

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Friday 3rd November, 2023

Assembly Building

The House Met at 2:50 PM

(The Speaker (Hon. Joel Karuri): In the Chair).

PRAYERS

PAPERS

APPROPRIATION BILL No. 7 of 2023

The Speaker (Hon. Joel Karuri): There is a Report of the Committee on Budget and Appropriations, on the Nakuru County Supplementary Appropriation Budget 1. That is Appropriation Bill Number 7 of 2023. Chairperson.

Hon. Alex Mbugua: Mr. Speaker, I wish to lay a Report on the Committee on Budget and Appropriations on the Supplementary Budget 1, for the Financial Year 2023/2024. Mr. Speaker, I beg to lay. Thank you Mr. Speaker, and as such I wish to proceed to the Report that this Committee has engaged on. Mr. Speaker, let me inform Members that the Report is available on their Tablets, and also on the Hardcopy.

MANDATE OF THE COMMITTEE

Mr. Speaker, the mandate of the Budget and Appropriations Committee is established under Standing Order 189 and is mandated to:

1. Investigate, inquire into, and Report on all matters related to Coordination, Control, and Monitoring of the County Budget;
2. Discuss and Review the Estimates and make Recommendations to the House;
3. Examine the County Fiscal Strategy Paper presented to the House, among others Mr. Speaker.

The Agendas of the Committee are enshrined there.

Mr. Speaker, before us here, is an adopted Report from this Committee. This is the first Report for the Supplementary for the Financial Year 2023/ 2024 submitted to the County Assembly for review scrutiny and to pave the way for the Enactment of the Supplementary Appropriation Act, 2023.

The Supplementary was submitted on the 25th of October 2003 and tabled on the same date and subsequently committed to the Budget and Appropriations Committee.

Mr. Speaker, when it comes to Legal Compliance on this Document, Section 39 (9) of the Public Finance Management County Government Regulations 2015 requires that in approving any estimates under Sections 135 and 154 of the Act, that County Assembly Approval shall not exceed 10% of the Approved Budget Estimates of a Program of Sub Vote unless it is for unforeseen and unavoidable need as defined in Section 112 of the Act. Mr. Speaker, this Supplementary came in through different rationales. Mr. Speaker, this Supplementary was intended to address the following issues

- Unspent Development of Kshs. 3.6 billion into the Approved Budget for FY 2023/2024 and a Balance in Facility Improvement Fund (FIF) Account of 491 million
- Projected Own Source revenue growth of Kshs 200 million.
- Interest Earned in Third Quarter Nakuru City, KUSP UDG Grant Account of Kshs. 3. 2 million
- To reorganise Departmental funding so as to align with the new emerging priorities such as the Current Salary Adjustment by the SRC, the new NSSF Law, changes in Taxation Policies as contained in the Finance Act 2023, that impacts on the compensation of Employee's Budget, Medical and Motor Vehicles Insurance Renewal, KRA and Kenya Power pending bills.
- To incorporate the Molo and Gilgil Municipalities' Program based and itemised Budget in the Budget for FY 2022/2023.
- Respective changes in Donor and Grant, and Conditional Funding such as:
 1. Agricultural Sector Development Support Projects (ASDSP II) growth by Kshs. 500,000.00
 2. Nutrition International Grant growth by Kshs. 2.5 million
 3. Equalisation Fund Allocation of Kshs. 6.4 million

Conversely Mr. Speaker, the following Revenue Sources endured a reduction in the proposed funding:

- Transfer for Library Services functions, by Kshs 14.0 million

Mr. Speaker, the above funds are as summarised below: There is a table therein Mr. Speaker, on 9 of 28 that entails that.

	APPROVED ESTIMATES 2023/2024	ACTUAL COLLECTION (UPTO	% ACHIE VED VS	ADDITION AL/ REVISED FUNDING	SUPPLEMENT ARY I 2023/2024
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		SEPTEMBER 2023)	TARGE T		
Balance in County Revenue Fund				3,603,111,491	3,603,111,491
Balance in Facility Improve ment Fund (FIF) Account				491,696,867	491,696,867
Local Revenue	1,900,000,000	289,266,633	15.2%	200,000,000	2,100,000,000
Agricultu ral Sector Develop ment Support Projects (ASDSP II)	583,629			500,000	1,083,629
Interest Earned in Third Quarter (Nakuru City)				3,200,000	3,200,000
Nutrition Internati onal Grant	10,000,000			2,500,000	12,500,000

Equalization Fund allocation (Soin Ward in Rongai)				6,435,119	6,435,119
Transfers for Library Services function	14,033,063			(14,033,063)	-
TOTAL	18,790,910,014	676,932,043	19%	4,293,410,414	23,084,320,428

REALLOCATION OF DEPARTMENTAL BUDGETS

Mr. Speaker, a number of County Departments reallocated their Budget to reflect the current economic times and address emerging issues; as we had envisaged Mr. Speaker, we have the SRC New Guidelines, the NSSF Taxation, the KRA and the Kenya Power bills that have been pending.

Further on Mr. Speaker, in Molo and Gilgil Municipalities, we injected into them Kshs. 10 Million for their proper operationalisation at the moment. Mr. Speaker, on page 10 of 28, we have a table that brings a summary of different entities. For the purpose of record Mr. Speaker, I will touch on some of them. The Offices of the Governor and the Deputy Governor we have a total of Kshs 27 million, or 0.6% of the total Budget. County Treasurer Mr. Speaker has 9% or Kshs 388 Million. It goes all the way to the last part of the County Assembly where there was a negated part of Kshs 1.6 Million Mr. Speaker.

Mr. Speaker due to the low revenue collection you realise that part of the County Assembly amounting to up to Kshs 66 million had to be deducted and taken for further development within the Treasury or the County Government. Mr. Speaker, the Supplementary Budget No. 1 for the Financial Year 2022/23 with the County Fiscal Strategy Paper, has been well realigned according to Section 108 (2) of the Public Finance Management Act. Members can get it on page 11 of 28, all the way down Mr. Speaker.

