REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Wednesday, 10th February, 2021

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

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

PRAYERS

STATEMENTS

2018/2019 & 2019/2020 FINANCIAL YEAR PENDING BILLS

Hon. Chris Mark: Thank you Mr. Speaker, on behalf of the Chairperson of Public Accounts and Investment Committee. We requested extension of time to respond to a statement on 2018/2019 and 2019/2020 financial year pending bills.

Mr. Speaker, Sir, the attached statement was read on the floor of the House on 4th August, 2020 by Hon. Peter Matunge and committed to the County Public Accounts and Investment Committee on the same day.

The committee received a response from the CECM for Finance and Economic Planning vide ref CGL/CEF/CA. S/VOL111/11 date 21st August, 2020.

The committee held a sitting with officers from the Executive to scrutinize the response that was submitted before it before tabling the documents in the House and some crucial information was found to be missing.

It was agreed in the meeting that the missing information which included the contacts of the contractors who had undertaken the works, the contact persons of those who the county owes the bill and the exact amount paid and balance thereof among others was to be included in the report and the information has not yet been received by the committee despite the officers concerned being reminded severally.

It is in view of the above that the committee is requesting for more time in order to table a comprehensive response once the CECM responds. Thank you.

Speaker: Thank you Hon. Christopher Mark for reading that on behalf of Hon. Stephen Nderitu the Chairperson Public Accounts and Investment Committee. I which to give this chance to Hon. Matunge before I make my observation and remarks and after him I can give a few members then I will be able to conclude.

Hon. Peter Matunge: Thank you Mr. Speaker. I wish to thank my young brother Hon. Chris for reading this statement on behalf of the Chair. I know he is the Vice Chair of this committee so he is the substitute chair now.

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I have one or two concerns. Firstly, this statement was raised on August 2020 which means we had sessions on September, October, November, until December. Again there is the period of December to February which means it is about 6 or 5 months since this statement was requested.

I also believe that pending bills and contracts that were given, all the information is invaluable. You cannot enlist something as a pending bill if you don't have the information.

The reason why we raised this statement is because there was a budget line that was stating pending bill. So you cannot budget for something that you do not know and don't have full information of the contract that has been undertaken. I think that there must be something missing here. We also had a session with these members of the Executive and I remember that I appreciated the committee because they gave me the opportunity to go and listen to what they were presenting.

We even raised questions because some contracts lines which were being presented were missing information. We saw contracts being issued even without advertisements being done and those were the issues we raised and we expected that those issues were going to be addressed and information availed by January.

My second concern Mr. Speaker. I would wish to hear the action that the committee is going to take because what they have said on the 2nd paragraph is that it was agreed in a meeting that the missing information which included contracts of all those things whose county owes the bills and the exact amount paid in the balance thereof among others, was to be included in the report. The information has not yet been received by the committee despite the officers concerned being reminded severally.

Therefore Mr. Speaker, I would wish to understand from the committee on the actions they have planned to take so that we can be able to comfortably say yes. If they have asked for a week or two, they are going to bring this information. On the last paragraph they say; *'in the view of above, the committee is requesting for time in order to table a comprehensive response once the CECM responds'*. What happens if the CECM fails to respond? It means that we are never going to receive the response and those are my concerns.

Mr. Speaker, I would wish that whenever we raise issues in this House it is better that we respond on time because some things will be overtaken by events because this is something which was in the budget. Today the Executive is implementing a budget and the way they are implementing we will find these things happening without us getting the right information. With those few remarks, I would wish that they respond on those things that I have raised. Thank you.

Hon. Mutahi Muritu: Asante, Mheshimiwa Spika. Jana tulikuwa katika hili Bunge na swala lililojitokeza ni kama sasa swala lenyewe linaendelea kujitokeza waziwazi kwa sababu Kamati ya Matumizi ya Fedha za Serikali na Uwekezaji imejukumiwa kufuatilia bajeti baada ya kupitishwa kwa hili Bunge. Ukiangalia taarifa na sanasana nimemsikia mwenyekiti wa Kamati ya Matumizi ya pesa za Serikali na Uwekezaji katika majibu yake ameyajibu kirahisi sana. Ninaamini ya kwamba jana alikuwa kwenye hili Bunge na amesikia kilio tunacholia

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katika Kaunti. Kwa hivyo, hata kama wanamjibu na aliyeomba taarifa amesema ya kwamba alialikwa kwenye kamati lakini ni kama ameonekana hajaridhika na majibu.

