

Wednesday, 8th August, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

SIAYA COUNTY ASSEMBLY

THE HANSARD

Second County Assembly - Second Session

Wednesday, 8th August, 2018.

The House met at the County Assembly Chamber at 9.30 a.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

HOUSEKEEPING BUSINESS

Hon. Speaker: Hon. Members, the chair wishes to communicate to you that after our morning session when the House discharges we will resume for Housekeeping business.

MOTION

THE SIAYA COUNTY APPROPRIATION BILL 2018, (COUNTY ASSEMBLY BILL NO 2 OF 2018)
SECOND READING

Hon. Madialo: Thank you, Mr. Speaker, Sir. I stand to Move a Motion:
THAT the Siaya County Appropriation Bill 2018, (County Assembly Bill No 2 of 2018) be read a second time.

Hon. Speaker: Just proceed with it then you ask someone to second.

Hon. Madialo: Mr. Speaker, Sir, the Siaya County Appropriation Bill, (Bill No 2 of 2018) has gone through First Reading. This is a Bill that seeks to appropriate planning to go towards expenditure of supply of goods and services to the Siaya County.

This House has here before approved the estimates as per the recommendations of the Siaya County Committee on Budget estimates before the budget allocations on the provision of various services within the County.

It is necessary and it is a requirement of the Law that this Bill be passed by this House to enable appropriation of those allocations for the purpose of which they were passed and adopted by this House.

Mr. Speaker Sir, I wish to bring to the attention of this House that it is now two months since the last F/Y came to lapse and access to funds by the County both at the Executive and Assembly level maybe tampered with. Because of that, I request that this Bill be dispensed with

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now much as we also do recognize the fact that its lateness is not attributable to any lapses of this House. I beg to call upon Hon. Olasi to second.

(Hon. Olasi stood to second)

(Question proposed)

Hon. Speaker: Yes, Hon. Oriaro!

Hon. Oriaro: Thank you, Mr. Speaker, Sir. In deed it is ineluctable that the Assembly having the Constitutional power to allow the County Government to operate, people need services. This is not the first time, may be my other colleagues are still inexperienced in this matter; I was also in that situation at some point.

This is one of the times such a Bill has been brought before me but going by the past practice we have been giving the Executive space to deliver even with money spending is difficult, financial year has elapsed without them spending.

As we allow this one to go through requisite processes so that the Governor may have a chance to be inserting his hands, I hope clean hands in the County granary of resources; we want him to timely be doing so towards meeting the financial needs of the people by way of executing projects maybe as required by law and the people as in their hearts. I support this.

(Question put and agreed to)

Second Reading

COMMITTEE OF THE WHOLE HOUSE

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

[The Temporary Chairperson (Hon. Madialo) in the Chair]

THE SIAYA COUNTY APPROPRIATION BILL 2018
(COUNTY ASSEMBLY NO.2 OF 2018)

Clause 2

The Temporary Chairperson (Hon. Madialo): Hon. Members, this is the Committee of the Whole House. I propose that Clause 2 be part of the Bill.

Hon. Olasi: Thank you Chair, I beg to Move that Clause 2 be amended as follows; replace citation 2 (I) with 2 then delete Clause 2 (2). I call upon Hon. Lorna Adida to second.

(Hon. Adida seconded)

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The Temporary Chairperson (Hon. Madialo): Hon. Members; May I propose the question that Clause 2 be amended by replacing Citation 2(1) with 2 and deleting Clause 2 (2).

(Question put and agreed to)

(Hon. Odongo rose on a point of order)

Hon. Odongo: Mr. Chair, we need some clarification. Since some Members have been told that they are still lacking in experience, can you clarify on the clauses!

The Temporary Chairperson (Hon. Madialo): Ok, *Mheshimiwa*. If you look at the yellow Bill, there are clauses displayed. There is subsection 1 and 2. Now, if you look at the Committee Report, on page 5 there is an observation that the Bill in Section 2 (2) makes reference to Article 221 of the Constitution of Kenya, 2010 which is only relevant to the National Government and not the County Government. Similarly, the Clause indicates that the County Assembly voted on account the sum of Kshs 7,007,591,194 which may not be factual.

Secondly, Section 3 of the Bill makes reference to Section 13 (2A) of the Government Financial Management Act, 2004 which was repealed alongside other financial laws and were consolidated into the Public Finance Management Act, 2012.

Now, the Committee is correcting that anomaly on behalf of the Executive. That is what we are doing. You have got it?

Hon. Odongo: Yes!

(Question that, citation “2. (1)” be replaced with “2.” And that, Clause 2. (2), be deleted, put and agreed to)

Clause 3

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

Hon. Olasi: Mr. Chairman, I stand to move that Clause 3 be amended as follows: Replace the words “Section 13 (2A) of the Government Financial Management Act, 2004” with the words “4th column of the Schedule”.

Secondly, on the Memorandum of Objects and Reasons, I propose that it be amended by deleting the words “This sum includes the amount authorized by the County Assembly on 28th June, 2018, by Vote on Account under Article 221 of the Constitution.”

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I move that we insert the word “Hon.” before “Sylvester Madialo” and delete the word “Finance,” from the name of the committee

(Question that clause 3 be amended proposed)

Hon. Olasi: Thank you Chair, I support section 3 of the Bill make reference to section 13 (2A) of the Government Financial Management Act 2004 which was repealed alongside other financial laws and were consolidated into the Public Finance Management Act 2012

The Bill makes reference to the sponsor of the Bill as the Chairperson of the Finance, Budget and Appropriations Committee which is not the right name of the Committee as per the County Assembly Standing Order 197

I call upon Hon. Winga to second.

Hon. Winga: I second.

(Question that clause 3 be amended put and agreed to)

Schedule 1

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

(Question that Schedule 1 be part of the Bill put and agreed to)

Schedule 2

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

(Question that Schedule 2 be part of the Bill put and agreed to)

Title

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

(Question that the Title be part of the Bill put and agreed to)

Clause 1

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

(Question that Clause 1 be part of the Bill put and agreed to)

Hon. Olasi: Chair, I beg to move that the Committee do report to the House its consideration of the Siaya County Appropriation Bill, 2018 and its approval thereof with amendments.

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(Question put and agreed to)

(The House resumed)

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

The Temporary Chairperson (Hon. Madialo): Mr. Speaker, I beg to report that the Committee of the Whole House has considered the Siaya County Appropriation Bill 2018 and approved the same with amendments. Thank you.

Hon. Speaker: Hon. Olasi!

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

(Question proposed)

(Question put and agreed to)

Hon. Olasi: Hon. Speaker, I beg to move that the Siaya County Appropriation Bill 2018 be read a third time.

(Question proposed)

(Question put and agreed to)

(Bill read a third time)

MOTION

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other Business, will we be upstanding for adjournment!

(Hon. Members rose on their feet)

Hon. Speaker: As we adjourn, I do direct that the term toddler be expunged from our Hansard because indeed I have established that we don't have toddlers.

(Applause)

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There being no other Business, this House adjourns until today Wednesday, 8th of August, 2018 at 2.30 p.m. in the Chamber.

The House rose at 10.27 a. m.