An analysis of Department of Education Mr. Speaker, we started with Office of the Governor and herein Mr. Speaker, you will realise that the effect of the many Circulars we obtained, for instance

on the Wages, we had a difference of Kshs 1.6 Million. We have House Allowances to conform to the Housing Levy and all the way to the Contractual Workers or Employees, the County Treasurer Treasury follows, County Public Service Board, Health follows, we also have a Table on page 14 of 28. Mr. Speaker on the registration of NHF Cards for the vulnerable, some of the Wards have enhanced some amount that will help in helping the people within their Wards, we had four Wards, Lake View, Viwandani, Kihingo and Mauche totaling up to Kshs 3.2 Million that were enhanced for that part.

Mr. Speaker, we have Infrastructure for the Nakuru City Board which also have faced some changes upward. The Departments from Agriculture and Lands as indicated in the document can well elaborate on what has happened, we have other Departments like Water and Energy where you will find that all these changes have been necessitated by the different Circulars that we have. That is why you will find Members Gratuity is changing, because when the Salaries change, the Gratuity change, the NSSF change, the House Allowances change, Mr. Speaker, and also the Salary Adjustment that must be effected immediately.

On the part of Education, it is important to note that some of the Wards have enhanced their Bursaries. We have Bahati, Lanet Umoja and Kabatini, in Gilgil, we have Eburu Mbaruk and Gilgil. In Kuresoi South we have Keringet and in Molo we have Elburgon, and in Naivasha Olkaria and Mai Mahiu, in Nakuru East we have Kivumbini, in Nakuru West we have Shabab and Rhonda, in Njoro we have Kihingo and Mau Narok. In Rongai we have Solai, in Subukia we have Subukia Ward and Gilgil we have Gilgil Mr. Speaker. A total of Kshs 45 Million has been brought there in Mr. Speaker, as a Bursary for the Youth.

Mr. Speaker, in the Department of Youth and Sports, Gender, Social Services and Inclusivity, we have different just as the other Departments have had the House Allowances, the contribution to the Staff Pension Scheme. All that has been captured just to conform to the New Order, Mr. Speaker, in empowering the Youth, we have changes that have been made and I think Members can go through the schedule attached on 18 of 28. Those are the different Wards, Mr. Speaker, that have done the enhancement, you will find that we have a total of Kshs 25 Million that has been enhanced into that Department. It is good to note that within this Docket, Members of this Assembly have seen it fit to empower the Youth within their localities with different equipment that can help them meet the challenges of the day. Herein Mr. Speaker, we have facilities that will empower Youth and Women of different Sub-Counties and localities.

On the other Capital Grants, Mr. Speaker, we have nurturing of youths through talents, you will find that most of the Members of this Assembly requested a transfer from that Vote to other Votes. We initially had 4.5 within the same Department, but you will find that most of them say all the Members in the Assembly requested that the monies be transferred to other activities and the major beneficiary of this was the Youth Department.

RECOMMENDATIONS

The Committee recommend that: -

1. The County is directed to focus on ensuring the completion of Ongoing Projects with particular emphasis placed on projects nearing completion to ensure that Citizens benefit from such Public Investments as opposed to starting new ones
2. The Ward Projects must be prioritised and fast-tracked to ensure their timely completion. Further, the County to undertake an Economic Analysis of the need, and sustainability of this projects to ensure that only optimal projects are undertaken. It is worth noting that the Committee noted that we had projects within our Budget that dated back to 2014 and 2015. Mr. Speaker, that remains to be money on paper but not money on the part of projects. So, it is worth noting that Members that they must update their projects
3. The County is further advised that the process of identification and prioritisation of the programs and projects under the Conditional Allocations above must be done in a participatory and all-inclusive manner. It is a requirement by the Constitution of this land, Mr. Speaker, that we must identify projects through Public Participation.
4. The respective Departments should hasten the Procurement Process to increase the implementation rate of the projects, having done this, Mr. Speaker, we are hoping that the Procurement Plan is already out and that the ball will hit the ground running, or the Members who are the one to hit the ground running with the implementation of this.
5. The Treasury should formulate the appropriate Policies to address Revenue Shortfalls. It is worth noting that we are still not collecting enough revenue. And in this, Mr. Speaker I also asked Members to help the County Treasury in the address of the revenue. With this Mr. Speaker, it is a plea from the Budget and Appropriations Committee that we must recheck the Finance Bill 2023 from the Department of Finance to help the Committee and the County Government of Nakuru come up with ways of generating more income. Mr. Speaker, we are falling short of this revenue
6. The Department should ensure timely completion of the projects to reduce Rollover Projects, we have had a lot of Rollover Projects from time immemorial, from many years behind as far as from when we had the first County Assembly under the new Constitution. Mr. Speaker from page 21 to page 28, we have revised the Schedule of Pending Bills for financial year 2023/2024 Supplementary 1. It is worth noting that here we have different Companies that have been paid, some of them that are waiting to be paid from different entities, be it supply, be it construction or others. We felt as a Committee, and Members of

this House are able see cases that have been closed by the County because in the last Supplementary Mr. Speaker, this Assembly passed a resolution of spending so much on the Pending Bills. Mr. Speaker, those were the Findings of the Committee. I ask Members of this House to adopt this Report. Mr. Speaker, sir, thank you.

The Speaker (Hon. Joel Karuri): Thank you, the next order!

MOTION.

APPROPRIATION BILL No. 7 of 2023

The Speaker (Hon. Joel Karuri): Chair Budget.

Hon. Alex Mbugua: Mr. Speaker. Just a general overview of this Motion. We have had time to go through this Budget, and as a Committee, we have realised that many things have happened, mainly because of the many schedules that we have been given by the Government. And when you look at the KRA we have a demand that the County must pay so much amount, for instance, the KRA has a Demand Notice of around Kshs 200 Million Mr. Speaker that has not been paid overtime.

Mr. Speaker, the County risked at one point finding itself in a position whereby we shall not be receiving our money, or at one point our money will hit the County Treasury Banks, or the National Treasury Bank and all this amount is taken away. Mr. Speaker, the Kenya Power is also laying before this County a Demand Notice of around Kshs 300 Million mainly accruing from the many Street Lights that we have within this County. And you will find that some of the Offices like that of Naivasha, are disconnected from power now and then; and such must be cushioned at this time and through this Supplementary.

