

MURANGA COUNTY ASSEMBLY

THE HANSARD

Tuesday 4th October 2016

The House Met at 9:36 a.m.

(The Speaker Hon. Nduati Kariuki in the Chair)

PRAYERS

PAPERS LAID

REPORT OF PUBLIC INVESTMENT AND ACCOUNTS COMMITTEE ON THE APPEAL FROM THE SECRETARY TO THE COUNTY PUBLIC SERVICE BOARD ON REPORT ON PROCUREMENT ON PUBLIC SERVICE BOARD HOSPITALITY RELATED GOODS FOR THE PERIOD 16TH AUGUST 2013 TO 31ST DECEMBER 2014

Hon. Anderson Muchemi: I beg to lay;-

The report of the Public Investment and Accounts committee on the appeal by the Secretary, County Service Board (CPSB) on the report on procurement of CPSB on hospitality related goods for period of 13th August 2013 to 31st December 2014, be laid on the Table of the Assembly Tuesday 4th October 2016.

Thank you Mr. Speaker.

REPORT OF IMPLEMENTATION COMMITTEE ON IMPLEMENTATION STATUS OF ADOPTED RESOLUTIONS FOR THE DEPARTMENT OF EDUCATION AND TECHNICAL TRAINING

Hon. Charles Karina: I beg to lay the following paper;-

The report on Implementation committee on implementation status of adopted resolutions for the department of Education and Technical training is laid the table of the Assembly today Tuesday 4th October 2016.

Thank you Mr Speaker.

REPORT OF GOVERNANCE, LABOUR AND SOCIAL WELFARE, JUSTICE AND LEGAL AFFAIRS COMMITTEE ON THE STATUS OF PENDING BILLS FOR THE DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION AS AT 30TH JUNE 2016

Hon. Jesse Mburu: Thank you Mr. Speaker, I would like to lay;-

The report of the sectoral committee on Governance, Labour and Social Welfare, Justice and Legal Affairs on the status of the pending Bills for the department of Public Service and Administration as at 30th June 2016 be laid on the Table of the Assembly today Tuesday 4th October 2016.

MOTION

ADOPTION OF REPORT OF FINANCE AND ECONOMIC PLANNING COMMITTEE ON MURANG'A COUNTY GOVERNMENT THIRD QUARTER REPORT, FOR FINANCIAL YEAR 2015/2016

Hon. Samuel Wandia: Mr. Speaker let me take the opportunity to table the motion and request the Assembly to adopt the report of Finance and Economic Planning on Murang'a County Government Third Quarter report, for financial year 2015/2016 which was laid on the table of the Assembly on 13th September 2016.

With your leave Mr. Speaker, allow me not to go through the background and the names of the members of that committee and got through the finding of this committee on this report.

(The Speaker nodded)

Thank you for granting me the leave.

The committee of Finance and Economic planning noted that the County Executive Committee member (CEC) for Finance and Economic Planning complied with section 166(4) (a) of the Public Management Act 2012 on the financial report. It is my pleasure to say that the submissions of the financial report were done in good time as per the law.

The committee further noted that some departments did not spend all the funds requisitioned for the recurrent expenditure; they included the Office of the Governor, Education and Technical Training, Land and Physical Planning, Public Service Board and Public Service and Administration.

Further, the committee noted there are those departments which overspent over and above the funds requisitioned in their recurrent budget, they included; Finance and Economic Planning, Agriculture and Livestock and Youth, Culture and social services; it is a pity when we have a budget and you hear some department overspent.

All of us know in this House we passed very qualified people to take positions in the office of the Governor, we did that in the beginning of this Assembly. It is a pity to note that some departments go ahead and overspend against what is provided for in the budget. I do not know what control we are going to put in place to ensure that budget is observed.

The committee noted that in the development budget, some departments had low absorption of funds requisitioned, unfortunately such departments include Transport and Infrastructure. Everyone in our wards is crying that the roads are undone yet they do not utilize the funds as provided for in the budget.

We also have the Youth, Culture and Social Services department. The county took the responsibility to train the motor cycle riders yet the police are running after them every day because they are not trained. The report that they brought to us indicates that the funds were not used as requisitioned. The other department is the Public Service and Administration. All of them had big variances between what was requisitioned and what was actually used.

I urge the members to go through the report and they will see the type of variances that are there between the funds requisitioned against the actual funds spent. Further, some departments had overspent on the development against their budgetary allocation; these included the Finance and Economic Planning, Agriculture and Livestock, Trade and Industrialization, Education and Technical Training, and Health and Sanitation departments. All of them had overspent; where did they get their monies from? The committee wondered where they got the excess funds to spend if at all they did not observe their budgetary allocation.

