

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 11th November, 2015

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

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

PRAYERS

STATEMENTS

ORDER OF BUSINESS FOR THE WEEK STARTING MONDAY 16th NOVEMBER TO
FRIDAY 20th NOVEMBER, 2015

The Speaker (Hon. Kahindi): Let us be seated. Good afternoon hon. Members?

Hon. Members: Good afternoon.

The Speaker (Hon. Kahindi): Is hon. Nzaro in the House?

(Hon. Nzaro was absent)

If he is not in, then the Leader of Majority can read the Order of Business for next week.

The Leader of Majority (Hon Mwingo): Thank you Mr. Speaker, for giving me this chance to present before this House, the Order of business for the week starting Monday 16th November to Friday 20th November 2015, as approved by the House Business Committee on Wednesday 11th November 2015.

DAY	DATE & TIME	BUSINESS
MONDAY	16 th NOVEMBER, 2015 AT 2:30 P.M.	<ul style="list-style-type: none"> ▪ Statements ▪ Responses to statement sought ▪ Tabling of Report –Quarterly Report from the Department of Agriculture, Livestock Development and Fisheries
TUESDAY	17 th NOVEMBER, 2015 9:30A.M.	<ul style="list-style-type: none"> ▪ Motion for Adoption of the Report of the Ad Hoc Committee on investigation of the County Secretary

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TUESDAY	17th NOVEMBER, 2015 P.M.	<ul style="list-style-type: none"> ▪ Tabling of Report- <ul style="list-style-type: none"> a. Annual Development Plan 2016/2017 from the Department of Finance and Economic Planning. b. Staff Mortgage regulations
WEDNESDAY	18th NOVEMBER, 2:30 P.M.	<ul style="list-style-type: none"> ▪ Notices of Motions
THURSDAY	19th NOVEMBER 2015	<ul style="list-style-type: none"> ▪ COMMITTEES
FRIDAY	20th NOVEMBER 2015	<ul style="list-style-type: none"> ▪ COMMITTEES

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

[The Chairperson (Hon. Kenga) took the Chair]

THE KILIFI COUNTY FINANCE BILL, 2015

The Chairperson (Hon. Kenga): Honourable Members, welcome to the Committee of the Whole House. You will have an opportunity to make contributions when a question has been proposed. Once the question has been put, we have to determine the position to take. Therefore, I take this opportunity to welcome each and everybody and I hope that we shall have successful deliberations on the work that is before us. Thank you very much.

(Clause 3 agreed to)

(First Schedule agreed to)

The Chairperson (Hon. Kenga): Yes, honourable Emmanuel Chai.

Hon. Chai: Mr. Chairman, I think it is good if everybody is given a chance to follow through as you read clause by clause because most of us are not with you.

The Chairperson (Hon. Kenga): Okay. I want to believe that, the document in your possession is the Budget and Appropriation Committee Report on the Kilifi County Finance Bill, 2015. Guided by the Order Paper of the day, the report was tabled before this Assembly by the Chairperson, Finance. We are supposed to have had time to go through the Report and if there are any amendments they should have reached the office of the Clerk two hours earlier before the

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commencement of the business of the day. Therefore what is before us today is guided by the Standing Orders like we have started with clause three that did not require any amendments because no amendments were forwarded to the office of the Clerk. Then we went to the First Schedule we have already had a determination on the same. We are now moving to the Second Schedule.

In the Second Schedule, there are amendments that have been received by the office of the Clerk and the Chairperson is going to move the amendments. As Members, once the question has been proposed you are given an opportunity not to introduce amendments but to air your views on the issues that you feel are good to go on record. You are not allowed to introduce new amendments because as guided by the standing Orders, we have no time for amendments, given that the only amendments that we had received are with the office of the Clerk and they have already been factored in.

I hope we are all guided. In the document that you have been given, the Kilifi County Finance Bill, 2015 starts on page 10, that is where we have part one. For those who have had an opportunity to get the yellow document, the same rule applies. So we now move to the Second Schedule. Yes the Chairperson of Finance, welcome.

Schedule 2

Hon. Mangi: Mr. Chairman, Sir. I rise to move that Schedule 2 on fees and taxes payable and rates applicable be amended by...

The Chairperson (Hon. Kenga): Just to guide Members, the amendments that he is reading are attached on the Order Paper. So we can follow together as he takes us through the document.

Hon. Mangi: Thank you.

1.0 Finance and Economic Planning

- Daily fees for Barafu/ice vendors be reduce from Kshs. 15 to Kshs. 10.
- Monthly fees for Barafu/ice vendors be reduced from Kshs. 400 to Kshs. 300

2.0 Agriculture, Livestock Development & Fisheries

- The County Treasury to itemize the services at Agricultural Training Centre, Mtwapa and clearly indicate the charges for each service.
- The County Treasury to itemize the agricultural machinery services offered at Mariakani and clearly indicate the charges for each service.
- Under Livestock on transit entry fee (entry points Mariakani, Mtwapa, Mwenda Pole).
- Insert another category that reads, cows 'below 10' at a fee of Kshs. 1000.
- Reduce fees for pick up below 3 tonnes from Kshs. 1,500 to Kshs. 100.
- Reduce the slaughter fees for goat/sheep from Kshs. 300 to 200.

3.0 Health Services

- That, the County treasury to itemize the chargeable services and drugs offered in the county clinics and hospitals as captured in the Facility Improvement Fund Act, 2014 and specify their fees.

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- That, the payment of refuse collection fee industry premises on request per month be increased from Kshs. 2,000/- to Kshs. 20,000/- while on the other hand refuse collection for industrial premises on request per trip be increased from Kshs. 2,000 to Kshs. 5,000.

