
REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Thursday, 27th April 2023.

The Assembly met at 2:42 p.m.

[The Deputy Speaker (Hon. Gachui Mungai) in the Chair]

PRAYER

NOTICES OF MOTION

REPORT OF FINANCE AND ECONOMIC PLANNING COMMITTEE ON TRAINING ON
INTEGRATED DEVELOPMENT PLANNING

Hon. John Ngugi: Thank you Mr. Speaker, I would like to give Notice of a Motion; -

That, this Assembly adopts a Report of sectoral Committee on Finance and Economic Planning on training on integrated development planning laid on the Table of the Assembly on Tuesday, April 25, 2023.

REPORT OF AGRICULTURE, LIVESTOCK AND FISHERIES COMMITTEE ON A
BENCHMARKING VISIT TO RUNG'ETO FARMERS CO-OPERATIVE SOCIETY

Hon. Gatheo Wa Njeri: Thank you Mr. Speaker, I beg to give notice of the following Motion; -

That, this Assembly adopts the Report of the sectoral Committee on Agriculture, Livestock and Fisheries on a benchmarking visit to Rung'eto Farmers' Co-operative Society in Kirinyaga County, laid on the Table of the Assembly on Wednesday, April 26, 2023.

STATEMENT

APPROVED BUSINESS OF THE ASSEMBLY FOR PERIOD TUESDAY, MAY 02, 2023 TO
THURSDAY, MAY 04, 2023.

Hon. Morris Ngunu: Thank you Mr. Speaker, I beg to issue the following Statement: that, Pursuant to Standing Order 46 (2) (a), it is notified that the House Business and Rules Committee,

at its last meeting, approved Business that will come before the Assembly from the week commencing Tuesday, May 2 to Thursday, May 4, 2023 as per the attached program.

On Tuesday, May 2, 2023 morning sitting there is a Report on departmental work plan for the year 2022/2023, there is also a Motion on adoption of a Report on Committees Business generated from the sitting outside for the period November 2022 to March 2023 and consideration of sitting outside and budget allocations for the fourth quarter for the financial year 2023/2023. There is also a Motion on adoption of a Report of a field visit to Mitumbiri Health Centre in Kakuzi-Mitumbiri Ward.

On Tuesday, May 02, 2023 afternoon sitting we have a Motion on adoption of a Report on implementation of status of budgetary program in the department of Agriculture Livestock and Fisheries and department of Information Communication and Technology (ICT) and Public Administration. On Wednesday, May 3, 2023 afternoon sitting there is notice of Motion on adoption of a Report on the departmental work plan for the financial year 2022/2023. There is also a Motion on adoption of a Report on a training on integrated development planning.

On Thursday May 04, 2023 afternoon sitting, there is a Statement on approved Business of the Assembly from the week commencing Tuesday June 06, 2023 to Thursday June 08, 2023. There is a Motion on adoption of a Report on benchmarking visit to Rung'eto Farmers' Co-operative Society in Kirinyaga County, and finally there is a notification of a long recess from Friday, May 05, 2023 to Monday June 05, 2023. Thank you.

MOTION

ADOPTION OF REPORT OF FINANCE AND ECONOMIC PLANNING COMMITTEE ON FACT FINDING VISITS ON OWN SOURCE REVENUE COLLECTION AND MANAGEMENT

Hon. John Ngugi: Thank you Mr. Speaker, I beg to move the following Motion;-

That, this Assembly adopts the Report of the sectoral Committee on Finance and Economic Planning on fact finding site visits on own source revenue collection and management, laid on the Table of the Assembly on Tuesday, April 25, 2023.

This Report is a culmination of site visits that were conducted by the Finance and Economic Planning Committee. I would like firstly to thank the Members of this Committee because all these

site visits were done very early in the morning and the Members showed up and did the work. Therefore, I want to commend them for the job well done.

We visited the abattoirs in Kabati and Maragua and we found out that there are many gaps that we need to take care of in terms of how we conduct our revenue collection. When we went there, we found out that you could not differentiate our employee from the employee of the abattoirs, they have been completely assimilated into the system.

