya ile mambo. Badala ya kuwalaumu waziri wanalaumu MCA na viongozi wa kukuja kuwatetea. Nasema kama waziri ameshindwa kutumia pesa ambayo amepewa ya wizara huyo ni mtu anafaa hata kwenda nyumbani. Sioni ni jambo gani upewe 219 milioni kisha kwa matumizi ya pesa tukifunga mwaka umetumia asilimia 23%. Hio ni kusema waziri mwenyewe hajielewi na hana utu wa watu wa Laikipia.

Mheshimiwa Spika, ukija mtaa wa Nanyuki tuko na shida ya maji. Tuko na tenki la kuteka maji na unakuta hatuna maji. Ikiwa hapa Nanyuki hakuna maji na wizara imepewa milioni 219, yule mtu yuko Doldol, Sosian yuko wapi? Hili ni jambo ambalo tunafaa kusukuma ndio hawa mawaziri waweze kuajibika katika kazi zao.

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Mheshimiwa Spika, ukiangalia katika hizi ratiba zao utaona katika mgawo wa kwanza walikua na sufuri. Kumaanisha hakuna kitu amefanya na amepewa pesa na sisi tumekuwa hapa siku nzima tukipanga pesa za kila wizara lakini unakuta ile wizara imetumia sufuri ya zile hela. Katika mgawo wa pili kwa ile ratiba yao ya *solid water management* pia ni sufuri.

Utalii sufuri, mambo ya mzozo kati ya watu na wanyama ni sufuri na tunajua vile watu wanaumia hapa Marmanet. Watu wanapigwa na ndovu na wengine kuuawa lakini unakuta waziri badala ya kumlinda mwananchi ametumia sufuri. Hio ni kumaanisha hajui kwamba huyu waziri hajui vile anafanya. Mheshimiwa Spika, natural resource management robo ya pili ni sufuri

Ukija kwa *climate change adoption and mitigation* unakuta hadi kwa robo ya tatu ya mwaka wametumia sufuri ilhali Laikipia iko na shida na hali ya anga imebadilika. Hakuna maji na mifugo inaumia. Ukiuliza wale ambao wametoka kaskazini, *ng'ombe* zao zinakufa. Sasa badala ya kutumia hizo pesa kuwanunulia wakulima nyasi mnatumia sufuri kisha mnasema serikali iko imara.

Iko imara wapi ilhali wakati serikali inasemekana haijatumia pesa, badala ya mwananchi kuona waziri na Gavana wake, anakuja kuona Mwakilishi wa Wadi. Mwakilishi wa Wadi alikupea pesa utumie lakini unatumia sufuri. Bi. Spika, hii inamaanisha kuna shida katika idara zetu na si ya kilimo na maji peke yake. Tumekuwa na Idara ya Biashara, Idara ya Miundombinu na Idara ya Afya ambazo unakuta watu hawapati matibabu. Watu wanakufa na tuko na hospitali.

Juzi nilisema hospitali ya leo ambayo Serikali ya Kaunti inazunguka ya Nanyuki Health Centre imebadilika na kuwa nyumba ambayo imepakwa rangi na badala ya kutibu wananchi, kuna...

Temporary Speaker (Hon. Veronica Ikunyua): Laikipia Health Care.

Hon. Stephen Ndiritu: Bi. Spika, hata sielewi kwa sababu hawa watu ni kama hawajielewi. Utaitwa *health care* aje ilhali ukienda huko ni nyumba tupu imepakwa rangi kisha unaambiwa uingie hapo na badala ya kuingia kutibiwa watu wanaaga. Hakuna dawa na madaktari ilhali mnasema idara na serikali nzima iko imara. Zungukeni mkidanganya wananchi lakini wananchi sio wajinga.

Sisi wenyewe tunawangojea. Pia sisi tunangojewa tukajitetee kwa maana sisi tuliwapea pesa. Tulipatia hii idara milioni 219 na sina ruhusa ya kutumia hiyo pesa. Yule ambaye ako na ruhusa ni waziri pamoja na afisa mkuu wa hiyo idara. Yeye ndiye anafaa kuchapwa viboko pamoja na wale ambao wanaongoza kwa sababu naona hizi idara ni kama haziwajibiki.

Ni vile tu muda umeyoyoma na kama tungeweza kuongezewa mwaka mmoja, tungewanyorosha hawa watu na kazi iweze kufanyika katika Laikipia. Naamini ukija katika wadi ambayo nawakilisha ya Thingithu na kwangu mwenyewe sina maji, nanunua maji na nimechaguliwa na wananchi, yule mwakilishi ambaye nawakilisha ako wapi? Visima zote ambazo ziko Laikipia zinafaa kufanya Laikipia. Watu wako na shida na hawana maji ilhali serikali iko na fedha za kutosha.

Bi. Spika, katika hii ripoti nashukuru Mwenyekiti wa Kamati ya Kilimo kwa sababu yeye kama Mwenyekiti ameweza kuleta ripoti na kamati yake ambayo Mheshimiwa Muthoni yuko. Wamefanya vizuri kwa sababu wameelezea Bunge yale mambo ambayo yametendeka. Sisi kama Bunge tutachukua hatua ambayo inafaa. Najua Mwenyekiti ya Kamati ya Kilimo pamoja na

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wanakamati wake wataweza kuita waziri hara iwezekanavyo ili watuambie ni kwa nini wananchi wanateseka na ni kwa nini hawana maji ilhali hii idara iko na pesa za kutosha.

