

Thursday, 18th March, 2021 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

SIAYA COUNTY ASSEMBLY

THE HANSARD

Second County Assembly-Fifth session

Thursday, 18th March, 2021

The House met at the Chambers at 2.30 p.m.

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

PRAYER

MOTION

THE FINANCE BILL, 2020

(Second reading)

Hon. Oduor: Thank you, Mr. Speaker, Sir. I wish to propose that the Siaya County Finance Bill be read a second time. This Bill was committed to the Committee of Finance, Trade, Industry, Labour and Cooperatives during the Covid-19 period, and we could not manage to go to all the Sub counties.

We only received proposals from the members and the stakeholders like we had the bodaboda from Gem, we also had the butchery stakeholders, and we had to go by those ones, and we went and made a report, it is ready with us.

As usual there were some charges that were proposed by the Executive, but when we sat down with the Committee, we found out that the charges were so exorbitant, and there were complaints from the public.

For that matter we sat down as the committee, and decided that some of them had to be reduced, some we did not do away with, some we did away with, the section of the boda boda they wanted it to be 1200 per year, but due to the community or the stakeholders complaints, we saw it prudent that it be charged Kshs 20/= per day.

Also in Agriculture there were tractor charges that was proposed to be Kshs 5000/=, this was also reduced to Kshs 2,500, there was also the contentious issues on kiosks, 10 by 10 which were being charged at Kshs 2500/= each. This one also we saw it prudent to be reduced to Kshs

Thursday, 18th March, 2021 COUNTY ASSEMBLY OF SIAYA DEBATES

1000. There are several, as contained in this report, we had cattle that was at Kshs250/=, this was also reduced to 200.

There was sheep, goats and pigs, the new charges were 200, and the committee reduced it to 100, some other charges brought forward include the drilling of the boreholes, but those ones we did away with because it is not easy for anyone drilling a borehole in his own homestead to be charged.

So the one that we left, was the borehole drilling water permit for the water vendors which is Kshs 25000/=. The own resource for last year, the collection was good, it went up, and when I look up at the table, that is page 10, you find that it has been progressive from 2013 to 2020, 2013 being the least where they collected Kshs 1,657,764, and in 2020, they collected more which is Kshs 227,193, 698.

So when you look at it, it has been progressive, but there were some teething aspects of the collection of own resource, like we had told them last time that they needed to give us the details of the database, so that we would know how they were going to collect the money and if they would manage to collect it properly. They told us the database had already been done and they have the list of all the Businesses.

Another thing was the automation machine. This we have been talking with them year in year out but this time they said that they are going to make sure that before the end of the Financial Year they have automated all the places, or all the paying points.

Another one was the valuation role, which we also talked about and told them that we would not agree with their charges if it has been brought to the House and the valuation role is now in the Assembly.

The Committee Observations and Findings

There were some Committee observations as well as findings and I would like to read just a few of them as I believe most of us or all of us have the Report.

1. The committee noted that despite the introduction of boda boda operations licensing as a new revenue stream in the previous Finance Act, the County Government has not been able to actualize the collections thus reporting a zero balance in actual revenue.
2. The Committee finds that despite the County Assembly enacting the County Inspectorate Enforcement, & Compliance Act 2018, the County Executive has failed to strengthen the Enforcement and inspectorate department. There are 60 county enforcement officers who are attached to the Governance department and their services are by request.
3. The committee notes that there was a sharp decline in monthly revenue collections, which took a nosedive from a high of 26 million in February 2020 to a low of kshs.7.9 million in May 2020. The sharp decline in monthly collection was occasioned by the Covid 19 pandemic that necessitated suspension of revenue collection to cushion the citizenry against adverse effects of the pandemic on their businesses and lives. The covid-19 containment measures that greatly affected the businesses included; closure of markets, curfew times, social distancing in markets etc.
4. The Committee notes that the County Executive has started the process of digitizing

Thursday, 18th March, 2021 COUNTY ASSEMBLY OF SIAYA DEBATES

County revenue records and compiling revenue streams database for purposes of easing target setting, monitoring and evaluating performance of each revenue stream.

5. The Committee notes that despite the previous attempts to put in place a County Valuation Roll for rating purposes, the process is yet to be complete and is projected to be completed by April 2021.
6. The Committee notes that the executive has introduced the highest number of new revenue streams in a single financial year since the advent of devolution. However, some streams are not backed by any single County legislation with the expectation of being implemented based on the defunct county/ municipal bylaws. This however poses a challenge, as there are functions that were not legislated on by the municipal / county councils such as the use of sports stadiums, some aspects of environmental control streams, amongst others.
7. The Committee commends the introduction of/ inclusion of the rates for seed subsidies, fertilizers and tractor hire fees in the Finance Bill in order to offer guidance in setting the rates as well as guide the collection and its contributions to County Revenue basket.
8. The Committee notes that despite the ravages of Covid -19 pandemic, the County revenue performance for the fy2019/2020 still increased by 47.49% from ksh.189million in FY 2018/ 2019 to ksh.277million in FY 2019/2020. However, the increase is attributed to the inclusion of NHIF and Linda Mama reimbursements amounting to Kshs. 92,943,910.

