

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**  
**THE HANSARD**

**Wednesday, 17<sup>th</sup> August, 2016**

*The House met at the County Assembly Chamber, Malindi Town, at 2.30 p.m.*

*(The Speaker (Hon. Kahindi) in the Chair)*

**PRAYERS**

**STATEMENT**

**ORDER OF BUSINESS FOR THE WEEK COMMENCING MONDAY 22<sup>ND</sup> TO FRIDAY  
26<sup>TH</sup> AUGUST, 2016**

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker, Sir. May I take this opportunity to read the order of business for the week commencing Monday 22<sup>nd</sup> to Friday 26<sup>th</sup> August, 2016.

On Monday 22<sup>nd</sup> August, 2016 at 2:30 p.m. we have Papers; Tabling of the Report of Transport and Public Works Committee on storm water management system and cabro footpath in Kilifi town by the Chairperson, Transport and Public Works Committee; Tabling of the Report of Water and Sanitation Committee on Benesi water Pan by the Chairperson, Water and Sanitation Services Committee.

Statements; Statement by hon. (Ms.) Jane Mwaro to the County Assembly Service Board through the Leader of Majority; Statement by hon. (Ms.) Arafa Salim Baya to the Department of ICT, Culture and Social Services through the Chairperson, Youth, Culture and Community Services Committee; Statement by hon. (Ms.) Arafa Salim Baya to the Department of Trade, Industrialization, Cooperative Development, Tourism & Wildlife Services through the Chairperson, Tourism Committee.

On Tuesday 23<sup>rd</sup> August, 2016 at 9:00 a.m. we have a Motion for adoption of the Report of the Water and Sanitation Services Committee on Benesi water Pan.

On Tuesday 23<sup>rd</sup> August, 2016 at 2:30 p.m. we have a Committee of the Whole House, The Kilifi County Health Facilities Improvement Fund Bill, 2016. We have another Bill that is The Kilifi County Health Facilities Improvement Fund Bill, 2016 (Third Reading).

On Wednesday 24<sup>th</sup> August, 2016 at 2:30 p.m. we have an Adjournment Motion by the Leader of Majority and a Motion for adoption of the Report of the Transport and Public Works Committee on storm water management system and cabro footpath in Kilifi town. Thank you, Mr. Speaker.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

**MOTION****ADOPTION OF THE GOVERNOR'S MEMORANDUM ON THE KILIFI COUNTY  
REVENUE ADMINISTRATION BILL, 2014**

**Hon. Mangi:** Mr. Speaker, Sir, I beg to move that this hon. Assembly adopts the Report of the select Budget and Appropriation Committee on the Governor's Memorandum on refusal to assent the Kilifi County Revenue Administration Bill, 2014 laid on the Table of this Assembly on Tuesday 16<sup>th</sup> August, 2016.

Mr. Speaker, Sir, the select Committee on Budget and Appropriations considered the views and proposals contained in the memorandum by his Excellency, the Governor, in line with the provisions of section 160 of the Public Finance Act, 2012 and observed the principle of separation of powers between the distinct Arms of the County Government. The recommendations contained in the Report still shall go a long way in ensuring a frame work on revenue administration in our County is in place. Mr. Speaker, Sir, I beg to move and call upon hon. (Dr.) Mzungu Chitibwi to second. Thank you Mr. Speaker, Sir.

*(Hon. (Dr.) Chitibwi stood at his place to second)*

**The Speaker** (Hon. Kahindi): Thank you.

*(Question proposed)*

**Hon. (Dr.) Chitibwi:** Thank you very much Mr. Speaker, Sir. I stand to second and support the adoption of the Report of the Budget Committee on the amendments that were recommended by the Governor. I wish to state that this Bill has gone through a long process in this House since 2014. There are a number of issues which this House dealt with and made recommendations as amendments which this House approved.

It however, turned out that at one point what we approved is against a national Bill or a national law. So, the Governor's Memorandum came back, we looked at it and Members of the Committee considered it and approved that we accept the amendments as proposed by the Governor. I request hon. Members to support the adoption so that we give the Governor and the Executive the laws to collect Revenue. Thank you very much. I second.

**The Speaker** (Hon. Kahindi): Yes hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you very much Mr. Speaker. Today we are making history because it has been a long journey. The Committee has been going up and down to bring this to the House and we have agreed. When we got the Memorandum, we had a lot of time for consultations and it is clear that the Governor's Memorandum was in order and that is the reason I am supporting.

