

MURANGA COUNTY ASSEMBLY

THE HANSARD

Wednesday 27th September 2016

The House Met at 2.36 p.m.

(The Speaker Hon. Nduati Kariuki in the Chair)

PRAYERS

PAPERS

REPORT ON HEALTH SERVICES COMMITTEE WORKSHOP ON SUSTAINABLE FINANCING FOR IMPROVED QUALITY IN HEALTH AND THE HEALTH BILL

Hon. Bonface Njihia: Thank you Hon. Speaker, I beg to lay the following paper on the table of the Assembly today Tuesday 27th September 2016.

The report on the sectoral committee on Health Services workshop on sustainable financing for improved quality in the Health and the Health Bill held at Sun-Star Nairobi from August 30, 2016 to September 2, 2016. Thank you.

NOTICE OF MOTION

NOTING THE CONTENTS OF THE REPORT ON HEALTH SERVICES COMMITTEE WORKSHOP ON SUSTAINABLE FINANCING FOR IMPROVED QUALITY IN HEALTH AND THE HEALTH BILL

Hon Boniface Njihia: I beg to give notice of the following motion;

That this Assembly note the contents of the report on the sectoral committee on Health Services workshop on sustainable financing for improved quality in the Health and the Health Bill held at Sun-Star Nairobi from 2nd August to 2nd September 2016.

MOTION

MURANG'A COUNTY FINANCE BILL NO. 5 OF 2016- SECOND READING

Hon. Joseph Kimani: I beg to move the following motion;-

That Murang'a County Finance Bill No.5 of 2016 be now read the second time.

We have the Bill 2016 which has got four parts; the first part is on the preliminaries which talks of the short title and the commencement of the Bill, memorandum of objects and reasons.

Part two has general provisions: where we have the imposition of the revised fees and charges, there is the Murang'a county by-laws to apply. We also have the directions and the resolutions authorizations under the Government Act to apply; those were the former defunct Local Authority resolutions which were there.

We also have the definition of urban areas; we have various areas which have been categorized as urban areas. We have; Kenol, Kiria-ini, Kangema and Kangari. We have talked of the multi- business licenses or premises where we have said if one is operating more than one premise he or she will have to pay the charges of the higher business .There is also citation and definition of terms. The term refers to where the county is getting its revenue. We have the: quarry, cess advertisement and canopy among others.

Part three is talking about where we are going to get our fees and charges. Before I get to part three; in part two we have exemption of license for persons living with disability (PWDs), according to section 56 (b) of Constitution of Kenya 2010; the PWDs will apply to the administrator of the county. With the approval of the CEC they will be given exemption.

Part three is talking of the schedules where we have been able to compare and give our new charges for this Bill .The first schedule is on advertisement where we have the previous and current charges.

Schedule two, we have also talked about the agricultural cess, where we are calling it agriculture, fisheries and market cess, we have captured stock movement, auction, slaughter houses and many others.

Schedule three has mining and transport cess on sand quarry, minerals, manure and we have categorized them, Schedule four is on the charges on public health on food plants and site inspections on amenities, control of non-food plants. Schedule five is on weights and measures, fees and charges; we have categorized rural areas and urban centres, schedule six is on land and physical planning fees, sub-divisions, survey fees, rates and building plans. Mr Speaker, we have charges on public and private plots.

Schedule seven is on Finance and economic planning, we are concerned on sale of stationery, budget books and tender documents. Schedule eight concerns traffic and parking fees, it concerns matatus, private vehicles, lorries. Schedule nine is on housing; this county has various houses which the county rents, we have indicated the houses in Kiharu, Milimani and Mumbi estates rates.

