



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
1ST ASSEMBLY-4ST SESSION
OFFICIAL REPORT SPECIAL SITTING



(Hansard)

Thursday, 5th May, 2016

The Assembly met at the Assembly Chamber at 9.00 A.M.

The Deputy Speaker, Hon. Edinald Wambugu King'ori, in the Chair

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

Speaker: Clerk, confirm that there is quorum.

The clerk-at-the-table confirms that there is no quorum

There being no quorum, I direct that the division bell be rung for an initial ten minutes or until such time within the ten minutes that quorum will be achieved.

The division bell is rung for 8 minutes and quorum is achieved as confirmed by the clerk-at-the-table

First order.

PAPER LAID

NYANDARUA COUNTY PROGRAMMED BASED BUDGET FY2016/2017

Yes the Leader of Majority, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Mr. Speaker, I beg to lay on the table the Nyandarua County Programmed Based Budget for the FY 2016/2017.

Speaker: The paper is duly laid, and pursuant to Standing Order no. 202:

(3) Upon being laid before the Assembly, the Estimates shall be deemed to have been committed to each Sectoral Committee without question put, for each such committee to deliberate upon according to their respective mandates.

(4) Each Sectoral Committee shall consider, discuss and review the Estimates according to its mandate and submit its report and recommendations to the Budget and Appropriations Committee within twenty-one days, after being laid before the Assembly.

(5) The Budget and Appropriations Committee shall discuss and review the Estimates and make recommendations to the Assembly, taking into account the recommendations of the Sectoral Committees, the views of the Executive Committee Member in charge of Finance and the public.

So, let the sectoral committees take charge. Does anyone have any reaction to this especially from the chairperson of the Committee on Budget and Appropriations?

Yes, Hon. James Gachomba.

Hon. James Gachomba: Thank you Mr. Speaker. It is prudent that every chairperson of a sectoral committee takes this budget seriously because the recommendations to be adopted by the Assembly should be in line with the County Fiscal Strategy Paper because it is the one that sets the budgetary ceilings.

I appeal to the chairpersons to incorporate the Chief Officers of the respective departments while going through the budget. This should be taken seriously because this is an important document to the public. This will ensure proper appropriation of the funds and availability of resources to fund development projects in the wards.

Speaker: Any other Member with further comments on this?

Next order.

PAPER LAID

STATEMENT ON THE DEVIATIONS FROM THE APPROVED COUNTY FISCAL STRATEGY PAPER

Speaker: Yes the Leader of Majority Party, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker. I beg to lay on the table, a statement accompanying the FY 2016/2017 Program-Based Budget on the Deviations from the Approved County Fiscal Strategy Paper.

Speaker: Thank you Hon. Kariuki Muchiri; the paper is duly laid and it is committed to the Committee on Budget and Appropriations. The chairperson can tell us the way forward on the same.

Hon. James Gachomba: Thank you Mr. Speaker. This document has come in at the right time so that the committees can get time to go through it. They have to hand their reports to the Committee on Budget and Appropriations within 21 days. They have to collaborate with the Chief Officers. We do not have to do amendments every time during the budget. If they work well with the Chief Officers then our work will be quite easy.

Speaker: Yes Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Thank you Mr. Speaker. This is the last budget that we are going to do and implement in this term. The next budget will find us already campaigning. The committees need to carry out their duties thoroughly. If this one is done seriously, it will give us political mileage. Previous budgets have done a lot to us. They say that the last minute can save a man; this budget can save us.

Speaker: Yes Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr. Speaker. The statement I laid was about the deviations from the approved County Fiscal Strategy Paper. The CEC member for Finance and Economic Planning is allowed by the law to modify the approved document but we should carefully look at this document.

We do not want a situation where development vote-heads have great variations. As the sectoral committees go to discuss this budget there is need to examine the deviations to avoid a situation where there are extreme variations. This will ensure that those who elected us benefit.

Speaker: Yes Member for Gathanji, Hon. Samuel Thuita.

Hon. Samuel Thuita: Thank you Mr. Speaker. We have received the Program Based Budget and the statement on the deviation from the approved County Fiscal Strategy Paper. The law allows deviation of up to 1%. The CECM for Finance...

Speaker: Point of correction Hon. Samuel Thuita, that law did not pass. It was an amendment proposed by the Senate and the National Assembly but it did not pass.

Hon. Samuel Thuita: Thank you Mr. Speaker. It is based on that law that the CECM for Finance and Economic Planning has brought these deviations. If you look at the Public Finance Management Act, 2012, section 129 (2) (a) and (b);

The County Executive Committee Member for Finance shall—

(a) Submit to the county assembly the budget estimates, supporting documents, and any other Bills required to implement the budget, except the Finance Bill, by the 30th April in that year; and

(b) Ensure that the estimates submitted in subsection (a) are in accordance with the resolutions adopted by county assembly on the County Fiscal Strategy Paper.