Mr. Speaker, the thin line for separation of power must be seen. We are the consumers of the services of this County because we are the representatives of the people and whenever the people have concerns they come direct to us, then we look at the County Executive as the implementers. According to this Memorandum and the recommendations, it is a matter of standing at a fence and claim that we are together. Yes, we are together in the same County

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Government but we also need to know the role that we are to play as an Assembly. I believe the recommendations that were given are quite clear and the passage of this Memorandum will safeguard the integrity of this House. We will be in a better position in future when issues emerge we will stand firm by the guide lines in the Constitution and in the County Government to follow everything to the letter.

Mr. Speaker, as a Committee and a House we will be in a position to enquire from the Executive on how they are implementing this law and with that I believe the Memorandum was in good faith. It was not curtailing our aspirations but it was giving us teeth or strength as an Assembly to be guided as per the Constitution so as to be in a better position in following up all the matters pertaining to revenue collection in this County.

Mr. Speaker, we have had challenges in meeting our targets of revenue collection in this county. Looking at the last financial year we got almost a half of our target but if the biggest challenge was that we had not passed this Bill, today we are passing it because we know very well that if we do that we are going to boost the revenue collection in the county. We are heading to September; the Committee on Budget and Appropriations will be in a position to enquire from the Executive why they are not meeting the targets. We need to have short term targets. Apart from the quarterly Report, the Committee should make sure that they push so that we can at least have monthly Reports to gauge how the County Executive will be performing before and after the passage of this Law.

We want to know because in our budget we have been allocating a lot of monies to the Department of Finance and the main purpose of these monies was to make sure they install a number of programmes which will be used to enhance revenue allocation. So, by now even though there are some issues that they need to do, we want to know the progress that they have made. What achievement have they attained since the passage of the different Budgets which have been looking at different activities to be handled in that Department? What are we getting as a County? Where is the challenge? I think if the challenge was the law this House today is passing it. I call upon my colleagues to make sure that we pass this so that we do not have any other issue to be looked at. In case the challenge will be the officers concerned, then as a House we have a responsibility to take stern measures against any officer who will be taking us back to where we are.

So, I believe by the lapse of six months after the passage of this Law, this County can make a decision on whether it is the legal parameters which are pulling us down or some individuals who are failing to implement the Laws that we have passed as an Assembly to make sure that revenue collection is raised in this county. With those few remarks Mr. Speaker, I call upon my colleagues to also support the adoption of this Motion so that we can move forward hence meet our aspirations as a county. Thank you very much.

**The Speaker** (Hon. Kahindi): Yes hon. Mwingo.

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker, Sir. I also rise to support the adoption and passage of this Bill. The passage of this Bill will put us away from the blames we have been getting from the Executive. The Executive side has always been complaining that they have not been meeting their targets because we have not passed this Bill. So, Mr. Speaker, once this Bill is passed then we will have no blame as a House and we will be in a position to carry out our oversight activity because even the Budget Committee will now have a good reason to look into the revenue collections of this county. Mr. Speaker, I stand to support. Thank you.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

**The Speaker** (Hon. Kahindi): Thank you. Hon. Mangi, do you wish to make your submission?

*(Question, that the mover be now called upon to reply, put and agreed to)*

**Hon. Mangi:** Thank you, Mr. Speaker, Sir. Mine is just to thank the hon. Members for their support. The adoption of this Report shall legalize the revenue collection in this County. Mr. Speaker, somebody moving to court today and saying that there is no law existing as regards to revenue collection shall be right but today we are making history. We are passing this Bill and we have already passed the Rating Bill, the Liquor Bill and we are now passing this Revenue Collection Administration Bill.

Mr. Speaker, I think the Executive will now have no excuse expect to reciprocate by doing what is expected of them. If today the National Government challenges the counties to sustain themselves for two weeks, Kilifi County will be the first county to shut its doors because we are depending on National Government monies. I am therefore calling upon hon. Members to support me in the adoption of this Bill so that we can boost revenue collection in the County Government of Kilifi at large. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Hon. Members, the Motion has been moved to adopt the Committee Report by the Budget and Appropriations Committee with regard to the Governor's Memorandum on the Kilifi County Revenue Administration Bill, 2016. The same has been deliberated.

*(Question put and agreed to)*

## COMMUNICATION FROM THE CHAIR

### BIOMETRIC REGISTRATION

Hon. Members, just before we adjourn there is one communication I need to make. I am informed that there are some Members who have not registered with the biometric software; I think you need to do that. I am also informed that you only need to put your finger once; so there is no clocking in and clocking out. You just clock in and whenever you feel like you need to leave you do not need to go back again.

## ADJOURNMENT

Otherwise, in the absence of any other business in the Order Paper, I move to adjourn the House until Monday. Thank you very much.

**The House rose at 2:47 p. m**

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*