Mr. Speaker, we also have some programs that require clear policies to ensure that public funds are used and properly and utilized within the county. I appeal to all the chairmen of the sectoral committees who oversight departments such as Infrastructure, Water, Environment and Natural Resources, Youth, Culture and Social Services, and Health and Sanitation, to ensure that they call for the policies; if policies are forwarded to this House and we pass them, I think that the respective departments will really behave.

The departments with low absorption of recurrent budgets should receive low allocations. Maybe we are going to receive Supplementary Budgets; those departments with low absorption should not be allocated much. They should explain why they did not utilize the funds as allocated in the budget. Such departments include the Governorship, and Education and Technical Training. Bursaries have not gone to the rural people and here we are being told that they did not use their funds properly.

Those with low absorption on the development budgets should receive low recurrent allocation as well as development. This House must ensure that happens if at all we are not

given any explanation by the Executive. Further, the County Executive Committee (CEC) members of the departments that overspent their recurrent requisitions should explain where they got the excess funds to perform their recurrent activities.

Mr. Speaker, there are some people talking behind there and are not listening to the contributions.

The Speaker: Order!

Hon. Samuel Wandia: Further, the CEC's of those departments that overspent more than their requisitions should explain where they got excess funds from to develop their project. The departments should also be advised in no uncertain terms that they prioritize their projects; facts are there and they are coming. We cannot be putting funds everywhere like Dick and Harry; we must be guided by the provisions of the budget.

Mr. Speaker, as I conclude, the Executive should ensure that the budget is implemented as approved as it is an effective management financial control tool which is used all over the world, Murang'a county not excluded. I end there and call upon my fellow parliamentarians to contribute on this and pass the same. The seconder is Machiri who is a member of that committee. Thank you Mr. Speaker.

Hon. Joseph Machiri: Thank you very much Mr. Speaker, I stand here to second this motion bearing in mind that our budget is the road map or guideline to the destination of achieving our intended goals of development. Therefore, if a department cannot spend the allocated few coins, the respective CEC should explain why he never spent that money. If the committee finds that the money was above their limit, we should just reduce the allocations next time. I therefore second the report as a member of this committee.

(Question proposed)

Hon. Kago Njoroge: I rise to oppose the motion. The report is good but it seems that the report has just been forwarded in the way it was given to the members.

I believe the work of this Assembly is to interrogate the CEC members such that as the report gets here it is not half baked. We have seen how the departments have used the money, we have seen the Finance and Planning department has overspent by Kshs. 52, 085, 004. I expected the committee to get the report on how the money was spent. We go to committee and outside the Assembly sittings so that we can interrogate the reports. They have the constitutional powers to summon those officers to come to this Assembly and explain to the committee where they got the money.

If we adopt this report, we will be adopting the wrong thing, the committee should interrogate, and I could have supported the report if the committee had forwarded the matter to another committee say, Public Investment and Accounts, but now they have left it hanging. Who should ask for these reports they are telling us? We have a chair of that committee who is capable of interrogating. They should tell us where the overspending happened.

They have also stated that the Finance and Planning department in development expenditure have overspent with 45 million. Mr. Speaker, we need to know which development was done in this department, by adopting the report we will be dumping these issues.

The committee is also stating that the youth and social services department should send reports on where they got the funds to use. Why didn't they summon the CEC to come and explain? Those findings should be in this file, we should be debating a report with the necessary sanctions for this CEC. The report is half baked since they are not indicating who should be responsible.

The committee is also recommending some development budgetary allocations as if we did not pass any budget. As we passed the budget, we knew these projects since they had been given to us by the executive. The Finance committee and the budget committee were in charge of the process. It is as if we did not interrogate the budget and yet we did so, the question could be why didn't you spend the money as agreed, saying that the projects are not there, I feel we are short-changing the public. I urge this House to reject the report because by adopting the report we will be accepting what has been wrongly done by the executive.

We should scrutinize these reports, if they have reached an end, they should pass the mandate to another committee. I reject the report, I do not want to be counted as just rubberstamping what has come from the executive.

Hon. Duncan Njuguna: Mr. Speaker, before I give my remarks, is it in order for the mover of the motion to leave some documents on the laying table?

(Hon. Samuel Wandia picked his file from the dispatch box)

I stand to reject the report and concur with the aspiring member for Kiharu on the findings and the recommendations

The Speaker: Order! We do not have an aspiring candidate in this House, can you correct that.