Mr. Speaker, we have workers whom we have been asked to adjust their salaries upwards to cater for the Housing Levy and even the New Taxes. Mr. Speaker, without this Supplementary passing in time, Mr. Speaker, these Members will suffer, and these are Households within the Society that we have.

On the same Mr. Speaker, we have Members of our Society who have engaged in Contractual Works Mr. Speaker, and they will suffer. Some of the people who are Contractors within the System that are working within Nakuru County might fail to get paid before the year closes. As such, we know that we must create time for this Budget to be uploaded within the Systems, and before the uploading and the requisition of these monies happen, there might not be circulation of currency within Nakuru County to the effect that many people will go hungry.

And Mr. Speaker, schools have closed, but they will open soon and some people might delay getting their children back to school. Our Governor has promised to ensure that the economy of Nakuru County grows purposely well to ensure that each and every individual is able to realise their dreams within this County.

Mr. Speaker, I want to congratulate Members who are seeking to add value to their bosses at the Ward level. People are suffering even as we are sit here. We know people who are suffering within the hospitals and they do not have ways of coming up with these monies. It is good that we cushion such people with some money.

Mr. Speaker, on the part of Education, there is a Feeding Program that we have always talked about and must see the light of the day herein. As such, we have had this County Government, and with the goodwill of H.E Governor, many Members here have enhanced the Bursary Kitty. From the main Budget, we had a Budget of around Kshs 320 Million and right now we have added another Kshs. 45 Million. We shall ensure that Members of the Society who are hard hit by the economy are well cushioned; and if we proceed this way Mr. Speaker, I think the County is headed on the right direction, because education is the only equaliser between the poor and the rich.

Mr. Speaker that is the brief summary of this Budget. I move that the Nakuru County Appropriation Bill Number 7 of 2023 be now Read a Second Time. Thank you.

The Speaker (Hon. Joel Karuri): A seconder?

Hon. Alex Mbugua: Thank you Mr. Speaker, I ask *Mheshimiwa* Ann Njaguara to second.

Hon. Ann Njaguara: Thank you Mr. Speaker, I do second.

The Speaker (Hon. Joel Karuri): *Mheshimiwa* Ann, be upstanding.

Hon. Ann Njaguara: Thank you Mr. Speaker, I do second.

The Speaker (Hon. Joel Karuri): Thank you. It is good to debate, or even to comment while you are upstanding. The Motion is that the Nakuru County Supplementary Appropriation Bill Number 7 of 2023 be now Read a Second Time. The Motion is open for Debate. The Honorable Member for Naivasha East Ward and the Hon. Member for Elementaita Ward, in that order.

Hon. Stanley Karanja: Thank you Mr. Speaker. Let me first of all thank the Committee for work well done. When the Chair Budget was also giving some comments on the reasons why there is a paradigm shift from the original Budget to the Supplementary Budget, some of these things we cannot escape. Therefore Mr. Speaker, I feel there is nothing much to debate because the issues have been laid and therefore, Thank you Mr. Speaker, I do support the Budget.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Elementaita Ward

Hon. George Nene: Thank you Mr. Speaker. I also do support the Budget, but with some amendments. Mr. Speaker, if you look at money allocated for the County Assembly of Nakuru, you will find that there is Kshs. 40 Million allocated for Design and Consultancy for the construction of Basement Parking and Members' Office.

Mr. Speaker, according to me, this is not a priority, because I have never heard any Member of this Assembly complaining that he did not get somewhere to park his Car. I wish this money was

divided among our Wards. We have roads that are deteriorating, hospitals without electricity, and therefore, I would like to urge my fellow Members ...

The Speaker (Hon. Joel Karuri): What is it the Member for Naivasha East Ward? What information?

Hon. Stanley Karanja: Thank you Mr. Speaker. First of all, let me thank the Member for Elementaita Ward and also inform him that it is not the role of the Assembly to do the roads. The role of the County Assembly is well defined. I thought that it was obvious through the training that we have had, that it is the role of the Executive to execute the Budget in terms of Developments. Therefore, anything that is in the Assembly Mr. Speaker, is meant for the Assembly.

Mr. Speaker, that one gives me in terms of information, that we really need to do some little bit of enhancements of our money for Training because if at all a whole year has gone and a Member thinks that the Assembly can build a hospital, there is something terribly wrong. I think Mr. Speaker what we need to do is to enhance our Trainings in terms of what is the role of the Assembly vis-a-vis the role of the Executive. The County Assembly is headed by the Speaker, and the Executive is headed by the Governor, and the Governor is the CEO. She is the one who executes through the Chief Officers.

Mr. Speaker, I was only trying to help my teacher. In Teaching, he knows very well that you must have the Objective, the Aim, and the Conclusion. He concluded otherwise through a somersault. And therefore Mr. Speaker, maybe that one ...

(Laughter)

The Speaker (Hon. Joel Karuri): Order! Order!

But there is a difference between what the Assembly does and what the Executive does. Maybe, he could have said we reallocate on something they had done, in the Assembly, not building his hospital. That one he has a Ward kitty, he can do that one or visit the Governor. He knows the Office.

The Speaker (Hon. Joel Karuri): The Honorable Member for Elementaita Ward.

Hon. George Nene: Thank you Mr. Speaker. I think the Honorable Member from Naivasha East did not understand what I was saying. I was saying that this money be reallocated to do another project because when I tried to interrogate it, I did not see the importance of doing such a project for Kshs. 40 Million. I wish it was even reallocated to do other things, if it cannot build my hospital. If the problem is building my hospital, then let it do another thing in this Assembly, but not constructing a Basement Parking. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): The Honorable Member for Elementaita Ward, do you have a proposal, like what project you would propose within the Assembly?

Hon. George Nene: Thank you Mr. Speaker. Let this money be reallocated to our welfare.