What happens when a tax collector is assimilated to such structures there will be gaps and leakages and in terms of revenue collection. This Report recommends how we want going forward to adopt best practices in terms of collecting revenue especially in that area of abattoirs because their submission was that we were doing 20 cows to 30 cows a day and we are doing eight pigs. We all know that is not the correct number.

Those people did not even have records simply because we have automated revenue collection, they are just relying on those messages which they cannot true-app because they do not have an interface in their end to true-app whether that money got into the County accounts. We also visited the quarries at Salvation Army quarry, at Delmonte and what we saw there was disheartening because the working conditions of our revenue collectors is appalling. Those guys do not have toilets and there is no toilet around. The booth that is a make shift booth, they will be rained on if there are rains and those are not good working conditions for someone that you are trusting in collecting money on behalf of the County.

We also got a testimony from those revenue collectors that most of the vehicles that come to get stones in the quarries, they usually hold out. Any vehicle that comes around four, they hold out in the quarry because they know the working hours is from eight to six so they know that gate is not manned after six. They hold out and we asked them to give us a figure, of how many vehicles that they suspect that do hold up in the quarries and they said they are around 30. Given the math because we charge Kshs1,500 for a 10- wheeler and we charge Kshs3,500 for a trailer. We do charge Kshs700 for canters. We did an average and we saw, if there are 30 vehicles, an average of Kshs1,000, we are losing Kshs30,000. That Kshs30,000 is the money they are declaring per day. So, we are losing half of the revenue. It was so disheartening for us to hear that and it is in this Report. We have made recommendations on how we can make this process more efficient.

Mr. speaker, we also had a visit at Mukuyu market and it was also a glaring example of how inefficient we are in terms of revenue collection. We visited the market and the market is

subdivided into stalls. Through the human eye, those stalls are almost equal. They are the same dimensions in terms of size. We were told through the testimonials of the stall holders that some are paid at Kshs70 some are paid Kshs30, and some are paid Kshs50. There is no standardization, and you wonder how the one that came up with Kshs30 vis a vis Kshs70, what mathematics was done to allow that kind of calculations. The people that have their wares in the open market, we found out that our revenue collection measures are not exhaustive.

We went to the goat market and it also had the same issues. More so, there is no fencing around so you do not know who went and who exited when. Who has paid and who hasn't paid. The condition at the market in terms of sanitation was also appalling. The big thing here, we found out that the toilet at the main market is actually well kept but the toilet at the goat market is unkempt. The reason why the ablution block at the market is because we have outsourced that service to someone. There is no law, there is no policy, that the County has used to do the outsourcing. This is a gentleman's agreement between somebody and somebody else. After we interrogated them, they said they usually collect around Kshs.20,000.00 a day. That is from their mouth. In most of our revenue collecting points, we are not collecting that kind of money. We found out that if the county was to do a good job, and hire somebody there, and maintain good standards at the market, it is also a very good source of revenue.

Mr. Speaker, we did not exhaust all the places that we wanted to visit. We are yet to visit what we call rental income; we didn't visit them simply because we did not have resources. There are other revenue streams we have not touched just because we do not have the resources to do that. The small sampling that we did, is indicative of the kind of problem that we have in the County in terms of revenue collection.

We have also been able to get reports that some markets especially namely Kangari and Muthithi market, we don't collect any taxes. Maragua market, we don't. The reason we don't collect in Muthithi is because we don't have a toilet and the vendors there said that they will not pay a County taxes if they are not getting services. It is an area that we need to relook. It is a matter of great importance knowing that this County has not been having problems in terms of salary payments because we have been able to collect our very own source revenue and that own source revenue is what we have been using to pay our salaries and also to fund programs like the minimum guarantee program that we just launched recently in Mugumo-ini Ward. We have not been getting

money, the equitable share from the national government. The own source revenue fund is what we have been using to fund all these projects and to do the payments that we have been doing.

