

REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 16th March, 2016

The House met at the Temporary Chambers at the defunct Malindi Municipal Council, Malindi Town, at 2.30 p.m.

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

PRAYERS

PAPER

REPORT OF THE COMMITTEE ON HEALTH SERVICES ON THE SITE VISITS TO HEALTH SERVICES PROJECTS WITHIN KILIFI COUNTY

Hon. Mwayaa: Thank you Mr. Speaker, Sir. On behalf of the Health Service Committee, I beg to lay the following Paper on the Report of the site visit towards the service projects within Kilifi County.

The Deputy Speaker (Hon. Mwambire): Next order?

STATEMENT

ORDER OF BUSINESS STARTING FOR THE WEEK OF 21st MARCH, 2016

Hon. (Ms.) Mwaro: Thank you Mr. Speaker, Sir. I am standing on behalf of hon. Foleni. I am very privileged this afternoon to present the Order of Business starting from the week of March 21st, 2016.

On 21st March, 2016 Part (a) we have Papers; that is Chairperson Labour and Social Welfare Committee then Tabling of the Report of the Sectoral Committee on Labour and Social Welfare on the County Public Service Board Report of Activities for the Year 2014. Next (b) we have responses to Statement sought by hon. Cosmas Foleni. Tuesday, 22nd March, 2016 9 a.m; Communication from the Chair, Messages, Petitions, Papers, Notice of Motion, Statements, Motions and Bills. Part (c) we have a notice of Motion from hon. Teddy Mwambire. Part (d) we will have a Motion by hon. Pascal Thuva. Tuesday, 22nd March, 2016 2:30p.m. Communication from the Chair, Messages, Petitions, Papers, Notice of Motion, Statements, Motion and Bills. Part (e) we will have a Motion from the Chairperson Health Services Committee; Adoption of the Report of the Sectoral Committee on Health Services Committee on the site visits to Health Services Projects within Kilifi County.

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On Wednesday, 23rd March, 2016 2:30 p.m; Communication from the Chair, Messages, Petitions, Papers, Notice of Motion, Statements, Motions and Bills.

Part (f) we will have a Motion from Chairperson Labour and Social Welfare; Adoption of the Report of the Sectoral Committee on Labour and Social Welfare Committee on the County Public Service Board Report of the activities for the year 2014.

Attached is a table for the Committee as from Monday, Wednesday, Thursday and Friday. Members please read for yourselves. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): Next order?

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Speaker (Hon. Mwambire) left the Chair]

IN THE COMMITTEE

(Hon. (Dr.) Chitibwi) took the Chair)

THE KILIFI COUNTY RATING BILL, 2016

The Chairperson (Hon. (Dr.) Chitibwi) : May I have your attention Members? I wish to welcome you all to the Committee of the Whole House to deliberate on the Rating Bill. Here Members are allowed to contribute more than once. With that, I will ask the Clerk to guide us.

Clerk-at-the-Table: Thank you Hon. Chairperson. I will read through the Clauses and we will begin with Clause 4.

Clause 4 and 5

(Clause 4, 5 agreed to)

Clause 6

Hon. Nzaro: Thank you Mr. Chairperson. I think there are some amendments which need to be moved. I don't know what the procedure is because the amendments have not been moved.

The Chairperson (Hon. Dr. Chitibwi): Hon. Member, I am informed that the amendments are in the Memorandum and Objects of this Bill. I now put the question.

Clause 6 7, 8 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21

(Clause 6 7, 8 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, agreed to)

The Chairperson (Hon. Chitibwi): Yes honourable Member (Hon. Chiriba).

Hon. Chiriba: Thank you hon. Chairperson. I think I need your guidance because as you are going through the Memorandum of Understanding, you are going through the Clauses which I think in this paper are some proposed amendments. How does it come in because we can see here we are proposing the passage of the same and we know that there some amendments. So where would these amendments come?

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The Chairperson (Hon. Chitibwi): Yeah hon. Chiriba thank you very much, we are coming to that. Sorry hon. Members I had changed to Kiswahili. So we were at, 22.

(Clauses 22 and 23 agreed to)

(Schedule 1 agreed to)

(Schedule 2 agreed to)

(Schedule 3 agreed to)

(Schedule 4 agreed to)

Memorandum of Objects and Reasons

Hon. Mangi: Thank you Hon. Chairperson, Sir. On behalf of the Budget and Appropriations Committee, I beg to move the following amendments for the Kilifi County Rating Bill 2016.

Clause 3

I beg to move that, at the end of Clause 3 of the memorandum the words in brackets that read 'see clause 5' be deleted.

Clause 6

I beg to move that, Clause 6 in the memorandum to be amended to read 'provides for site value and improvement rates'. Its explanation would therefore be; levy of a rate on unimproved value of land for each financial year of such amount as the rating authority shall determine.

Clause 7

I beg to move that, Clause 7 of the memorandum to be amended and be replaced by the wording of Clause 18 of the memorandum.

Clause 8

I beg to move that, Clause 8 of the memorandum to be amended to read 'provides for supplementary rate'. Its explanation would therefore be; Levy on a supplementary rate for any financial year as required by the county if necessary.