(Laughter)

The Speaker (Hon. Joel Karuri): The Chairperson Committee on Budget, you need to respond to that when the time comes for response. The Honorable Member for Gilgil, who is also the Deputy Majority Leader.

Hon. Rose Njoroge: Thank you Mr. Speaker. I would also like to ask Hon. Karanja from Nakuru East, next time to be a little bit softer to the Honorable Member ...

Hon. Anthony Kanyere: Mr. Speaker sir. I stand to correct the Honorable Member. Hon. Karanja comes from Naivasha East, not Nakuru East.

Hon. Rose Njoroge: Thank you. That was not the point of my standing. Mr. Speaker, I would like to support this Motion if it will be my savior from *Wanjiku* in the current position of improving the road network in Gilgil, I support it. If it will be my savior to make sure that we have good well-built and improved Hospitals, I support this Motion because I want a working Government as we promised *Wanjiku* that we are going to work for them, and if this will be the difference or the point of connection, I support it wholly. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you the Member for Gilgil. The Member for Viwandani.

Hon. Joseph Muraya: Thank you Mr. Speaker. First, I take this opportunity to thank the Budget and Appropriations Committee for a job well done.

Bwana Spika, ningependa kwa machache niseme ya kwamba kuna mambo ambayo tumeyasikia tukielezewa hapa na Mwenyekiti wa Kamati hii kama mambo ya KRA na Pending Bills. Kuna Contractors wako na kisukari, wengine wako in depression na wengine hawajui wataenda wapi maana Benki na Saccos ziko kwa mabega zao.

Bwana Spika, nimeona ya kwamba kwenye Pending Bills, wamefanya kazi ya dharura na wamehakikisha ya kwamba hawa watu wataweza kupokea jasho waliyoifanyia kazi. Natambua ya kwamba kunayo mambo kama ya KRA ambayo yanaweza kutufanya tukaingia katika Vyombo vya Habari na mengine ambayo yanaweza kutuchafulia jina. Na kwa hayo Bwana Spika, ninaomba ya kwamba ni support the Motion; na kama vile mwenzangu Deputy Majority Leader amesema, nataka kumhakikishia ya kwamba sio kwamba kama itakuwa mwokozi. kuligana na vile Budget imesomwa na vile nimeiona, ya kwamba tunaokolewa mahali. Kama kwangu, ninahitaji Shades in the new Market na nimeona katika Budget hii bado ziko. Kwa hivyo, naomba kila moja wetu hapa tuweze ku support the Motion, ili tuweze kufanyia Wanjiku kazi tunapoendelea ...

Hon. Stanley Karanja: Mr. Speaker; Mr. Speaker, point of information.

The Speaker (Hon. Joel Karuri): Mheshimiwa you had your time.

Hon. Stanley Karanja: Mr. Speaker, I am rising on a point of information. That one cannot be prevented.

The Speaker (Hon. Joel Karuri): This is the second time.

Hon. Stanley Karanja: Mr. Speaker, as far as there is information, I do not think there is a Standing Order left. You know Mr. Speaker...

The Speaker (Hon. Joel Karuri): What is the information?

Hon. Stanley Karanja: [On a Point of Information] Mr. Speaker, the information is that Hon. from Elementaita did ask for the amendment...

The Speaker (Hon. Joel Karuri): Mheshimiwa, you are getting us back!

Hon. Stanley Karanja: Therefore Mr. Speaker, what ought to have followed is that you look whether there is the issue of ...

The Speaker (Hon. Joel Karuri): You are out of order!

Hon. Stanley Karanja: *Sawasawa.*

The Speaker (Hon. Joel Karuri): The Member for Viwandani Ward and after *Mheshimiwa* Mwangi, *Mheshimiwa* Doreen, in that order.

Hon. Joseph Muraya: *Asante sana Mheshimiwa Spika. Nilifikiria Mheshimiwa wa Naivasha East Ward alikuwa anataka kunipasha habari kumbe sio kwangu. Nashukuru sana kwa hayo.*

Nilikuwa namalizia kusema ya kwamba naomba kila mmoja katika hii Bunge yetu, kwamba tunapokaribia kuenda Likizo ambayo ni ndefu maana kwa uhakika tutaienda, Bwana Spika tuwe tumefanya hii Supplementary na imepita ili tunapokuwa Mashinani Wanjiku anaona kuna kazi ambayo inafanyika na hii itatupunguzia vita, maana tusipotoka na hii Supplementary Budget hapa, hakuna haja ya hii Bunge kuenda Recess. Tunafaa kukaa tu hapa ili tutoroke kwa Wanjiku. Asante sana.

The Speaker (Hon. Joel Karuri): Thank you.

Hon. Peter Palnag'a: Mr. Speaker, there is a point of order that I want to request from you.

The Speaker (Hon. Joel Karuri): What is the order?

Hon. Peter Palnag'a: That you determine whether Hon. George Tallam is in decorum, and I wish also to challenge the Chief Whips to be keen as to whether a Member is in decorum. I wish to request that you ascertain whether Hon. Tallam is in decorum.

The Speaker (Hon. Joel Karuri): Whips in the House. The Minority Whip.

Hon. Virginia Gichanga: Thank you Mr. Speaker, I cannot see how he is dressed when he is seated. Hon. Tallam, please stand up. Mr. Speaker sir, Hon. Tallam is not in decorum.

Hon. George Tallam: Thank you Mr. Speaker. I have dressed ...

The Speaker (Hon. Joel Karuri): Order! The Whip, you have ascertained that Hon. Member for Kabazi Ward is not in decorum.

Hon. Virginia Gichanga: Mr. Speaker, he does not have a tie.

The Speaker (Hon. Joel Karuri): Hon. Member for Kabazi Ward, are you in a tie?

Hon. George Tallam: Mr. Speaker, I have just left my tie in the car. I forgot to come with it.

The Speaker (Hon. Joel Karuri): Kindly have your time. Go dress well and come back. Hon. Doreen.

Hon. Doreen Korir: Thank you Mr. Speaker, I also rise to support this Supplementary Budget as a Member. I want to thank the Committee for the work well done led by the Chairperson and also, I want to make some comments on the Supplementary Budget.