If we did a good job in collecting own source revenue, making sure we do not have the leakages, making sure our employees are taken good care of, making sure we define and map all our revenue streams. This County has a potential of collecting between Kshs1.5 and Kshs2 billion in a year, but we cannot get there using the haphazard methods like we are doing now. I have insisted, the Committee has really insisted to the County Government to do a complete automation from end to end. An integrated system that talks to each other, which the modules talk to each other. Right now, the system that we have right now for revenue collection does not have time stamps. It does not even have segregation of revenue. You cannot tell, all the money is bulked up. You cannot even tell which user, which employee so that we can be able to monitor their performance. Going forward we have recommended a system that is more intelligent, a system that does give out reports that can be consumed easily either by the executive or the County Assembly.

Mr. Speaker Sir, at this juncture I would like to ask my Vice Chair, the Honourable Member from Mugumo-ini to second this Motion.

Hon. Wanyoike Alex: Thank you Mr. Speaker for giving me this opportunity to make my contribution in this great Motion.

The Deputy Speaker (Hon. Gachui Mungai): Hon. Member you are seconding?

Hon. Wanyoike Alex: Yes, I stand to second this Motion. From the Report that is here you realize that the findings of the Committee, we did a lot of work trying to establish whether this County can stand on its feet in terms of revenue collection and able to manage its own businesses without any strive. Some of the things that we found during our fact finding were really disheartening. Example is when you go to a certain market and you realize that you are talking of programmes like automation of revenue but you realize that the people you have on the ground go and agree with the traders that this certain service requires you pay Kshs.100 but you can give me Kshs50 meaning that you do not have to go through the automated programme. These are some of the loopholes that we found there and unless as the Chair says, we automate everything to ensure that there is no room for anybody else to try to connive with anyone in the market, I think we will not do much in our own source revenue collection.

Another area that I also saw and it was a very good example is issue to do with enforcement. You realize that these people are there and they do not have the best conditions that we require, especially in the quarries and then again the only person who can come to assist them in case there is someone who defaults, they have to go as far as to look for police to come and help them, meaning therefore that the enforcement unit within the County Government is not there and that is why we propose within our findings it is there, if we would have a team of enforcement I think it would do a lot of good to this enterprise of own revenue collection within the county.

Mr. Speaker, talk of things like abattoirs at Kabati. Cheating is going on and you can see it blatantly. The cows, goats and the pigs that are passing over there if you just stand by are many but what will be recorded will be too few, meaning unless we have a better way of ensuring that anything that passes there is recorded somewhere and the revenue that comes after it is recorded then our target of Kshs.1.2 to Kshs.2 billion per year might not be realized. Therefore, I stand to second.

(Question proposed)

Hon. Mark Wainaina: I stand to support this Motion. Allow me to thank the Finance and Economic Planning Committee for this wonderful Report. I think it is a wakeup call for each one of us. The Counties are suffering because money from the National Government is not coming in time, own source revenues are not enough and we are not coming up with innovative ways to increase our revenue. There are many recommendations that the team has given, 21 of them and when I look at them, I think the bulk of them are hitting the CECM Finance, Lands and Water. I think that all these recommendations that the team has given should be followed to the letter if you are going to see an increase in our revenue. Otherwise, if we do not follow up on this, it will just be recommendations on paper but we really need a team that is going to push for implementation and make sure that the recommendations that the team has given are followed up.

If you go through the Report, you can see that they have gone further to even give possible ways of increasing the revenue. I stand to support this Motion and I plead with the members we support this Motion and make our county grow in terms of revenue and Management.

Hon. Pauline Njeri: Thank you Hon. Speaker. I rise to support this Motion on fact the finding and Hon. Speaker allow me to also congratulate our Chair Finance, if it was not for his guidance and his good leadership skills we will not have gotten to this level. I actually like how

we think he is a bit strict, but that is the best way to go especially when you are dealing with finances and something to do with money.

As I support this, I would really want to insist on the recommendation part that we have done. If you look at the recommendation part, we have done a very good job and I would just want to state about the manpower, which is the HR, the Human Resource of the County and especially when it comes to the revenue collectors. Hon. Speaker we say that a hungry man is an angry man I would really wish that the recommendation are taken very seriously by the CECM Finance, and especially to do with the human resource because we can talk a lot, we can give a lot of recommendations but if the human resources, the human capital is not happy Hon. Speaker, we will never implement this.