We can now see the deviations from the same. I want to urge that, as the committees sit to deliberate on the estimates, they should be very careful not to allocate so much money for recurrent expenditure. This is the last budget this term whose implementation this House will exercise oversight on. The House will have very little or no suggestion on the next budget. Let us consider the development vote heads and allocate more resources to the same. The Executive should not see as if we are performing their duties when we reallocate funds. It is the constitutional mandate of this House to allocate resources. If I decide that we allocate Ksh. 30 million to J.M Memorial hospital, my next duty is to come and check what the amount has done. If we say that it is this House that has seen the change in J.M Memorial Hospital, that is true because it is the one that allocated a certain amount of money for the hospital. Even if the photographs of the Governor are appearing on the sign board it is I and the other members who allocate the money for the projects. They are saying that we did not do anything even if we claim to have done something. There is need to look at these deviations carefully.

Speaker: Yes Member for Charagita, Hon. Kiruka Mburu.

Hon. Kiruka Mburu: Thank you Mr. Speaker, some of the funds that have been put under recurrent expenditure should be transferred to development expenditure. The recurrent vote heads have so much while development has too little. The roads, for example, are impassable and they required a larger allocation. The CECMs keep moving up and down with their official vehicles but they say that they do not have money to fuel the graders. The Committee on Budget and Appropriations should ensure that recurrent expenditure is reduced by half. The members of the Committee on Budget and Appropriations do not do this because they allocate funds for projects in their wards. I will follow what they are doing closely. The people from Charagita are residents of Nyandarua and should enjoy these resources like the rest. It is not fair that one

ward gets an allocation of one million and others get zero. We should think about all the members because each one of us wants to come back.

Speaker: Yes Member for Mirangine, Hon. David Ndirangu

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker. I am worried because Hon. Kiruka has said that he will follow closely what the Committee on Budget and Appropriations will be doing yet he is the one that has been allocated the most resources.

Hon. Kiruka Mburu rises on a point of order

Speaker: Hon. Kiruka Mburu, how is the Member for Mirangine out of order?

Hon. Kiruka Mburu: Mr. Speaker, is the Member in order to mislead the House by saying that Charagita Ward is the ward that has benefited much with the allocated resources? It has benefited only from the funds that have been divided equally among all the wards in the county. There are no special funds that have been allocated to this ward.

Speaker: Okay; Hon. David Ndirangu proceed

Hon. David Ndirangu (Mirangine): Mr. Speaker, there is no Member who will rise and say that his ward has been allocated enough funds. I also think that it was not in order for Hon. Kiruka Mburu to say that he will follow the Committee on Budget and Appropriations closely to see to it that more funds are allocated to his county. The Committee on Budget and Appropriations is so transparent and accountable.

Several members rise on point of order

Speaker: Hon. Members, allow Hon. David Ndirangu to proceed since he was trying to derive his points.

Proceed Hon. David Ndirangu

Hon. David Ndirangu (Mirangine): Thank you Mr. Speaker. Much as I partly agree with Hon. Kiruka Mburu, there is something we call equitable distribution of resources. This being the last budget in this term, we should ensure equal distribution of resources in the wards.

Those wards that were allocated more resources in the past should be allocated less resources this time round while those that were allocated less resources in the past should be allocated more.

Hon. Kinyanjui Gachari rises on a point of order.

Speaker: Hon. David Ndirangu, would you resume your seat to allow Hon. Kinyanjui Gachari to raise his point of order.

Hon. Kinyanjui Gachari: Mr. Speaker, is it in order for the member to first say that there should be equitable distribution of resources and then propose that those wards that were allocated more resources in the past should be allocated less resources this time round?

Speaker: Member for Shamata, remember I said that Hon. David Ndirangu be allowed time to make his points.

Proceed Hon. David Ndirangu

Hon. David Ndirangu: Mr. Speaker, equal distribution of resources in our county is paramount. Public resources in our county should be shared equally. Money in the budget for 2016/2017 should be allocated equally and fairly regardless of the ward a member represents.

With those I wish to rest my case. Thank you Mr. Speaker.

Mr. Speaker: Yes Member for Ndaragwa Central, Hon. Peter Maina

Hon. Peter Maina: Thank you Mr. Speaker. I urge the Budget and Appropriations Committee not to divert money under the Ward Development Fund vote since this is the money that facilitates members to enhance development in the wards.

For the last three years we have concentrated on only two flagship projects: J. M. Memorial and Engineer Hospitals. Before the end of this term we should come up with other flagship projects and allocate money for the same.

There are some county government departments that do very little and therefore return money allocated to them to Treasury. The Budget and Appropriations Committee should understand that such departments need not be allocated a lot of money.

Departments of Roads, Public Works and Transport, Agriculture, Livestock and Fisheries, and Health Services are among those that need to be adequately funded. They are the ones that make *Wanjiku* understand that our county government is working.

I would like to observe that the current budgetary allocations have been misused. Most County Executive departments make sure they expend all the recurrent money because this usually does not usually require tracking. When did we hear any department returning money for recurrent expenditure to the Treasury? We only hear of money meant for development

expenditure being returned to the Treasury. The County executive departments should be made to account for usage of money for recurrent expenditure.

I am certain that the Committee on Budget and Appropriations will table a comprehensive report on the financial year 2016/2017 budget estimates, considering the fact that we are approaching electioneering year. Whatever we will do in the last year of this term will determine whether we will come back or pack and go home.