Mr. Speaker, I have seen the issue of Molo and Gilgil Municipalities to ensure that it is operationalised. This will improve the economy of Nakuru County. The issue of Compensation for Employees is also very important. When we pass this Supplementary Budget, the Employees will also get their share. Mr. Speaker, on the issue of NHIF that was recently revised, this will also be of benefit to its members. Mr. Speaker, I know this is in line with the Agenda of the President on the acquisition of the Universal Health Coverage and it is well captured in the Supplementary Budget.

Mr. Speaker, the issue of Kenya Revenue Authority. They say "*Kulipa Ushuru Ni Kujitegemea*". The same thing, the County should do the same to ensure that as a County, we are in good terms with the Kenya Revenue Authority. As Kenyans, it is our civil duty to pay taxes and so, in the same way, the County should ensure that they pay the tax to ensure that the economy of the County is okay. Thank you Mr. Speaker, I support.

The Speaker (Hon. Joel Karuri): Hon. Hassan and then Hon. Ann Gite from Maai Mahiu.

Hon. Hassan Ali: Thank you Mr. Speaker sir. Allow me also to thank the Committee on Budget and Appropriations, of which I am a Member for the job that we have done. Mr. Speaker, something that comes out very clearly here, and something that has become a tradition for the County Government of Nakuru; something that as the young people we are very proud and very happy of what the H.E Governor is doing, is the empowerment of young people back at *Mashinani*. The issue of buying tents and chairs for young people. Mr. Speaker, there is a big problem with employment of the young people of this Nation and once we empower them with such kind of tools, the tents and chairs, it basically shows that a Leader knows what he or she is doing. So Mr. Speaker, once these young men and women have these tools of work, they will not need to be employed anywhere.

Mr. Speaker, the second thing which is also very important, is once we pass this Supplementary Budget, there are Suppliers and Contractors of Nakuru County who have done a great job for this County. Once this Supplementary Budget is passed, these hard working people and women, the citizens of Nakuru, are going to get their payments promptly. Mr. Speaker, we ask that once they are paid, they make sure that the projects they are doing are completed in time so that the citizens of Nakuru get to enjoy these projects.

Mr. Speaker, there is also the issue of Pending Bills, and I do not know why there are so many Pending Bills emanating from the County Attorney. But we know once these Pending Bills are paid it is going to help these Suppliers who have done a great job for this County. This is very important for this County because once they are paid, so many things will start rolling. Thank you Mr. Speaker, I support.

Hon. Ann Gitee: Thank you Mr. Speaker for this opportunity. I stand to support this Supplementary Budget because if we do not support it, we will be left behind; because Mr. Speaker, this morning I came across an article in one of the Local Daily's rating Kenya's best Members of County Assembly, and we are nowhere to be seen. Therefore, I support this Budget and I want to ask all Members to support it. Thank you.

The Speaker (Hon. Joel Karuri): The Hon. Member for Kamara.

Hon. John Maritim: Thank you Mr. Speaker Sir. I also rise to support and thank the Budget and Appropriations Committee for this wonderful Report they have given us. I have seen that revenue for Nakuru County has risen by Kshs 200 Million and that is very great. But I have also seen some set standards, which if we comply with them, we can raise our revenue from Kshs 2.1 billion to say, Kshs 3 billion. I recall what one Hon. Member said, there was a time that Nakuru County appeared in a List of Shame of Counties that do not meet their target, and I did some follow up and I found that there were some figures that were omitted in the Finance Department. We were doing well and we ought not to have appeared there. What the Budget has shown is great.

Secondly Mr. Speaker, figures do not lie. If you are given a Million to construct a road, you cannot change that, so the best we can do is adopt the Report, and go by it so that we can start the job as early as we can. Thank you Mr. Speaker, I support.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Nakuru East.

Hon. Anthony Kanyere: Thank you so much, Mr. Speaker. Allow me to join my fellow Members in supporting this Motion and congratulate the Committee on Budget. Mr. Speaker, first and foremost the recommendation they gave for the completion of the Ongoing Projects, for the Nakuru people to get value for money it is prudent for us to prioritise the Ongoing Projects, and I think that is a recommendable recommendation.

Mr. Speaker, on matters to do with Youth Empowerment, I just want to say this is the right way to go because our youth are the citizens whose issues we are supposed to so much dwell on and empower.

However Mr. Speaker, as I support this Motion, I have some reservations in that, Nakuru City has a Board where we have lost some money, to the tune of Kshs 13 Million. In my Ward, there were some rollover projects; I had a Shade Project in one of the Markets and a toilet amounting to Kshs 5 Million. So Mr. Speaker, what I want to recommend going forward is matters to do with projects from the Headquarters, when they want to reallocate the money, it is good to inform the Members of that Ward because this information is out there, and the members of the public know that some money was put aside for such project so when money is directed to other projects, it might lead to members of the public complaining about the Members of the County Assembly and say *huyu amekula pesa zetu*.

Mr. Speaker, it is good to inform the Member of that Ward that we are reallocating your money because it is a requirement that when we are reallocating our Ward Fund, we involve members of the public, come up with the minutes and inform the relevant Department. So we expect the same to happen. However Mr. Speaker, I want to commend this Report on the strength that they have taken into consideration the Pending Bills. This is the way to go because many Contractors have been complaining about these Pending Bills.

Mr. Speaker, on the issue of Nakuru City, this Assembly is located in Nakuru City, and when you visit this place at night, it is very dark. So you reallocate some money from Nakuru City. Drainage is also another issue in Nakuru city and as Nakuru City people we feel that sometimes we do not get our equal share of this Budget. Thank you Mr. Speaker, I support.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Subukia.

Hon. Isabella Makori: Thank you Mr. Speaker Sir. I want to congratulate the Committee for bringing up a very good Report. On the fourth recommendation, the respective Departments should hasten the procurement process to increase the implementation rates of the projects. Mr. Speaker, how I wish the Procurement part is hastened because when we get a lot of rollovers it does affect our Budget because of the prices of items. I want to urge the Procurement Office to make sure that they hasten their process for us to make sure that the projects at the ground are implemented to avoid getting into awkward situations. Thank you Mr. Speaker, I support.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Nakuru West, Barut Ward and then the Member for Malewa, in that order.