4.0. Water, Forestry, Environment & Natural Resources

- That, the fees for harvesting of iron ore per tonne be increased from Kshs. 100 to Kshs. 150.
- Cess for scrap metal per tonne be increased from Kshs. 150 to Kshs. 200.

5.0. Lands, Energy, Housing & Physical Planning

- That, subdivision certificate of land per plot and beacon fixing per beacon be reduced to Kshs. 4,000 and Kshs. 1,000 respectively.

6.0. Public works, Roads and Transport

- That, the fees for communication tower per year for the mobile phone providers be increased from Kshs. 25,000 to Kshs. 35,000.

7.0. Information, communication, and e-government

- That, the fees for film shooting per day, documenting, movies for the local people reduced by 25%. Thank you Mr. Chairman.

The Chairperson (Hon. Kenga): Thank you very much hon. Member, the mover of the amendments.

(Question proposed)

The Chairperson (Hon. Kenga): Yes hon. Albert Kiraga.

Hon. Kiraga: Thank you very much Mr. Chairman. I just want to highlight why the Committee had an opportunity to move some of these amendments. I also want to touch on two issues from the Health Department. One of the amendments was to increase the refuse collection fee from Ksh. 2000 because we felt that it was low that is why we raised it to Ksh. 20,000 because, some of these wastes are toxic. If you look at the Bill, refuse collection from a cafe was paged at around Ksh. 2000, while we felt an industry like Athi River and the Salt industries could not be paying the same fee as a cafe and that is why we had to increase it to Ksh. 20,000. We also talked of the Facility Improvement Fund Act, these are chargers that were set by an Act of Parliament and that are why we said we could not do anything with the charges however we recommended that a script of the item be submitted alongside the document so that the common person on the ground can have a glance of the different chargers as per the Facility Improvement Fund Act. Thank you very much Mr. Chairman.

The Chairperson (Hon. Kenga): Thank you very much hon. Kiraga for your contribution, being the Chairperson of Health Committee. I think you have covered most of the issues that you felt as a Committee were important and needed to be addressed. Yes hon. Mlanda.

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Hon. Mlanda: I have a concern on number 5 Schedule 2, on Land, Energy, Housing and Physical Planning, *That sub division certificate of land per plot and deacon fixing per deacon be reduce to*, it did not mention from what, *and kshs. 1000 respectively*. As the rest of the adjustment say if we go to reference number 4, it says, *That the fees for harvesting Iron Ore platinum be increased from kshs. 100 to 150*.

The Chairperson (Hon. Kenga): Thank you very much. The office of the Clerk is looking in to it, though as I said early these figures have been derived from the original document that was tabled before the House. So let us hear from hon. Pascal, then we will be able to report back to you.

The Leader of Minority (Hon. Pascal): Thank you Chairman. I also want to point out on Article 2 bullet 4 which says, insert another category that reads, “Cow below 10” at a fee of 1000. Can we be explained what that line means, because it says just *10*, so is it 10 kilograms or number of cattle. We need clarity on that statement. Thank you.

The Chairperson (Hon. Kenga): Thank you very much. I said early we needed guidance from the Clerks Department. On the second item that was raised by hon. Pascal on the issues of Agriculture, Livestock Development and Fisheries, the issue of; *insert another category that reads, “Cow below 10”* that was a typo error it should instead read “*Cow below 10 heads*” be charged Ksh.1000 fee. So that was an oversight.

On the concerns that have been raised by the Vice Chairperson of Education and also Member for Lands, *That sub division certificate of land per plot and beacon fixing per beacon be reduce to kshs. 4000*. Initially it was set at 5000, if you go to the original document of the Bill page 8 before the amendment, the issues of sub division certificate of land per plot was pegged at 5000. On the issue of fixing beacon, the chargers per beacon are reduced from 1500 to 1000.

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

(Schedule 2 as amended agreed to)

(Long Title agreed to)

(Short Title agreed to)

The Chairperson (Hon. Kenga): Thank you very much. Honourable Members, we have had the opportunity to go through the business of the day. We had deliberated on what was required of us and we have come to the end of the business and now I will call upon the Mover of amendments to proceed.

Hon. Mangi: Thank you Mr. Chairman. I beg to move that the Committee do report to the House its considerations of the Kilifi County Finance Bill, 2015, and its approval thereof with amendments. Thank you Mr. Chairman.

(Question proposed)

(Question put and agreed to)

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(The House Resumed)

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

Hon. Kenga: Thank you very much hon. Speaker. I beg to report that the Committee of the Whole House has considered the Kilifi County Finance Bill, 2015, and approved the same with amendments. Thank you very much.

The Speaker (Hon. Kahindi): Thank you.

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

The Speaker (Hon. Kahindi): Honourable Members, the Committee of the Whole House has deliberated and the Report has been presented and I now put the question.

(Question proposed)

(Question put and agreed to)

REPORT, CONSIDERATION OF REPORT AND THIRD READING

THE KILIFI COUNTY FINANCE BILL, 2015

Hon. Mangi: Mr. Speaker, Sir. I beg to move that, The Kilifi County Finance Bill, 2015, be now read the third time. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Proceed

(Question proposed)

(Question put and agreed to)

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

ADJOURNMENT

The Speaker (Hon. Kahindi): Honourable Members, the Finance Bill has been read for the third time and that brings us to the conclusion of that bill and the same will be forwarded to the Governor for his assent.

Hon. Members, in the absence of any other business in the Order Paper, I now move to adjourn this House until next week on Monday. Thank you very much.

The House rose at 3.15 p.m.

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