Mheshimiwa Spika, taarifa inayoombwa ni ya mwaka wa bajeti wa 2018/2019/2020 mwaka wa serikali. Ukiangalia katika taarifa yao kurasa wa pili wanasema na ninanukuu; '*the amount required in 2020/2021 financial year for operation and other expenses of the County Finance Economic and Planning and the County Treasury, including contingent expenses on statutory deductions accruing to Kshs.703 million which is development in nature'.*

Mheshimiwa Spika, jana tulipiga kelele na sasa hivi tangu taarifa iombwe ni zaidi ya miezi sita iliyopita. Sasa hivi tumebakisha sio chini ya miezi mitatu mwaka uishe. Kilio tunachokutana nacho huko mashinani hakuna utekelezaji katika bajeti hii. Sijui mimi nitaridhika namna gani hata kama sio mimi niliyeomba taarifa lakini kamati husika kusema ukweli, Laikipia sio kuzuri kwa sababu hakuna kitu kinachoendelea. Sasa hii ni taarifa ya mwaka 2018/2019/2020 na tena tunataka kuelekea 2021. Kama hakuna kitu ambacho kinaendelea basi haya ni madeni ambayo imeribikizana hapa.

Katika vyombo vyetu tukiangalia kwenye magazeti nilisikia jana ya kwamba sisi tumeingia kiwango kingine cha kuweza kupata madeni. Sasa tutapata mikopo namna gani ilhali yale madeni tuliyoko nao hatuna uwezo wa kulipa? Jana nilisikia ukitoa taarifa kwamba tumealikwa kwenye mkutano. Tunataka taarifa kamili. Kama waliopewa kandarasi hawajalipwa tuwaambie walete lori zao wafunge barabara, hospitali pamoja na miradi yote ya maji ambayo waliweka.

Juzi nilikutana na mkandarasi mmoja akaniambia kwamba ninatumia barabara ilhali hakuna jambo ninalofanya ili yeye alipwe. Mimi ninaendelea kupata sifa kutoka kwa wananchi wangu na serikali inaendelea kupata sifa eti tumejenga barabara. Yule mtu alienda kuchukua mkopo kutoka benki ama taasisi nyingine bali hakuna kitu kinachoendelea.

Kwa hivyo kamati husika, hata kama Mheshimiwa Matunge aliyeomba taarifa ataridhika, mimi nitaomba taarifa zaidi kwa sababu, tusidanganyane, hakuna kitu kinachoendelea. Haya ni madeni yaliyopita tunaongea kuhusu na hakuna utekelezaji. Sasa tunakaa hapa Bungeni kufanya nini kama hakuna utekelezaji? Asante, Mheshimiwa Spika.

Hon. Irene Wachuka: Asante sana, Bwana Spika. Nashukuru kwa kunipa hii nafasi ingawa nimechelewa kuingia kwa dakika chache. Nimekuta Mheshimiwa Mutahi akiongea na hakika katika Kaunti nzima ya Laikipia kuna shida na imefika kiwango cha sisi kunong'onezana kama Bunge.

Leo, kama vile Mheshimiwa amesema, binamu yangu ambaye hakuniambia wakati aliomba kazi alilala hapa leo akingoja kulipwa. Alifanya kazi ya milioni tano. Alienda kwenye benki akaomba mkopo, wala si yeye peke yake, makandarasi wanalia katika Laikipia nzima. Mali yao inachukuliwa na benki.

Hakika, Mheshimiwa Spika sisi kama Bunge la Laikipia lazima twende kama timu kumwuliza Gavana maswali. Jana nilisikia Mheshimiwa Mutahi akisema kwamba tumeitwa, tumeitwa kufanya nini ilhali wanapoketi kuongea huwa hatuitwi?

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Wakati unapokuwa na jambo huwa unatuita katika Kamukunji. Gavana anastahili kutuita atuambie kwamba kuna jambo fulani linastahili kufanywa, mnaonaje? Tunong'onezane tuone iwapo ni vizuri ama si vizuri. Kwa kila mtu hapa, hasa waliochaguliwa, maswali yaliyo mashinani ni kuhusu makandarasi. Mtu alichukua pesa na sasa gari lake limechukuliwa na benki.