Schedule ten is on alcoholic licenses fees, it talks of general retail licenses and the premises licenses where those places are. Schedule ten is on trading licenses. We have not made many changes but we have incorporated public views that we will deliberate through the amendments

In schedule 11, we have part of trade licensing; the whole of the schedule is big. We have also ensured that the act can be actualized without defaults. Part 4 has penalties and fines; we have provided in case of first conviction there will be a 10,000 fine while for second conviction one will be fined 20,000. On penalties, failure to pay rates attracts a 3% monthly penalty compound interest. We have also put 2% on property tax in case property owned by national government and they fail to pay.

On house rent in Milimani, Kiharu and Mumbi we have set a 1% monthly penalty for failure to pay. We have had public participation in all sub- counties; we are making amendments which will come in the third reading.

I hope that members will agree with the views collected during the public participation. We have incorporated them in this Bill. This is one of the best Bills we have done because we actually tried to look into all the areas and we have adjusted very few areas. We shall also incorporate our public participation views and I am sure we will have the best Finance Bill for 2016. I call upon my able vice- chair, honourable Samuel Wandia who represents Muthithi ward, to second the motion. Thank you Mr. Speaker.

Hon. Samuel Wandia: Mr. Speaker, Muthithi ward is in Kigumo constituency. Before I submit my remarks, I take this opportunity to recognise the presence of the students from Maragua primary school that is in Nginda ward; they are seated in our public gallery, headed by their head teacher Mr. Kariuki, and other teachers such as Mrs. Lucy Mwangi and Mrs. Lillian Muigai. Students from Maragua primary school, you are welcome.

Mr. Speaker, I support this Bill. Since we came to this Assembly, we have never had any other Bill like the one we went out for public participation. The reaction of the public was very positive; there was no exchange of bitter words like before. I remember that I went to Gatanga during the first year and I had it rough. The second year I went to Maragua and I also had it rough. The third year, I went to Kangema and I still faced it rough. This year, however, I went to Kahuro and those people were clapping their hands. My fellow members in this Assembly did not also face any hostile environment wherever they went; this is the best that we have had.

All said and done, we only have one issue to which I do not know what this Assembly will do. Time and again, we have invited the Executive trying to encourage them to have means of automating revenue collection. The year and our term are almost coming to an end,

yet this is yet to be achieved. The last time we met them, they assured us that we would automate revenue collection to ensure that we close all the loopholes so that this county can get money. We even provided for that in the budget; I am however sorry because these people are not responding positively towards the automation of revenue collection.

Mr. Speaker, I do know what my colleagues will do; I think we are going to use your office to emphasise to the Executive on the need of automate revenue collection. Our role is to oversight; if that is the case, therefore, we have to ensure that we oversight the Executive properly and ensure that this objective is achieved for the good of this county. I will stop there. I second the Bill. Thank you Mr. Speaker.

(Question proposed)

Hon. Duncan Njuguna: Thank you Mr. Speaker, I rise to support the Bill as I air my views as per the recommendations by the public when we went out for public participation. Yesterday, I was at Kangema town and I noticed that when you park your vehicle at the parking lot, you are charged.

The Finance Bills that we have had before had some recommendations; one of them was that when we are charging for parking, we should either renovate the whole town so that it looks nice instead of parking on unprepared ground.

Therefore, as we deliberate on the issues that were outlined by the public, we should also think of how we are going to get the Executive do the work that they are supposed to do before they charge the daily lots. I also experienced another challenge yesterday. When one parks his or her vehicle in Kangema, you may not find the revenue collector but when you are gone, they note the registration of your vehicle and when you happen to go back there, they remind you that you did not pay the charges the last time you were there whereas you cannot tell where that person or staff had been.

I found it was not the best way to treat those who are parking in those parking slots. Also on the side of the markets, they were imposing charges on these markets but when it's rainy or sunny like now, the environment is not very conducive for those who are selling their wares. As we discuss on the different charges we are going to levy the different traders in this county, we should also think about their welfare.

We also don't have good toilets, because for example if you go to a market like Gitugi, both men and women just use one toilet, whereas if you go to a market like Gakira you find there is a very good toilet that was done by the Constituency Development Fund (CDF) by the late Hon. John Michuki. We should also think of how good our traders will do their business without having any problem. I rest my case, and I pray the executive will do something to the business people in this county, thank you.

