



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

SPECIAL SITTING

THE HANSARD

Monday, 24th May 2021

*The House met at the County Assembly Chamber,
Malindi Town, at 9:30 a.m.*

[The Speaker (Hon. Kahindi) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

CONVENING OF SPECIAL SITTING TO DELIBERATE ON THE GOVERNOR'S MEMORANDUM ON REFUSAL
TO ASSENT TO THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2021

The Speaker (Hon. Kahindi): Hon. Members, this is a Special Session which has been called pursuant to Gazette Notice No. 114. It is on the Governor's Memorandum on refusal to assent to the Kilifi County Supplementary Appropriation Bill, 2021.

PAPER

REPORT ON THE GOVERNOR'S MEMORANDUM ON THE
KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2021

Hon. Kiraga: Thank you Mr. Speaker. I wish to table a Report of the Select Committee on the County Budget and Appropriations on the Governor's Memorandum of the Kilifi County Supplementary Appropriation Bill (No. 2) of 2021. Thank you.

(Hon. Kiraga laid the Report on the Table)

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*

NOTICE OF MOTION

ADOPTION OF THE REPORT ON THE GOVERNOR'S MEMORANDUM ON THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2021

Hon. Kiraga: Thank you Mr. Speaker. I beg to give a Notice of the following Motion:-

THAT, this House adopts the Report of the Select Committee on County Budget and Appropriations on the Governor's Memorandum on the Kilifi County Supplementary Appropriation Bill, 2021 laid on the Table of this House on Monday, 24th May 2021. Thank you.

MOTION

ADOPTION OF THE REPORT ON THE GOVERNOR'S MEMORANDUM ON THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2021

Hon. Kiraga: Mr. Speaker Sir, I beg to move the following Motion:-

THAT, this House adopts the Report of the Select Committee on County Budget and Appropriations on the Governor's Memorandum on the Kilifi County Supplementary Appropriation Bill 2021 laid on the Table of this House on Monday, 24th May 2021. Thank you.

Mr. Speaker, I have the following brief submission. After having received Supplementary two as a House, we passed its appropriation and when it was forwarded to the Governor, the Governor refused to assent and brought to this House a Memorandum of the same. As a Committee and as a House in extension, after considering the Memorandum in a *kamkunji* (informal sitting) with his Excellency the Governor, the following came out of that meeting.

One of the issues that came out was on communication. We noted that there was a breakdown of communication and this can be explained by the fact that when the Executive principals are called to appear before the Budget Committee, some of them do not honour the invitations. Most of these invitations are in form of consultation; so that is a problem which came out yesterday.

The other problem that came out is the absence of the Executive to give supporting documents especially on matters to do with pending bills; so, that is an item which was also noted.

The other item we noted is that in the Memorandum, the figures especially in the Department of Health do not match the figures in the Supplementary budget.

There was a figure in the Supplementary Budget; the enhancement of a programme known as 'non-farm products', a programme enhanced by Kshs159.4 million but when you look at the Memorandum, it talks of Kshs127 million. That is something that we noted. We also noted that there are some programmes that were passed in Supplementary one but when it came to Supplementary two, some programmes were dropped completely and some were cut out in amounts especially the Ward Development Fund programmes.

Therefore Mr. Speaker, out of that *kamkunji*, it is now our recommendation as a Committee that there should be proper communication between the County Assembly Committees and the Executive.

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*

Secondly, there should be also proper communication between the County Assembly as a whole and the Executive. Again, it is also in our recommendations that whenever the principals are submitting information which deals with probably some pending bills, they should bring that information to some justifications in terms of documents.

Yesterday, the Executive led by the CECM (County Executive Committee Member) Finance committed to bring some of these justifications by the close of yesterday but since yesterday we left that place very late, we have given the Executive a seven day period to bring all those justifications to this House.

It is also in our recommendation that the budget item 2211002 that is dressing and other non-pharmaceutical medical items be enhanced by Kshs159.4 million in the division of medical services as opposed to the figure that was written there of Kshs127million. Without much ado, may I call upon hon. Chai Chiriba to second this Report. Thank you so much.

(Hon. Chiriba seconded)

(Question proposed)

The Speaker (Hon. Kahindi): Yes hon. Pascal.

Hon. Pascal: Thank you very much Mr. Speaker for this noble opportunity to contribute on the Report that is before this House. Let me thank you and the Chairperson and the entire membership of the County Budget and Appropriations Committee for this Report before this House. I also stand for the adoption of this Report and it is only of two very critical reasons. The recommendations of the Committee, that is recommendation number three, the issue that brought about this tussle was about the ward development projects and you know that Members are representatives of the people down there and every project that appears in the budget comes from the people down there. So, to cut that project at any other stage apart from consulting the same people who brought this project as a proposal is something that may not go well with the Members and the public out there.

That is why there was the tag of war between the Executive and membership of this House and out of that, the consultation that you arbitrated brought about this Report because there was an agreement and some undertaking that is to be done by the Executive at least to take care of the ward development projects that appeared to have been removed from the list. There was an agreement that all the ward development projects that had been affected take a first charge in the 2021/2022 budget and what is what brought about Members to change their heart and reasoning so that they would have the Governor who explained every detail on issues he brought in the Memorandum and I think that is what brought about the understanding between the Assembly and the Executive.

There is the issue of Departments not being ready to explain on the expenditures allowed by the Assembly. We have witnessed expenditures with no proof on how it was spent on these allocations and again there was an undertaking that the Executive will produce every detail on how the spent that money.

The Committee recommended like in a span of around seven days they need to bring proof to this House so that as the oversight arm of the government, we may be able to ascertain what was spent on this money that belongs to the public. I think these two main reasons make me change my heart to support the adoption of this Report and kindly appeal to hon. Members to agree with the Governor so that we can now get to another stage since we are only left with one

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*

and a half months to the end of the financial year. Thank you very much Mr. Speaker. I kindly appeal to the honourable Members to support the adoption of this Report.

Hon. Ziro: Thank you Mr. Speaker for this opportunity so that I can contribute to this Motion. I want to base my contribution in regards to the contributions that had been given by the Chairperson Budget. We had a deadlock before but with the convergence with the Governor yesterday, we tried our best to redress the misgivings that were there which were causing a deadlock and according to the contribution of the Chairperson, it has given me confidence to stand in support of this particular Motion. Let me congratulate the Chairperson first of all for his job well done when he was trying to engage the Governor together with you. God bless you for that seat. It was really challenging but at the end of the day we had to come to an agreement and this is a quality of good governance in our county. I applaud it and I pray that we continue with this spirit.

Again, I want to support this Motion with another reason being there are some projects on the ground which already some of them had been completed and the County Government is required to pay the contractors. A delay of the passage of this particular document will mean that some of these projects will not continue or we are putting down the financial positions of these contractors of men and women who hail from Kilifi and the whole of Kenya.

So, I support the Motion and I would also take this opportunity to urge fellow hon. Members, modern people, homo sapiens so that they can support this Motion and we pass it in good time. Thank you, Mr. Speaker.

(Question put and agreed to)

ADJOURNMENT

The Speaker (Hon. Kahindi): Hon. Members, in the absence of any other business in the Order Paper, this House stands adjourned. We go back on our recess.

The House rose at 10:19 a.m.