

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly – Fourth Session

Wednesday, 25th March, 2020

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

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

PRAYERS

PAPER

SIAYA COUNTY SUPPLEMENTARY APPROPRIATIONS BILL 2020

Hon. Madialo: Thank you, Mr. Speaker, Sir. I wish to lay on the Table of this House:
The Siaya County Appropriations and Supplementary Bill 2020.

(Hon. Madialo laid the documents on the Table)

NOTICE OF MOTION

SIAYA COUNTY SUPPLEMENTARY APPROPRIATIONS BILL 2020

Hon. Madialo: Thank you, Mr. Speaker, Sir. I wish to give notice of the following
Motion:

The Siaya County Supplementary Budget and Appropriations Bill 2020
(County Assembly Bill No. 1 of 2020)

(Motion deferred)

MOTION

BILL

(First Reading)

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THE SIAYA COUNTY SUPPLEMENTARY BUDGET AND APPROPRIATIONS BILL 2020
(COUNTY ASSEMBLY BILL NO. 1 OF 2020)

Hon. Speaker: The First Reading has come at a time when the Bill had already been considered by the committee and a report having been prepared so just go to the next Order.

(Second Reading)

THE SIAYA COUNTY SUPPLEMENTARY APPROPRIATION BILL 2020
(COUNTY ASSEMBLY BILL NO. 1 OF 2020)

Hon. Madialo: Thank you, Mr. Speaker, Sir. Standing Order 197 establishes the Committee on Budget, Appropriations Planning and Vision 2030. On behalf of the committee I wish to extend our gratitude to the Offices of the Siaya County Assembly Speaker and the Clerk for the support received as we discharge our mandate of examining the Siaya County Supplementary Appropriations Bill 2020 which is already part of the House documents.

I wish further to express my appreciations to the Hon. Members of the committee who traded off their time to participate in the activities of the committee and whose dedication and fortitude for the compilation of this report.

Article 224 of the Constitution of Kenya read together with Section 135 of the Public Finance Management Act requires the CECM Finance to prepare and submit a Supplementary Appropriation Bill to the county upon approval of the Supplementary Budget estimates by the County Assembly. That approval has since been given.

In reviewing the Siaya County Supplementary Appropriations Bill the committee held two sittings during which it considered the approved Siaya County Supplementary Budget estimates and the legal provisions which have greatly informed this report. It has complied with the provisions of the Siaya County Supplementary Budget as approved by the House on Tuesday, 19th March, 2020.

This specifically in conformity to the recommendations of the County Assembly in the Committee on Budget Report on the supplementary estimates for 2019/2020.

Despite the compliance the committee has, however, recommended the amendments with the legal references and other descriptions on the clause of the Bill as clarified in the recommendations below: this shall come at the stage of the Committee of the Whole House.

Clause 2 of the Bill provides for the issuance of the County Revenue Fund of the sum of Kshs. 8.8 billion. During the Sittings the committee made the following observations that the Bill in Section 3 makes reference to Article 221 of the Constitution which is only relevant to the national government and not the County Government. Similarly the clause indicates that the County Assembly voted on the sum of Kshs. 811,739,924 which was not factual and was corrected.

Section 4 of the Bill makes reference to Section 13(2)(a) of the National Financial Management Act which was repealed alongside other financial laws and was consolidated into the Public Finance Management Act.

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Debilitation of the long title: Clause 2, delete the entire clause. Replacement of 13(a) of the Government Financial Act with the words 4th column of the schedule. Renaming of Clause 3 to be Clause 2 and the approval of the Schedule as proposed in the Bill.

The memorandum is recommended to be amended so as to delete the words this sum includes the amount authorized by the County Assembly 18th March 2020 by vote on the account under Article 221 of the Constitution.

The House is urged to adopt and pass the Bill. It is a necessity. The passing of the Budget estimates is not authorization to the Executive to withdraw money and spend. The authority comes by way of Appropriations Bill.

On behalf of the committee to assure Members of this House that the extent that specific provisions were recommended by themselves. In particular provisions that touched on projects that were Ward specific. The extent that sums were defined, those sums are preserved. To the extent that special interest groups had sums defined to their functions, those sums have been reserved.

The committee recommended that the financing of any deficits on the Executive side of the government be sourced from the projects that are Executive and which do not touch on Ward specific projects. The committee was assured that none of the Ward projects have been touched as of 1st of June last year and that money that was due for appropriation for the special interest groups have been preserved in the parliamentary Budget.

I request Hon. Olasi to second.

Hon. Olasi: I second.

(Question that the Bill be read a second time proposed)

Hon. Oriaro: It is unfortunate that Central Alego becomes amenable to the dictates of the said report and hence the reading of the Bill for the second time.

We are happy that the Committee on Budget found it urgent to become responsive to the feelings of the people we represent. I hail them for that. Yesterday after the session I visited the 8 facilities in Central Alego: Kadenge, Obambo, Kalenjuok, Boro, K'Ochieng, Segere, Karuoth and Nyadhi.

One thing I have learnt and I must say here because this is the House which represents our people. In each of the facilities, 6 staffs on casual terms 3 of which in each facility are cleaners. I have seen on this Bill that on recurrent purposes the health sector will spend over Kshs. 1.9 billion towards issues of remuneration.

I am perturbed the casual staff have not received any of their wages since April last year, almost 1 year and now the country is burning because of the Corona issue and one of the areas where we should stand firm to negating such advances is ensuring that issues of hygiene prevail in our health facilities. The cleaners are the ones who will be doing this.

My primary urge would be I want to see because in my Ward alone if you multiply that figure they are old over 3, 456, 000 since April last year.

Let it be because we have got the power to appropriate. Article 201 of the Constitution it is us let it be that as we gear towards appropriation, the Kshs. 1.9 billion is going to cater for 3, 456, 000 for my Wards arrears of the county's staffers in our health facilities.

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We have seen and the law allows the Executive to spend even without consideration on matters of emergency but within reasonable time they are supposed to come to pass. I believe they have started spending money we are gearing towards appropriating for them in the control of Corona.

I heard it over the radio, in Aram, residents want the county to aid them towards sanitization. In Ndere Kandere also in Central Alego business men were asking me yesterday to move with speed so that market attendance and those who engage in market activities are provided with sanitation let it be that the amount that we have appropriated towards Corona every single cent should be accounted for. I support.

Hon. Speaker: I am notified by colleagues that those who are out of order in terms of dressing code don't think your colleagues are not seeing you and don't take them for fools.

I welcome the Mover to reply

Hon. Madialo: Thank you, Mr. Speaker, Sir. Allow me to thank Hon. Oriaro for supporting aloud and the rest for supporting silently. This was very important to us. I wish to reiterate that the Hon. Oriaro is quite keen. It is true that the casuals in this county have not been paid for 6 months and the arrears is Kshs. 12.6 million and amongst what was revealed as part of the Supplementary Budget was money for the casuals in all the facilities that casual be paid through the county.

Thank you so much for supporting, ladies and gentlemen.

(Question that he Bill be read a second time put and agreed to)

MOTION

ADJOURNMENT

Hon. Speaker: There being no other Business this House adjourns until today Wednesday, 25th March, 2020 at 2.30 p.m. in the Chamber.

The House rose at 9.58 a.m.