Hon. Bernard Langat: Thank you Mr. Speaker for this opportunity. I rise to support and to thank the Budget Committee for the job well done. This being our first Budget since we were elected to this honorable House, I think it will be better to pass it and I know that it will help us put our name at par because these projects are going to run in our Wards. I believe next time we are going to feature in the Newspapers as my colleague has said. Thank you Mr. Speaker, I support.

Hon. Francis Kuria: *Asante sana Bwana Spika.* I support this Motion. First of all Mr. Speaker, the cost of living has gone up and we have incurred some expenditures that were not captured in the last Budget. With this Supplementary, we will be able to settle some of the Pending Bills that will not put our County to shame. This Supplementary will pay the Contractors and have the stalled projects completed. I therefore support this Motion. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Elburgon.

Hon. Njuguna Mwaura: Thank you Mr. Speaker. Allow me to commend the Committee for the work they did with a lot of haste to save the face of this County because all the Contractors are crying that they cannot be paid because of the issues of the Budget and Rollovers. Some of them did their work during the last Financial Year and had expected to be paid but they could not be paid because of the Supplementary Budget issues.

Mr. Speaker, there are a lot of challenges including issues of the Housing Levy, NSSF, and other issues that emanated from the National Assembly. Therefore, this Supplementary aligns this County with the expectations of the Country. Allow me to say that this is an updated Supplementary that defeats other requirements that were there before.

Mr. Speaker, I also want to commend the Budget team for the good work they did and the schedule they have given us for the Transfer of Funds as outlined here in the annex of this Report.

Mr. Speaker, allow me to request the Chairperson to direct me because in the Schedule, there is a well outlined system of how I moved my money or the way letters and minutes came to the Office. However, there is one of the projects, the Mutamaihu Milk Cooler. Mr. Speaker, if you come to Elburgon the residents are about to pour their milk because on average, every day we collect 15,000 liters of milk. And Mr. Speaker, because of the need for the Farmers to store their milk, we realised that we needed to reconstruct the Cooler House because we already have a tank needed to chill the milk. But Mr. Speaker, I cannot see the money I reallocated to this project so I would wish that the Chairman would consider that.

Mr. Speaker, the said project was passed in the Financial Year 2023/2024 and we also added Kshs.400 million. Mr. Speaker, It was Kshs 800,000 but it is not reflected here. This is one of the projects that the Farmers from Elburgon are looking forward to seeing us operationalise Mr. Speaker. Yesterday when Her Excellency the Governor came to Elburgon, she talked about that project.

Therefore Mr. Speaker, I would wish that when the Chairperson is making his responses, he considers or allows us to move with amendments while passing this Report. Thank you Mr. Speaker, I beg to support.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Menengai, Hon. Rottok.

Hon. Isaac Rottok: *Asante sana Bwana Spika kwa kunipa hii fursa. Kwanza kabisa ningependa kuipatia kongole Kamati ambayo iliandaa hii Supplementary Budget. Kwanza Bwana Spika, kuna*

baadhi ya projects ambazo nilibadilisha pamoja na wananchi ambao walihudhuria Public Participation, lakini hazijakuwa captured kwa hii Document ya Supplementary.

Bwana Spika, kuna pesa ambazo tulitenga za kuchimba kisima cha maji kule sehemu za Menengai West, Olorongai na kwa sababu serikali haiwezi chimba kisima kwa shamba la mtu binafsi, tulionelea kubadilisha hela hizo zitumike kununua sehemu ya shamba ili tuweze kuchimbiwa kisima lakini sijaona katika nakala hii.

Jambo lingine Bwana Spika, tuko na Wakandarasi ambao walipewa kazi na ilichukua mda mrefu sana na hata hadi leo hawajafanya kazi hiyo. Na Bwana Spika, wananchi waliketi chini na wakatoa uamuzi watumie pesa zile kufanya Miradi tofauti nasijaona kwenye hii nakala kama pesa hizo ziliondolewa pale, na pia kwa sababu tuko na mambo mengi ambao tungehitaji kufanya marekebisho katika hii nakala, ningeomba Bwana Spika utupatie fursa na nafasi ili kazi iweze kufanyika, turekebishe yale ambao tulishafanya hapo awali na hayakuwa captured kwa hii nakala, ili tuweze kupewa nafasi turekebishe, na Chairman pia aweze kutusaidia ili iweze kuwekwa kwa hii nakala na Bajeti ya hii Supplementary.

Pia Bwana Spika, kuna hela zingine ambazo niliweka kwa upande wa Afya, NHIF. Pia naona haikuwekwa kwa hii nakala lakini kwa nguvu zako Bwana Spika ningependa kuomba hiyo nafasi ili tupewe nafasi zaidi tu review ili tuweze kuiweka katika hii Bajeti ya siku ya leo. Asante.

The Speaker (Hon. Joel Karuri): As we proceed, Chairman, there is that issue of projects that are not in the annexes as it is. Does it mean that all the projects that have been affected are appearing in this document? Or what direct response can you give to the Honorable Member for Menengai West and the Honorable Member for Elburgon?

Hon. Alex Mbugua: Mr. Speaker, let me take this opportunity to first respond to Honorable Member from Menengai West. It is important to note that yes, he raised the complaint through the Budget Office. He was given a direct link to the County Treasury and a number that he was supposed to contact one person at the Treasury. He was asked to talk to one Ashina and the Budget Office saw him again today. He never brought any Report back to the Budget Office and that is the current information that I have. Once you communicate to the Budget Office, they can only do as much as advised from the other side because the implementers of the project are not this Assembly but the Executive part.