Mimi sijui tunaenda huko kufanya nini, nilikuta tu watu wameitwa. Tukienda kwa Gavana watu wanaanza kurudi nyuma. Wacha twende tuulize maswali. Nasikia Ijumaa kuna jukwaa jingine kule Rumuruti. Ni ya nini kama sisi tulitumwa kwenye hili Jumba kumsimamia Wanjiku na Wanjiku bado analia? Hakuna hata ufadhili wa karo.

Katika lugha ya Kikuyu tunasema kwamba huwezi kujenga nyumba na ya mwenzako, lakini lazima ufadhili wa karo upeanwe. Tunasikia Kaunti zingine zimepeana ufadhili wa karo, pesa za Laikipia huwa zinaenda wapi? Wakati tulipitisha kwenye hili Jumba, Wajumbe wote 24 pamoja na wewe Spika ukitushikilia, tulipitisha mswada wa BBI ili pesa irudi kwa waliochaguliwa.

Kama Mheshimiwa Kiguru ninayemwona nyuma yangu pamoja na Mheshimiwa Mugweru wako na pesa mashinani hawezi kuenda kumpigia Gavana magoti upewe pesa. Atasema tu ameamua kiwango fulani kitumike katika ufadhili wa karo na kingine kwenye ujenzi wa hospitali. Lakini sasa ni kunyenyekea hadi wakati utakapopewa.

Imefika wakati wa sisi Wajumbe kukaa chini na kuongea kwa sauti moja. Wakati punda milia anaona kuna shida, mmoja analia kwa sauti na wengine wanaitikia. Ni wakati wetu sisi kukaa chini tuitane kwa kilio kimoja na tushikane tumlilie Wanjiku aliye hapa Laikipia. Nimefika kiwango tangu niingie hii nyumba, huwa sifanyi siasa lakini imefika; kutoka Machi ni kutoa miguu kwa gunia.

Mheshimiwa Spika, umepewa jukumu. Kama tumelemewa hatutakulaumu, sisi ndio tumelala. Kama ndugu zangu, tushikane tuongee kwa sauti moja. Siku ile sitakuwa katika hili Bunge pengine nitakuwa mwana kandarasi na ningetaka wale watakuwa kwa hili Bunge wawe wananililia.

Kwa hayo machache ninasema kama Gavana anaitana twende tutoane nguo kwa hiyo nyumba. Tumtoe ama atutoe. Hakuna kurudi nyuma. Nitaomba nafasi na nisiambiwe niketi chini. Huwa nasimama nasikia wewe keti. Wacha niseme yangu na wewe useme yako. Saa hii binamu wangu ananingoja hapa nje .

Hata kama nitamuona nitamsaidia aje? Nilimuuliza, ulilala hapa, uliniambia ulipoomba kazi? Alifanya kazi ya maji ya milioni tano huko Muhotetu. Saa hii alichotwa hadi gari. Sililii yeye. Makandarasi wengi ambao hawakulipwa wanatoka Laikipia ya Mashariki. Kwa hayo machache tuungane mikono twende tuulize maswali ambayo itasaidia Wanjiku. Naunga mkono.

Speaker: Asante sana Mheshimiwa Wachuka. Kwa sababu ya HANSARD, hiyo kutoana nguo ni kuambiana ukweli. Ndivyo inamaanisha.

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Hon. Salma Zamzam: Asante sana Mheshimiwa Spika kwa kunipea nafasi kutia mchango wangu. Kama tulivyoelezewa na Mheshimiwa Mutahi, jana kuna mswada ulikuja kaa huu na tukaweza kuchangia. Wengine wakaona kuna umuhimu kwa sababu huu ni mwaka wa kuambia wananchi bivu na bichi. Naona Bunge la Kaunti ya Laikipia inaonekana hatutavuna kitu. Tunaona kila wakati na miradi kwa kila wadi lakini hakuna kitu imetekelezwa. Watu wengi wanaumia na kulia.

Bwana Spika, ukiangalia kamati yetu ya barabara hakuna hata moja ambayo inaendelea. Tulikuwa Wiyumirire na Gavana akasema yuko na mashine za kwenda Laikipia ya mashariki, magharibi na kaskazini. Waswahili husema ukweli huuma na ikiuma itabidi umeze pilipili. Ukiangalia Laikipia Kaskazini mahali tunatoka sijaona maendeleo. Hakuna mashine, trekta ama chochote nimeona.