Recommendations

Following the foregoing analysis and findings, the Committee makes the following recommendations;

1. THAT the CECM Finance completes the digitization of the County businesses/ revenue streams database and the valuation roll and submits the same to the County Assembly by June 2021.
2. THAT the CECM Finance (County Revenue section) immediately maps out all new revenue streams in the Finance Bill 2020 and assess whether they are all supported by any defunct municipal/county bylaw or not and report on the same and associated action plans submitted to the County Assembly for legislative analysis and action. The action plan should be specific as to the status of formulation of all the associated laws whose revenue streams are newly introduced.
3. The committee recommends that the CECM –Lands, Housing and Urban development should within 30 days upon the approval of this report submit to the House the Siaya County Valuation and Rating Bill, 2020 for consideration.
4. The committee recommends that the CECM –Agriculture, Livestock and Fisheries should within 30 days upon the approval of this report submit to the House the Siaya County Agriculture input and seed subsidies Bill, 2020 for consideration.

Hon. Oduor: I now call upon Hon. Booker to second.

Thursday, 18th March, 2021 COUNTY ASSEMBLY OF SIAYA DEBATES

(Hon. Booker seconded)

(Question Proposed)

(Question put and agreed to)

COMMITTEE OF THE WHOLE

(Hon. Speaker (Okode) left the chair)

IN THE COMMITTEE

(The Chairperson (Andericus) left the chair)

The Chairperson: Order, Members. We are in the Committee of the Whole House and we are on the Siaya County Finance Bill 2020.

Hon. Oduor: I wish to propose that clause 2 be part of the Bill.

Clause 2

(Question proposed)

(Clause 2 agreed to)

Hon. Oduor: I wish to propose that clause 3 be part of the Bill.

Clause 3

(Question proposed)

(Clause 3 agreed to)

Hon. Oduor: I wish to propose that clause 4 to 21 be part of the Bill.

Clause 4 to 21

(Question proposed)

(Clause 4 to 21 agreed to)

Hon. Oduor: I wish to propose that schedule 1 be part of the Bill with amendments.

Schedule 1

(Question of amendments proposed)

(Schedule 1 agreed to)

Thursday, 18th March, 2021 COUNTY ASSEMBLY OF SIAYA DEBATES

Hon. Oduor: I wish to propose that schedule 2 be part of the Bill with amendments.

Schedule 2

(Question of amendments proposed)

(Question put and agreed to)

Schedule 3

Hon. Oduor: I wish to Move:

THAT schedule 3 be part of the Bill with amendments.

Chairperson: I propose that schedule 3 be part of the Bill with amendments.

(Question put and agreed to)

Title

Hon. Oduor: I wish to Move:

THAT the Title be part of the Bill.

Chairperson: I propose that the Title be part of the Bill.

(Question put and agreed to)

Clause 1

Hon. Oduor: I wish to Move:

THAT Clause 1 be part of the Bill with amendments.

Chairperson: I propose that Clause 1 be part of the Bill with amendments.

(Question put and agreed to)

Hon. Oduor: Thank you, I beg to Move:

THAT the Committee do Report to the House its considerations of the Siaya County Cooperative Bill and its approval thereof with or without amendments.

(Question put and agreed to)

I want to request the Hon. Members to be calm as we wait for the Chair to resume his seat. You are therefore free to continue reading the Report.

(The House resumed)

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

Thursday, 18th March, 2021 COUNTY ASSEMBLY OF SIAYA DEBATES

Hon. Deputy Speaker: Mr. Speaker, Sir I beg to report that the Committee of the Whole House has considered the Siaya County Finance Bill 2019/2020 and approved the same with amendments.

Hon. Oduor: I beg to move:

THAT the House do agree with the committee with the said report.

(Question proposed)

(Question put and agreed to)

Hon. Oduor: Thank you, Mr. Speaker, Sir. I beg to move:

THAT, the Siaya County Finance Bill be now read a third time.

(Question proposed)

(Question put and agreed to)

A bill for an Act of the Siaya County Assembly for revenue raising measures, imposition of fees and charges for the County Government of Siaya and for matters incidental thereto.

Hon. Speaker: I wish to bring to your attention the ongoing training of ECDE teachers by the Public Service Board, kindly liaise with the Chairperson of Education and the County Secretary. If you are not clear with that liaise with the Chairperson of the Committee on Education.

You are also aware that the figures on Covid- 19 infections are alarming. Kindly be on the alert. Be your own keeper, your brother and sister's keeper. We shall try as much as possible to observe the prevention measures protocol and we urge you to do the same both in the Assembly and at home.

MOTION

ADJOURNMENT

Hon. Speaker: There being no other Business this House adjourns until next week Tuesday, 23rd March, 2021 at 2. 30 p.m. in the Chambers.

The House rose at 3.18 p.m.