On Honorable Anthony Kanyere Mr. Speaker, he requested that Kshs.13 Million Rollover Projects from the City Board be retrieved. When the County falls short of revenue, it is important to note that we only have the money that we have to share amongst ourselves and as such Mr. Speaker, Her Excellency the Governor requested for Budget cuts across all the Departments, and one of the Departments that falls here in the City is the Nakuru City Board, and we also have Naivasha which lost around Kshs. 9 Million. Nakuru city lost Kshs. 13 Million and even the Office of the Governor lost almost Kshs. 27 Million as indicated in the Report.

The County Assembly itself lost Kshs. 66 Million. So when we are not able to meet our revenue, it is something that every Department within this County will bear because we are all shareholders of this Government. We have Honorable Member from Elburgon, when it comes to projects that have been fronted from the Headquarters, it is important to note that still they contain the control of such projects until the time they have enough revenue to proceed with such projects. Within this Budget Mr. Speaker, you realise most of the projects that were not captured here, some of them must have been Rollover Projects from the past years, maybe before 2021.

And Mr. Speaker, when the Committee sat down, we realised that such projects with a deficit that has already risen, they were not sustainable within this Budget. There is no need having a Budget that is not balancing on paper. And as such, the Committee came up that only the viable projects. And that involves the 2023/24 projects, all of them are here from the Ward level. But all those from Headquarters, the Governor convened a Cabinet Meeting, and all the Departments were asked to cut their Budgets. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you, the Hon. Member for Menengai West, Hon. Rottok.

Hon. Isaac Rottok: Yes Mr. Speaker, the way the Chairperson said, I am not satisfied because I have copies of received documents from every Department that I submitted my change of Projects Documents.

The Speaker (Hon. Joel Karuri): Honorable Member, there is a process; when the documents are received from the Executive, what is supposed to be done? Chair.

Hon. Alex Mbugua: Mr. Speaker, once you receive your documents from the side of the Executive, you are supposed to pass these documents back to the Budget Office in the County Assembly. We have the Director of Budget who is within the Assembly, and we have Officers from the Budget Office who within the Assembly.

Mr. Speaker, I think two weeks ago we started on the process, and I stood here and asked the Majority Leader to offer me an opportunity to explain to Members that if anyone wanted to change a project, the process they are supposed to follow and for the due diligence on working of this Committee, we were asked that by Thursday last week, all the Members that needed to do the changes, they must have done the changes so that when the Committee sits Mr. Speaker, we are able to scrutinise all the documents.

Mr. Speaker, this morning before noon, when I requested for Members that had complaints, I also requested for the dates that they delivered the letters back. And unless the information was held from me, the information that I had from the Department is that the Honorable Member for Menengai West, never ever brought the information back to the Budget Office and with that, I am not able to move. I do not want this to be an up-and-down push. But if that information is available and we verify that he had delivered the Documents in time, I think the Committee can act as per his request. But without that Mr. Speaker, we are not able to.

Hon. Isaac Rottok: Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you; *Mheshimiwa* Rottok you have ...

Hon. Isaac Rottok: I had already submitted my documents Mr. Speaker.

The Speaker (Hon. Joel Karuri): Now as such, Chair, you need to liaise with the Budget Office to ascertain whether there were any omissions and see how you support the people of Menengai West to be able to realise their aspirations in this Supplementary Paper. The Hon. Member for Elementaita.

Hon. George Nene: Thank you Mr. Speaker, I also have similar complaints with *Mheshimiwa* Rottok. There were two Projects that were allocated in the Financial Year 2022/23, but they were not implemented and the Chairperson for Budget gave a direction that when you want to change our projects, we have to write minutes and attach the signatures of electorates to express their needs.

Mr. Speaker, this project read, “Construction of Chicken Empowerment Houses”, at Miti Mingi, Mugao, Ole-Sultan and Debai. And because Mr. Speaker we cannot construct Chicken Houses in private land, the people of Elementaita found it wise to reallocate this money to complete Merie Borehole that has a Pump but does not have Solar Power.

Mr. Speaker, there was another project that read “Construction of Chicken Empowerment Houses” at Kiambogo, Kahuhu and Muthaiti in the Financial Year 2022/23. It was allocated Kshs. 3 million and the electorates found it wise also to change this project to provide electricity at Ole-Sultan Polytechnic that became operational early this year. This project was also to include the electrification of Ole-Sultan Polytechnic which was allocated Kshs. 800,000. Therefore... Mr. Speaker I request your indulgence.

The Speaker (Hon. Joel Karuri): Yes *Mheshimiwa* Elementaita.

Hon. George Nene: Thank you Mr. Speaker, I was saying there was another project that was awarded Kshs 3. Million for the construction of Chicken Empowerment and a letter was written with the signatures of the electorates and they reallocated that project for electrification for the Ole-Sultan Polytechnic. And...

Hon. Alex Mbugua: Mr. Speaker, point of information.

The Speaker (Hon. Joel Karuri): Chairman.

Hon. Alex Mbugua: [On a Point of Information] Mr. Speaker, it is important to note that for a change of project, one project that has been indicated as ongoing, you must have a “Cancellation Letter”. The project that Honorable Nene is indicating as an “Ongoing Project” and hence, you cannot reassign that project as a Committee. We do not have power even to change. It is prudent that we note that if we had been in such a direction, we would pull this County into Litigations and we cannot afford that.

So Mr. Speaker, unless if you have a project and you want it canceled, you follow the due process because you cannot have a project that has been awarded then we come here we change and we proceed that way. It will be dangerous for us to change this Assembly into a *Kangaroo* kind of Assembly. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you, Honorable Members, when we come to look at the Supplementary or any Report in the House, it is deemed that, when for example the Supplementary Estimates were committed in this House and the Paper was committed to the Committee on the Budget and Appropriations, it was expected and it is expected that the Chairman facilitated communication that went to all the Members informing them to undertake all they needed to do on their end so that they can find what was changed and what could not be changed.

The Chairman has just given information that if projects were already awarded, as an Assembly, we do not want to risk putting our County in a Litigious Cycle. If you want to terminate a Contract, there is a process to that and as an Assembly we might not be able to terminate Contracts that were awarded by the user or the Implementing Department.