Thank you Mr. Speaker.

Speaker: Yes Member for Geta, Hon. Githinji Mwaniki

Hon. Githinji Mwaniki: Thank you Mr. Speaker. I rise to contribute on the already table budget estimates for the financial year 2016/2017.

There are instances whereby regional balancing in resources allocation in our county was not observed. This was especially in allocation of flagship projects. All sub counties that make up our county should benefit with flagship projects equally.

Ward Development Fund should be increased. Bearing in mind that the budget estimates for the financial year 2016/2017 have been settled at Kshs. 5.5 billion, every ward should be allocated about Kshs. 20 million under the Ward Development Fund. Remember the money from the Ward Development Fund goes directly to development in the wards. It was not advisable to slash money under the Ward Development Fund from Kshs. 350 million to Kshs. 250 million. The Ward Development Fund should be used by the ward representatives to avert the developmental challenges facing our people. Remember every ward has its particular development challenges.

There are claims by the Executive that the MCAs pose as if they were not elected to represent Wanjiku. The truth is that the Executive is there to serve the interest of Wanjiku while the MCAs were elected to represent Wanjiku.

Thank you Mr. Speaker.

Speaker: Yes County member from Njabini-Kiburu, Hon. Rebecca Nyangati

Hon. Rebecca Nyangati: Thank you Mr. Speaker. I want add on what Hon. Peter Maina has said; that surely the Executive is misusing the money allocated under the current budget. In relation to this, this House should be very careful; it should play its oversight role properly. We approve monetary allocations for various County Executive sub departments. But you

find that the departments do not facilitate the people on the ground with money to carry out various activities of the county government. For example, the people representing the Executive in the grassroots are not usually facilitated to write reports. The senior officers in the Executive write imprests and use the money meant for activities in the grassroots to cater for their personal interests. The said officers on the ground are really complaining. They are usually not given airtime and transport allowances for example. This House, by performing its oversight role, should fight for these people. You remember there were some staff who lodged a petition with this Assembly but they were told that they used an improper channel. These staff must have been suffering a lot to the point of bringing the petition. We should not ignore such issues; instead we should help those suffering them.

This assembly should support the young people. We have not done anything much for the young people for the last three years. This is in view of the fact that there has been continued unemployment. So we should help our young people in order for them to generate income.

Thank you Mr. Speaker.

Speaker: Hon. Members, there being no further contributions, the Statement accompanying 2016/2017 Programme Based Budget on Deviation from the approved CFSP, together with the Nyandarua County Government Programme Based Budget Estimates, stand referred to the various sectoral committees of this House. The Office of the Clerk should come up with a programme on how the sectoral committees will meet with the representatives of various Executive's departments to deliberate on it.

Next order

PAPER LAID

THE COUNTY GOVERNMENT IMPLEMENTATION REVIEW REPORT FOR THE FIRST HALF OF FINANCIAL YEAR 2015/2015 FROM THE OFFICE OF THE CONTROLLER OF BUDGET

Speaker: Yes the Leader of Majority and the Member for Murungaru, Hon. Kariuki Muchiri

Hon. Kariuki Muchiri: Thank you Mr. Speaker. I beg to lay the County Government Implementation Review Report for the first half of financial year 2015/2015 from the Office of the Controller of Budget. Thank you Mr. Speaker.

Speaker: The Paper is duly laid and it stands referred to the Committee on Budget and Appropriations. The Paper is supposed to be referred to PIC/PAC; nonetheless, the latter has

a lot of pending work. Remember we expect the report on the same to be brought to this House within 21 days. Hon. Members, you know there is a new Committee on Finance which has enormous work of looking at the ADP and the Finance Bill, work which was previously done by the Budget and Appropriations Committee. Now the Budget and Appropriations Committee will manage to deal with the County Government Implementation Review Report.

But if there is any Member of PIC/PAC who has anything to add to the Speaker's directive on this matter they can raise it on the floor of this House.

Yes Hon. Nancy Ng'ang'a

Hon. Nancy Ng'ang'a: Thank you Mr. Speaker. You have actually put in your directive the issue I wanted to raise.

Speaker: Actually I has referred to the various reports that PIC/PAC is expected to bring to this House.

Hon. Nancy Ng'ang'a: The Chairperson and the Vice Chairperson of PIC/PAC raise the same concern the Speaker has raised with regard to the referral of the said Paper to PIC/PAC. Actually PIC/PAC will be seeking leave of this House to even sit even during plenary sittings to enable it complete the pending reports. So the Chairman of PIC/PAC requested that should the Paper be referred to PIC/PAC the latter be given 60 days to bring a report on the same.

Speaker: Order Hon. Nancy Ng'ang'a; actually a report on the Paper should be brought to this House within 21 days.

As I have already directed, the Committee on Budget and Appropriations will deal with the Paper and bring a report on the same within the stipulated time.

ADJOURNMENT

Speaker: Hon. Members, having exhausted the business for this sitting, which is a special sitting, this House stands adjourned. Hon. Members as you know the House is on recess.

The House rose 9.55a.m.