If you can look at the recommendation part which is touching on the staffing, that is human resources, you can see that there are some revenue collectors that have worked for 14 years, others for 12 years as casual workers. You can imagine you are asking such people to maybe improve on their performance. You are asking such kind of people may be to steal, these people will never be able to work as per the expectation if we are not reviewing the HR policy of the workers in our County.

So, Hon. Speaker my recommendation, I will really insist on the HR part of it. Let us motivate these workers. If it is the contract, if a worker has worked for more than five years let us renew their contracts, let us upgrade them and let us upgrade their way of working. That is the only way that we will ensure that we do not have a lot, you know money being lost from, in forms of being stolen because these workers are not motivated. Let us motivate the workers and as I finish, I would insist that a hungry man is an angry man. Let us look into the HR issues and I support this Motion. Thank you.

The Deputy Speaker (Hon. Gachui Mungai): Leader of Majority.

Hon. Kibe Wasary: Thank you Mr. Speaker, allow me to appreciate the Committee for the good work that they are doing and the Committee has proved to be very vibrant led by Hon. Kibaiya and we appreciate this work that they are doing.

I was part of this team that visited various sites and one thing that I noted as Hon. Alex has mentioned is that we rely on the data that these people are giving, we do not have our people in the various sites to check on what is happening and this is one area that we need to improve. Hon. Speaker for us to improve on local revenue we need this kind of site visits and more site visits.

Thank you.

The Deputy Speaker (Hon. Gachui Mungai): Yes Hon. Member representing gender, Hon. Gladys.

Hon. Gladys Waikau: Thank you Mr. Speaker, having being one of the Members who were at the site visits, there is something that I noted about the revenue collectors. That they do not have data to confirm payments that are being made by those people who are paying the parking fees and the markets revenue. So, I would like to lay emphasis on the CECM of ICT to fast-track the provisions of the data or the Wi-Fi hotspot in our towns.

The Deputy Speaker (Hon. Gachui Mungai): Yes, now I want to put the Question or the Mover you want to respond? Yes respond. You have something to respond, nobody opposed.

Hon. John Ngugi: Yes Mr. Speaker, thank you for this chance and thank you to all the Members who have made their contributions. We are all crying now because we have not gotten our salaries and I think if we restructure the way we do business here in Murang'a of course we will be having problems but we won't be having all the problems we are having now.

I want to urge this House because this Report could not have come at a better time because we are in the budgeting cycle and if you look at our Report, we have recommended that for us especially in the sectoral Committee on Finance and Economic Planning our eyes will be wide open when we get the budget lines soon. To ensure that part of the recommendations because they are budgetary, allocations are done to ensure that we move efficiently. I also want to urge and through the Leader of Majority, that -----

The Deputy Speaker (Hon. Gachui Mungai): Hon. Member, I hope you are not continuing with the debate. You were to reply and make some comments on the -----

Hon. John Ngugi: I am making a comment. It is a comment directed to him to ensure that the aspect of automation for the County Executive is taken with the weight it does deserve. I am talking to him because he is the linkage between us and the Executive and we want him to let them know that we will be here waiting for that budget. Not a cent or coin should be removed from the budget on automation because we feel that if we are properly automated, most of these loopholes will be closed. Thank you.

The Deputy Speaker (Hon. Gachui Mungai): Yes, but Members for the purpose of learning, because learning is a continuous exercise, when the Mover is called on to reply, you just maybe reply directly to the comments that have been made. I now want to put the question.

(Question put and Agreed to)

[SUPPLEMENTARY ORDER PAPER]

STATEMENT

UTILIZATION OF PUBLIC LAND IN MURANG'A COUNTY

The Deputy Speaker (Hon. Gachui Mungai): Hon. Members, before we allow Hon. Munyua, I cannot see the Chairperson for Lands, and the Vice- Chairperson. So, one of the Members of the Lands Committee can pick up the notes on the Statement on behalf of the Chairperson. Hon. Munyua.