Kwa nini mifugo inakufa ilhali idara iko na pesa za kununua chakula. Bi. Spika, ukiangalia ripoti kuna pesa za marupurupu na hapo ndipo mawaziri wamekomea wakiangalia. Fedha ambazo wanapata ni asilimia 83% ilhali katika programu ya hali ya hewa wametumia sufuri. Hawa ni matapeli na hawafai kuwa katika hizo ofisi kwa sababu wanatuchafulia jina ilhali tumeweza kueleza wananchi ukweli. Sisi hatuna uwezo wa kutumia hizo pesa. Tukitengeneza bajeti inaenda kwa Serikali ya Kaunti.

Naomba Waheshimiwa ambao wako hapa wapitishe hii ripoti haraka iwezekanavyo ili tujue ni kwa nini watu wetu wanaumia. Kwa hayo machache nashukuru Mwenyekiti kwa kuleta ripoti ambayo inaeleza ukweli. Hajaficha na kama ni sufuri ameonyesha ni sufuri na kama ni mbili ni mbili. Hiyo ndiyo haki ya wananchi. Nashukuru na tuko pamoja. Naomba Wabunge wenzangu wapitishe huu mswada ili tukabiliane na hao watu kabla ya kumaliza. Ngumi ya mwisho ambao tumebakisha tutagonga mtu na ataanguka chini mpaka wananchi wetu wapate haki. Asante, Bi. Spika.

Hon. Catherine Nyawira: Thank you, Hon. Speaker for the opportunity to contribute to this motion that was brought before this House by the Agriculture Committee on Department of Water Environment and Natural Resources. Firstly, I wish to welcome the students and teachers from Nanyuki Garrison Primary. Feel at home and we are proud that you are here to see what we do. This day that you have come I am very glad that the representative that was elected in Nanyuki Ward have been given the mandate to lead this House.

She is capable and she has done well. We ask as you go home you tell your parents and especially the students about what you have seen, the good she is doing, the leadership qualities that she has and urge them to vote her back. Thank you.

Hon. Speaker, as I go through this report many things have come to my mind. One is the great famine that this county is experiencing especially in areas of Laikipia North. If we are feeling the famine in Laikipia West where we have no vegetables in our gardens, I can imagine what the cattle, goats and sheep in Laikipia North are going through yet when you look at this budget the first item is rural water supply and sanitation which got Kshs.177 million. Where was this water going if it was not going to the rural areas like Laikipia North, Doldol, Mukogodo and Segera?

It is unfortunate and one of the recommendations I would make on this is that the agriculture and water docket in this Assembly be separated so that there is better oversight on why this money is not being used in the right way. Hon. Speaker, famine is not a disease. It is a deliberate effort by governments not to implement policies. If there are policies then such people will not be going though these issues.

Hon. Speaker, when I look at the first quarter that had zero meaning that there was no work done so there was no expenditure, I remembered the wars that are in our Assemblies, Senate and the Parliament when it comes to the allocation of revenue to counties. Hon. Speaker, I must say that such happen because the National Government is making a deliberate effort to kill devolution which is very wrong. County Governments would want to work because once the money is released, you can see the second, third and fourth quarter where we were working.

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When they do not release the money on time, then they make us drag to provide services to the people of our county. Thirdly, still on rural water supply and sanitation, I pay a minimum charge of Kshs. 600 to NAWASCO whether I use it or not. The government is not in the business of making profit, it is in the business of providing services to us and not making money from us. If we can allocate such money to the supply of water, then I do not understand why I should pay Kshs.600.

That money must drop and we as the legislators must ensure that that money comes down whether it is a policy of the National Government. We must be able to encourage our people to plant more trees because even if we dig many boreholes, one of these days the earth will dry up because we are not planting trees. We are cutting them down; our rivers are going dry. So it is a deliberate effort again by the residents, the policy makers and the Executive, in total.

If you look at the recent congregation that went to Glasgow on the issue of going green, in the next few years our children, unfortunately, are the ones who will suffer. They say the temperatures will rise going up almost to 10°C. That is very significant. There will be tsunamis and floods, which will deplete the soils and do a lot of damage.

Hon. Speaker, I think it is unfortunate. While I do not want to blame this government for it because I am in it and have seen where these issues have cropped up, I would urge that even as students are taught in school, they plant trees. They realize that the County Government cannot do it alone. It needs their efforts and participation in tree planting, in going green, managing waste – not throwing papers everywhere, and I think we will have a better County. Thank you, I support the report.

Temporary Speaker (Hon. Veronica Ikunyua): May I now call the Mover to reply.

Hon. Simon Kanyutu: Thank you, Madam Speaker. May I thank all the Members who have contributed to this motion. I am happy because each and every person can attest on what has transpired or some of the challenges that have caused the implementation to be poor. It is only that the Hon. Member has left and the issue pertaining to lack of water in town; we are trying to push those who are concerned to ensure that water is supplied in plenty and we have really done that.

Madam Speaker, were it not for the first, second and third quarters, by the time we were preparing the report, some of the projects that are being implemented in the rural areas had not been implemented. We already have a complete project in Tigithi, another one in Laikipia North; those areas we call Tiamamut and the like, and the County has really tried as much as it could. The biggest challenge is the release of funds by the National Government which has turned out to be a challenge in the implementation of most of the projects.

Madam Speaker, I call upon the Members to pass the motion so that we can even be able to do some of the follow-ups that we are supposed to do as a committee. Thank you.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Veronica Ikunyua): This House now stands adjourned until later today, Wednesday, 16th February 2022, at 2.30 p.m.

The House rose at 9.34 a.m.

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