Hon. Duncan Njuguna: I withdraw, Hon. Kago MCA Mugoiri. Mr. Speaker, the committee is telling this House that one of the findings was that the CEC for Finance and planning has complied with the Public Finance and Management Act.

I find that one not in order because that is not a finding in any case because they are mandated to comply with all the Acts and laws of this country and county. For them to come to this Hon. House on their findings that there are some departments within the county government that did not spend their funds as they had requisitioned; that is not in order.

It is also not in order to come here and tell us that they interrogated the report but they did not interrogate the CEC or any officer concerned from that department so that they can come up with a very comprehensive report as to why it was not expended.

It is known that in the 2015/2016 budget, some funds were requisitioned and the same were not used on the requisitioned needs because even some departmental budgets were reduced during the supplementary budget; for instance the department on Lands and urban development budget was reduced by more than a half and that's common knowledge to the committee because they were given the figures of how the budget was reduced and so for them to come and say that they underutilized the funds requisitioned without going further and interrogating the CEC concerned, I do not find it in order.

On development especially on infrastructure and other departments, we have various proposals from various wards which require attention, saying that they did not utilize the funds on development for instance Youth, Public Service and Administration you find it not in order because we still have some proposals that were undone in that physical year 2015/2016.

For the committee to conclude by saying that those departments during the supplementary budget should not be allocated funds or should use the pro-rata basis of how they used their funds during the 2015/2016 without properly interrogating the report, I find it punishing the departments. Otherwise I stand also to reject the report.

Hon. Gachui Mungai: I also stand to reject the report because given the title that's given to this committee; that should be helping the county government to be planning properly. Their title just to remind the hon. vice-chair of that committee that it is about finance and economic planning for this great county of ours.

The reason as to why I am rejecting this report and it was well cited by the hon. member for Mugoiri, it is half-baked because there is nowhere I have seen the said officer or the CEC in charge of the said departments which did an over expenditure of huge amounts of money as we can be able to see in these figures by failing to do that.

Mr. Speaker, this committee is not carrying up their mandate properly, they are not over sighting that department properly; which is the key department in any government.

Some of the recommendations and in fact it's a mockery when they recommend that some of the departments are not going to be allowed to get a single coin in the allocations because every department is created for a specific purpose so if that department is not able to absorb the money it is supposed to be absorbing then in leadership there must be a problem because the institutions that created this departments were not-----let me use the unparliamentarily word with your leave Mr. Speaker-----were not 'mad' because they must have sat and seen a certain department is supposed to be there to do a certain job.

By this committee saying that instead of trying to look into the problem that is ailing that department, by saying that the allocations should be reduced; to me that one is not a proper recommendation.

If we can sit here and allow this kind of under expenditure or over expenditure there must be something wrong and I do not think the committee is there to massage the ego of the CEC of that department because it seems as if that's exactly what they did by saying that there was a compliance with section 166 (4) and without properly explaining how they have complied and why they had to allow the over expenditure. Because all the members who have stood have been able to reject this and I hope all the other members will, we are not malicious at all when we are rejecting We want this committee to up their game because this is the critical committee that should be giving this Assembly a good look in terms of oversight.

Without explaining much there are so many reasons why we are supposed to reject this report and I stand to reject based on those facts that I have mentioned.

Hon. Mary Waithira: I rise to reject the report, however we respect the members of the committee very much because there before they have been seen to be doing something but when it came to this one, the report is not tallying with the kind of discipline we are supposed to give bearing in mind that ours is to oversight.

I want to reiterate that this committee is supposed to look at the kind of planning that the government is carrying through and also the kind of discipline to make sure that we are very economical on each and every cent that we are using from the members of public.

When you have departments that are using more than what is requisitioned for them in the budget and then you find the committee is very lenient in their report and recommendation you wonder where we are going.

This is an element of crippling other departments and there is no department which is more privileged than others. Each and every department that we have in this county touches on ordinary citizens in one way or another and it should be given the privilege it deserves.

I tend to wonder is it incompetence of the personnel that we have in these departments or is it laxity because you fail to understand. We take a lot of time coming up with a budget, starting from the executive, it is brought here we look at it and we do some amendments and after all that you find that some departments are using more than they have.

The other question is them biting more than they can chew in terms of their budget. For those departments; those are not able to exhaust their budget, does it mean that they had planned more and when it came to actualizing the same they found that some things were not important or what happened?

If I take department like education and technical training it is put here that it is one of the departments that used more than what it had requisitioned but when you go outside, you find

that the Early Childhood Development (ECD) are crying foul of what the county government had promised. You find that the children had been promised they are going to eat you find that they only ate for one month and then the parents are told to start providing food for their children.