Hon. John Munyua: Thank you Mr. Speaker, I request my friend Hon. Kibaiya, if he is a Member, can kindly take the notes. So----

The Deputy Speaker (Hon. Gachui Mungai): Order, Hon. Member, you are not supposed to order the Hon. Member for Gatanga. Just continue with your Statement, we have several Members who can do that.

Hon. John Munyua: Thank you, Mr. Speaker, I beg to give the following Statement on utilization of public lands in Murang'a County.

In exercising the oversight powers of the County Assembly provided for in Article 185 (3) of the Constitution of Kenya and in pursuant to Standing Order 46 (2) (c), I hereby seek for the Statement from the Chairperson Lands, Housing, and Physical Planning Committee on the following:-

1. Is the Chairperson aware that public land in Murang'a rests in and is held by the County Government in trust for the people of this County?
2. Is the Chairperson aware that the public lands in Murang'a County were products of the host communities foregoing their rights for occupation of land for the greater public good, either through the crown land ordinance of(technical hitch)...(no recording).....land, 1915 ... ordinance of 1959...(technical hitch)...(no recording).....
3. Is the Chairperson aware that these historical governments' sanctioned legislations have impoverished our people for decades leading to generational poverty following loss of land for food production and commercial enterprises?

4. Is the Chairperson aware that Section 149 of the Public Finance Management (PFM) Act, requires County Governments to maintain current assets registers with records of all the fixed and movable assets in the County and that the County Government of Murang'a does not have a digitized assets register?
5. Is the Chairperson aware that Murang'a County has vast public lands that are yet to be utilized by the County Governments and risks being grabbed by private individuals and institutions due to the recent interest in land across the County?
6. Is the Chairperson in recognition of land as a factor of production can only generate revenue by physical utilization of space for commercial enterprises like agriculture, manufacturing or service industries? If yes, can the Chairperson provide a time bound action plan for utilization of public lands within the County with due consideration of the land reverting back to the County Government of Murang'a upon reposition of grabbed lands, expiry of granted lands leases and reconciliation of allotment letters?
7. Is the Chairperson aware that the existing statues or land ownership, land use, public private partnership, foreign and local investment allows for the utilization of unutilized and underutilized County land for enterprise growth? If yes, the Chairperson should provide this Assembly with multi-agency action team to spearhead investments on the lands reverting back to the County and a revenue generation strategy for the unutilized commercial and agriculture lands that the County Government has leased out or allotted to individuals and institutions.
8. Can the Chairperson provide a County fixed asset register to this Assembly to allow Members scrutiny and verification for effective oversight?

Thank you.

The Deputy Speaker (Hon. Gachui Mungai): Hon. Members, I do not know whether there is a Member who can stand in for the Chair and maybe give a timeline on when the response is expected? Yes, Leader of Majority.

Hon. Kibe Wasary: Thank you Mr. Speaker, I am a Member of the Lands Committee and we have noted the content that is in this Statement that is required by Hon. John Munyua and the Committee will act accordingly. Thank you.

The Deputy Speaker (Hon. Gachui Mungai): Maybe Hon. Member you can give a timeline and not more than 14 days maybe.

Hon. Kibe Wasary: Hon. Speaker, I thought it should be 21 days.

The Deputy Speaker (Hon. Gachui Mungai): It is at your discretion, if you agree 21 days.

Hon. Kibe Wasary: Yes.

The Deputy Speaker (Hon. Gachui Mungai): Okay. Hon. Members, for the purposes of continuing with our learning, it is good for me maybe before we go to the next Order to read Standing Order 46 (2) (c), which Hon. Munyua was able to utilize, that says a Member may request for a Statement from the Committee Chairperson relating to matters under the mandate of the Committee and the Speaker may either appoint a day for the Statement or direct that the Statement to be issued on the same day. Hon. Members, I thought it wise to quote that so that you can, in future, be able to use the same Standing Order to request for Statement. Next Order.

ADJOURNMENT

The Deputy Speaker (Hon. Gachui Mungai): Hon. Members, this House now stands adjourned until Tuesday, May 2, 2023 at 9:30 a.m. Thank you.

The Assembly rose at 3:27 p.m.