Clause 9

I beg to move that, Clause 9 of the memorandum to be amended and be replaced by the wording of Clause 13 of the memorandum.

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Clause 10

I beg to move that, Clause 10 of the memorandum to be amended and be replaced by wording of Clause 6 of the memorandum.

Clause 11

I beg to move that, Clause 11 of the memorandum to be amended and be replaced by the wording of Clause 7 of the memorandum.

Clause 12

I beg to move that, Clause 12 of the memorandum to be amended and be replaced by the wording of Clause 8 of the memorandum and the question mark “?” at the end of the first Statement be deleted.

Clause 13

I beg to move that, Clause 13 of the memorandum to be amended and be replaced by the wording of Clause 9 of the memorandum.

Clause 14

I beg to move that, Clause 14 of the memorandum to be amended and be replaced by the wording of Clause 10 of the memorandum.

Clause 15

I beg to move that, Clause 15 of the memorandum to be amended and be replaced by the wording of Clause 11 of the memorandum.

Clause 16

I beg to move that Clause, 16 of the memorandum to be amended and be replaced by the wording of Clause 12 of the memorandum.

Clause 17

I beg to move that, Clause 17 of the memorandum to be amended and be replaced by the wording of Clause 13 of the memorandum.

Clause 18

I beg to move that, Clause 18 of the memorandum to be amended and be replaced by the wording of Cause 14 of the memorandum.

Clause 19

I beg to move that, Clause 19 of the memorandum to be amended and be replaced by the wording of Clause 15 of the memorandum.

Clause 20

I beg to move that, Clause 20 of the memorandum to be amended and be replaced by the wording of Clause 16 of the memorandum.

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Clause 21

I beg to move that, Clause 21 of the memorandum to be amended and be replaced by the wording of Clause 17 of the memorandum.

Clause 22

I beg to move that, Clause 22 of the memorandum to be amended and be replaced by the wording of Clause 19 of the memorandum.

Clause 23

I beg to move that, Clause 23 of the memorandum to be amended and be replaced by the wording of Clause 20 of the memorandum.

(Question of the amendments proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Memorandum of Objects and reasons as amended agreed to)

(Clause 3 agreed to)

(Long Title agreed to)

(Short Title agreed to)

Hon. Mangi: Hon. Chairperson, Sir, I beg to move that the Committee doth report to the House its consideration of the Kilifi County Rating Bill, 2016 and its approval thereof with amendments. Thank you hon. Chairperson, Sir.

The Chairperson (Hon. Dr. Chitibwi): I will put the question that, the Committee doth report to the House its consideration of the Kilifi County Rating Bill, 2016 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Deputy Speaker (Hon. Mwambire) in Chair]

The Chairperson (Hon. (Dr.) Chitibwi): Hon. Speaker, I beg to report that the Committee of the Whole House has considered the Kilifi County Rating Bill, 2016 and has approved the same with amendments.

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Hon. Mangi: Hon. Mr. Speaker, Sir. I beg to move that the House do agree with the Committee in the said report. Thank you Mr. Speaker, Sir.

REPORT, CONSIDERATION OF REPORT

AND THIRD READING

KILIFI COUNTY RATING BILL 2016

Hon. Mangi: Hon. Speaker, Sir, I beg to move that, the Kilifi County Rating Bill 2016 be now read the third time.

(Question proposed)

The Deputy Speaker (Hon. Mwambire): Yes hon. Nzaro.

Hon. Nzaro: Thank you Mr. Speaker. We have done a lot of deliberations in this Bill and it is my hope that we are all in consensus of the Report of the Committee. I beg to support that the Bill should be read the third time. Thank you.

The Deputy Speaker (Hon. Mwambire): Hon. (Dr.) Chitibwi.

Hon. (Dr.) Chitibwi: Thank you hon. Speaker, as we have all seen from the Bill that came to this House a few weeks ago, the Committee did a very difficult but a very commendable job. I wish to thank this House for supporting the work of the Committee and we have reached this stage. It is something that is required by the County and as we had seen earlier the Executive could not enforce some of the rules of the laws that we had because they had expired. This will enable the Executive to collect finances for the work of this County Government. Thank you very much to everybody for their efforts. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): I will now put the question that the Kilifi County Rating Bill, 2016 be now read for the third time.

(Question put and agreed to)

Clerk-at-the-Table: The Kilifi County Rating Bill, 2016, a Bill for an Act of the County Assembly of Kilifi to provide for the imposition of rates on land and buildings in the County of Kilifi and for purposes connected therewith and incidental thereto enacted by the County Assembly of Kilifi.

(The Bill was accordingly read the Third Time with leave of the House and passed)

The Deputy Speaker (Hon. Mwambire): Hon. Members, I can now confirm that the Bill has gone through all the required stages and it is now ready to be taken to the Governor for assent. I believe the Committee on Implementation will follow it closely so that its implementation goes as to the expectations of the great people of Kilifi.

(Applause)

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ADJOURNMENT

There being no other business to transact hon. Members, I take this opportunity to pray for you as we go for the Committees and to spend the weekend as well. May God take good care of you all including myself, so that we meet next week for the other plenary sessions. Good day.

The House rose at 3.30 p.m.