Hon. John Gitau: Mr. Speaker before I make my contribution and as its usual in my capacity as chairman of the education committee, I wish to welcome the pupils of Maragua primary school in the gallery under the able leadership of their teacher Mr. Kariuki.

I am also here to support this Bill and as a member of Finance committee. I wish to inform the members that it is noteworthy, this Bill precedes the one for 2015 and it is good to note that no item has been increased in terms of money. No monies have been increased for 2015. I think the politicians are doing very well because they are actually representing their people well because they know the problems affecting their people and it is a good show. Otherwise this could be a thing to inhibit growth but I know we shall get there when the situation of our people improves.

We have been told about the public participation which we held and we explained to these members and several issues were discussed and the members gave their concerns but what I noted, especially where I attended in Maragua catholic church hall, it is good to know

that people, even in the time of Jesus resisted taxes and it is not unusual for the people of Murang'a, although they did not reject, they were about to ask us who were there, just as the people of Israel asked Jesus Christ whether they should give taxes to Caesar or not. And we also gave them the good example they were given by Jesus that "Give to Caesar what belongs to Caesar and to God what belongs to God."

So when I went through this Bill I found out that it is a very friendly Bill and I think the people of Murang'a will be comfortable with it. I will be happy to be among the people passing this Bill today. Thank you, I support.

Hon. Bernard Kariuki: I rise to support this Bill and it is a Bill that is friendly to Wanjiku. Maybe what this committee should consider in future is giving us a schedule of how revenue is collected in this county, because this Bill should finance the budget and also what we are getting from the national government, but as a student of hon. Kibaki, I believe a certain percentage of taxes should go back to where they came from.

While saying this, I know much of the revenue comes from the areas around Kenol town but I am sorry to say that we have not seen ploughing back of the same taxes in those areas of the Metropolitan area and therefore this committee because it is mandated with economic planning should be able to look into those issues. Even the national government is aware that they get 65% of the Gross Domestic Product (GDP) of this country in Nairobi and that is where they are going to put much of their money to make sure that investors come and also they reward those people who are taxed more.

I expect my good friend the hon. member for Ithiru to in future consider those areas from Karugia upwards to areas like Kabati which give revenue to this county. Some of those taxes are supposed to be ploughed back so that we do not burden so much people who are giving us revenues and taking that tax to areas far much like Gitugi where the governor is today.

We expect in future to be told how revenue is collected in this county. We know towns like Gacharage in Ruchu have high levels of revenue but we do not have a single flood light in such a town. We need to look at this issue because we know that is the way to grow the economy and take tax where it came from. I support.

The Speaker: I ask the mover to respond.

Hon. Joseph Kimani: I must thank the hon. members who have stood up to support this Bill and as the hon. Bernard has said it is the obligation of this county to make sure that they plough back to the people who have actually paid those taxes and I know although it is under marketing, we should try and get data from all sub-counties and see which county is contributing and also know how they are being ploughed back to them. I think that is a very good idea.

Finance Bill is part of the budget and I am sure when the budget comes they also accompany the schedule of all the income, but we need to know how much is coming from where and how much is also being ploughed back.

Mr. Speaker I can read and see the mood of the House and I can see that they have really appreciated this Bill of 2016 and we all hope and urge our people to pay their taxes because it is also their obligation. If they do not pay their taxes they should not expect returns from the government; we know the money that we get from the government it comes from taxes.

I say thank you very much and urge the members to support this Bill when that time comes because it is a very important tool for this county and it is also helping our people because in some areas we have reduced the charges and the fees. Thank you Mr. Speaker and God bless you.

(Question put and agreed to)

ADJOURNMENT

The Speaker: Hon. members the House is adjourned until tomorrow 2:30 p.m.

The House rose at 3:10 p.m.