That information needs to be clear so that, if a project is ongoing and was already awarded, there is another process that the Department ought to do which of course would involve the Courts. It is not a very direct or time-bound process and so, as for that, Honorable Members, I am going to proceed to put this Motion before the House to question.

(Question proposed that the Nakuru County Supplementary Appropriation Budget 1 which is Appropriation Bill No. 7 of 2023 be now read a second time.)

(Question put and agreed to)

The Nakuru County Supplementary Appropriation No. 7 Bill of 2023, a Bill for an Act of County Assembly to Authorise the issue of money out of the Consolidated Fund and its Applications towards the services of the Year ending on 30th June 2024 and appropriate those Sums and Sums Votes on Account by the County Assembly for certain Public Services and Purposes:-Second Reading.

(Then)

COMMITTEE OF THE WHOLE

[The Speaker (Hon. Joel Karuri) Left the Chair]

IN THE COMMITTEE

[The Chairperson (Hon. Loise Kagecha) Took the Chair]

NAKURU COUNTY SUPPLEMENTARY APPROPRIATION BILL NO. 7 OF 2023

The Chairperson (Hon. Loise Kagecha): Honorable Members we are now at the Committee of the Whole House on the Standing Order No. 126 as considered in the following sequence. (a)

Clauses as printed excluded the Clauses providing for the Citation of the Bill, the Commencement if any, and Interpretation. (b) New Clauses, (c) Schedules, (d) New Schedules, (e) Interpretation, (f) Preamble if any, (g) Long Title, and (h) the Clauses providing for the Citation of the Bill and the Commencement. Clauses without amendments.

Clause 3

(Question proposed that Clause 3 be part of the Bill)

(Question put and agreed to)

Clause 4

(Question proposed that Clause 4 be part of the Bill)

(Question put and agreed to)

Schedule 1

The Chairperson (Hon. Loise Kagecha): I call upon the mover to move the amendment.

Hon. Alex Mbugua: Thank you Madam Chairperson, I move that the First Schedule additions on the Recurrent Expenditure to be amended as indicated in the Order Paper.

The Chairperson (Hon. Loise Kagecha): I propose that;

(Question proposed that the First Schedule be amended as proposed in the Order Paper)

(Question put and agreed to)

(Question proposed that Schedule 1 be part of the Bill)

(Question put and agreed to)

Schedule 2

The Chairperson (Hon. Loise Kagecha): The mover

Hon. Alex Mbugua: Madam Chairperson, I move that Schedule 2 be amended as proposed on the Order Paper.

The Chairperson (Hon. Loise Kagecha): I propose the question that

(Question proposed that Schedule 2 be amended as proposed in the Order Paper)

(Question put and agreed to)

(Question proposed that Schedule 2 as amended be part of the Bill)

(Question put and agreed to)

The Long Title

The Chairperson (Hon. Loise Kagecha): I now propose the question that-

(Question proposed that the Long Title be part of the Bill)

(Question put and agreed to)

Clause 1

(Question proposed that Clause 1 be part of the Bill)

(Question put and agreed to)

The Chairperson (Hon. Loise Kagecha): Honorable Members we are now at the Reporting stage of the Committee of the Whole House. Mover,

Hon. Alex Mbugua: Hon. Chairperson I beg to move that the Committee do Report to the Assembly its consideration on the Nakuru County Supplementary Appropriation Bill No. 7 of 2023 and its approval thereof with Amendments.

The Chairperson (Hon. Loise Kagecha): Hon. Members, I will put the Question.

(Question proposed that the Committee do Report to the House its consideration, the Nakuru Country Supplementary Appropriation Bill No. 7 of 2023 and its approval thereof with or without Amendments)

(Question put and agreed to)

(The House resumed)

[The Chairperson (Hon. Loise Kagecha) Left the Chair]

[The Speaker (Hon. Joel Karuri): Took the Chair]

REPORTING AND THIRD READING

NAKURU COUNTY SUPPLEMENTARY APPROPRIATION BILL No. 7 of 2023

Hon. Loise Kagecha: Hon. Speaker I beg to Report that the Committee of the Whole has considered the Nakuru County Supplementary Appropriation Bill No. 7 of 2023 and its approval thereof with or without amendments.

The Speaker (Hon. Joel Karuri): So, is it with or without amendments?

Hon. Loise Kagecha: With amendments; sorry.

The Speaker (Hon. Joel Karuri): The mover

Hon. Alex Mbugua: Hon Speaker, I beg to move that the House do agree with the Committee on the said Report, I ask *Mheshimiwa* Virginia to second.

Hon. Virginia Wamaita: Thank you Mr. Speaker sir; I stand to second.

The Speaker (Hon. Joel Karuri): Thank you. I will now propose the question.

(Question proposed that the House do agree with the Committee in the said Report)

(Question put and agreed to)

The Speaker (Hon. Joel Karuri): The Mover.

Hon. Alex Mbugua: Hon. Speaker, I beg to move that the Nakuru County Supplementary Appropriation Bill No.7 of 2023 be now Read a Third Time. I ask Hon. Dr. Lang'at to second.

The Majority Leader (Hon. Alex Lang'at: Thank you Mr. Speaker I rise to second. Thank you.

The Speaker (Hon. Joel Karuri): Thank you I will propose the question.

(Question proposed that the Nakuru County Supplementary Appropriation Bill No 7. Of 2023 be Read a Third Time)

(Question put and agreed to)

(The Nakuru County Supplementary Appropriation Bill No. 7 of 2023 was accordingly Read a Third Time).

The Nakuru County Supplementary Appropriation No. 7 Bill of 2023, a Bill for an Act of County Assembly to Authorise the issue of money out of the Consolidated Fund and its Applications towards the services of the Year ending on 30th June 2024 and Appropriate those Sums and Sums Votes on Account by the County Assembly for certain Public Services and Purposes:-Third Reading.

The Speaker (Hon. Joel Karuri): The Bill is now done and is going to be taken to Her Excellency the Governor for assent. Thank you for the work well done.

(Applause)

ADJOURNMENT

Honorable Members, this House stands adjourned to Tuesday next week at 9.30 AM

The House rose at 4.30 PM.