You also find that the ECD teachers are lacking salaries for two to three months. As we are talking you find that some have not been paid and others have been paid and yet this department has used more than what is in the budget; you wonder are we biting more than we can chew.

If you look at the health department, you find they have used more than what is required for them in the budget, yet when you get out there in the dispensaries, in the health centres you find that there are no drugs. Our members of public are going there and you know the poverty level of our people they only get panadol as there are no drugs. Yet when we come to the report here they have used more and you wonder what the government is really showing.

I think we also suffer from lack of prioritizing our planning. Why we are saying this report is not conclusive and it is not giving us the inner is because we can see from the little that is written here is that there is more than meet the eye. It is only that they were a bit lenient to peruse and give us the correct picture because when it comes to the recommendations we would be getting hefty sanctions against lack of proper planning and lack of using the money economically. Our people are crying there waiting for this to de bone and it is not done just because another department used more than what is there.

The other thing I am wondering is what is the necessity of Integrated financial management Information System (IFMIS) to the counties is. If the IFMIS is being used then we are supposed to be getting budgetary discipline but you find that I do not know if it is this Assembly, myself included, that we are not giving proper oversight. If only we are doing the oversight the way it is supposed to be, we should get where the money is coming from if we adhere to the IFMIS. IFMIS was brought so that we can stick to the money allocated in the budget so as not to cripple other departments.

I object to this report because the committee seems to be too lenient, no wonder the disease in this county government of some departments using more than what was allocated in budget and trying to cripple others is continuing and it might not be taking us anywhere.

So Mr. Speaker no wonder the disease of this county government of some departments using more than others and trying to cripple others is continuing and it might not be taking us anywhere, so let us plan properly and let us be economical. Let us have the discipline as far as the budget is concerned.

What I tend to say is that, those that were not able to use what is allocated for them, if the supplementary is going to come, there is no need of giving this department more. It is like giving a child food and the child is resisting to a point the child vomits. Whose problem is it? It is the problem the mother or the caretaker because of giving more to the child, a child who is crying and saying am already satisfied.

Let us give little, those departments that we know that are not even getting enough even when they use for other departments we try to give more. Let the committee get back to the table and come up with a nice report which is going to be supported by this Assembly and we give proper sanctions so that we try to kill this disease because if it continues, it is going to cripple and we will be asked by the regime that will come after us. Thank you.

The Speaker: Order! Hon. members there comes a time where the Speaker has to give guidance in certain important matters.

This is a very important motion that raises very important issues, if we go on like this, the motion will either be passed or defeated. If it passes, it passes with a lot of questions unanswered, if it fails then those questions will never be answered.

And the mover, in moving lamented a lot about under expenditure and over expenditure. The committee has also said the CEC should be taken to task over the expenditure and over expenditure. The question is who is going to take them to task? I believe that is the work of the committee.

So I would like to give the chair the chance to think whether it will be wise not to kill this motion, because the answers are still required, so that they can go back and do another report after taking to task the CEC about this over expenditure and the under expenditure and find the reasons; whether it is that money that was reverted from some departments to others making others to have over expended, so I would like the chairman to make a decision whether he would want another opportunity for the committee to go and give us the answers the members want. That means withdrawing the motion.

Hon. Samuel Wandia: Before I say whether to withdraw or not to withdraw, allow me to make a few remarks. I think we brought this motion as it is, to give this Assembly a dose, and indeed, I do not see the chairmen of the sectoral committees here except for a few.

This is a dose because when we received this quarterly report, we handed the copies to the various sectoral committees, for them to call the CECs who are associated with their departments and they indeed failed us. We did it intentionally for this House to wake up because when we got this report and hand over to the sectoral committees, they did not expound on it in the right way.

Now I am going to withdraw this motion and we shall send this document to the sectoral committees for them to call their respective CECs to interrogate them.

(Hon. Kago Njoroge rose on point of order)

The Speaker: Point of order? And it has to be a point of order.

Hon. Kago Njoroge: Thank you for allowing me to say, the member is misleading the House because each committee has its mandate, and that is why the quarterly report goes directly to that specific committee. I am the vice- chair of lands and I wish to see where my clerk on that department received and brought-----

The Speaker: At this juncture we are discussing whether the motion should be withdrawn or not, not the conditions for withdrawal.

Hon. Samuel Wandia: I am not giving conditions and I withdraw. I am calling on all sectoral committees to help and give a proper report for presentation. Thank you.

The Speaker: Hon. members the motion is withdrawn. We adjourn until 2.30 this afternoon.

The House rose at 10:24 a.m.