Bwana Spika, juzi tulienda kwa Gavana na kuelezewa maendeleo ambayo inaendelea Laikipia lakini mimi sijaona chochote. Ni aibu kwenda pale mbele ya PS na kusikia maendeleo lakini mahali tunatoka Kaskazini hakuna hata moja. Pia nasikia Waheshimiwa wengine wakilalamika. Nashikana na waheshimiwa kusema tushikane kama wajumbe ndio tufanye kilichotuleta kwa hii Bunge.

Tukiongelea Kamati kuu ya *Liaison*, tuwe makini tuone chochote tunaomba kiwe na muda mdogo wa kujibiwa, kama Ujumbe. Kama waziri atachukua muda mrefu wa kujibu maswali ama ujumbe juu kazi yetu ni uangalizi, ni vizuri Gavana pia aangalie zile wizara na mawaziri wake ndio wanalaikipia wafaidike kwa miradi. Asante sana Mheshimiwa Spika.

CONSIDERED RULING

Speaker: If there are no more observations, I wish to give extension of two weeks so that in 14 days that committee will be supposed to respond to this House. It will be very difficult for us to allow a committee to go out when we have pending statements in this House and has timelines. If we go this way, we have had statements which have not been responded to and they are overtaken by time.

If you have a statement requesting issues to do with 2018/2019 bursary and you respond to it in the year 2020, the bursaries will have already been given out and it doesn't make any sense. It is of no help to that particular person. It is only for information but there is nothing that you can correct from. We have a huge number of pending reports and we will only allow committees to go out as we finalize with those reports.

Somebody suggested that reports can also be done here if they need to be done because we shall have consumed all our budgets for the previous years but the work load that is still pending is relatively huge. It is important for us to understand committees that we really need to do our work well. I hope the Liaison Committee will take charge so that pending reports are reported to the Liaison Committee and we are able to put the Chair to account on why those reports are pending.

Finally, a Member of the House Business Committee every Thursday will communicate the business that is coming the following week. If it is a statement like yesterday, we were not able to finalize it because the person who requested was not present. You will be communicated

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to before that that your statement will be coming that week that you are supposed to bring or respond or a business you are supposed to move. It will be very important for us to be able to pressurize that this business must be undertaken.

We have quite a number of bills pending with the committees. We will be ranked lowly because of bills that we have not completed. I have tasked the Clerk and the staff to make sure they play their part so that these bills can come into the House. The committees sitting on those bills need to dispense with them the soonest time possible. We have eight bills that are aligned within the committees and are in the process so that we are able to finalize with that.

The Public Accounts Committee, you have 14 days to respond to that statement so that it comes to the floor of the House. I hope the Chairs of the committee have taken good note on that.

COMMUNICATION FROM THE CHAIR

MEETING WITH THE GOVERNOR

Speaker: Hon. Members I wish to remind you of todays' meeting at the County Hall. As you know there was the launch of debt credibility report yesterday. The Governor had requested and I told him we cannot be able to interrogate that document in such a forum and therefore we needed a forum of our own where we will be able to understand what it contains. It might be a good idea but without understanding we cannot be able to support it.

It might be an idea that requires oversight so it is important for us to have that meeting so that we can look at the report and interrogate it. There was a proposal next week but we also said when this thing comes to the newspaper and the social media, Hon. Members will be asked a lot of questions by the people they represent. Therefore, if we wait until next week this will disadvantage us. We suggested because we have two sittings today, in between the sittings we have that meeting at 10.30 a.m. It will be a one-hour meeting so that we can be able to interrogate and get to understand what it is about because this is our county and we are going to be answerable to the people of Laikipia because of the decisions that we make.

Let us go and get to know what it is so that we raise issues that we have. The other issues that we are raising here to do with pending bills and contractors, we will be able to raise them. I have heard that the Finance Department have continuously argued that the pending bills we have do not amount to about Kshs.700 million but they are almost Kshs.1 billion. This is also a good question that we will need clarity on. It is important we discuss these things and have the correct information. Any information that we give out will be correct. Kindly, let us attend that meeting then we can be able to go to our committees.

ADJOURNMENT

Speaker: The sittings of this House stands adjourned until later today Wednesday, 24th February, 2021 at 2.30 p.m.

The House rose at 9.29 a.m.

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