

**REPUBLIC OF KENYA**  
**KAJIADO COUNTY ASSEMBLY**  
**THE HANSARD**

**Wednesday, 15<sup>th</sup> March, 2017**

*The House met at the Assembly Chamber at 2:30 p.m*

*[The Temporary Deputy Speaker (Hon. Benjamin Kool) in the Chair]*

**PRAYERS**

**QUORUM**

**The Temporary Deputy Speaker (Hon. Kool):** Honourable Members, there is no quorum and under Standing Order 31:-

*(2) If there is not a quorum present when the Chair is taken at the time appointed for a Sitting of the County Assembly, immediately after the saying of the prayer, the Speaker shall order the bell to be rung for ten minutes and if no quorum is present at expiration of the ten minutes, the Speaker may direct that the bell be rung for a further five minutes and if there is still no quorum present, the Speaker shall adjourn the County Assembly forthwith to the next Sitting.*

*(The quorum bell rung for ten minutes)*

There is still no quorum and I order that the bell be rung for another five minutes

*(The quorum bell rung for five minutes)*

**The Temporary Deputy Speaker (Hon. Kool):** We now have quorum. Honourable Members welcome to this afternoon session.

**PAPER LAID**

REPORT OF THE BUDGET AND APPROPRIATION COMMITTEE ON THE COUNTY FISCAL STRATEGY  
PAPER, 2017

**The Temporary Deputy Speaker (Hon. Kool):** Honourable Members, there is one Paper Laid before the House from Budget and Appropriation Committee by Hon. Henry Kimiti.

*(Hon. Nkirimpai Laid the Paper)*

**The Temporary Deputy Speaker (Hon. Kool):** Thank you very much Hon. Nkirimpai for Tabling that report on behalf of Hon. Kimiti, Chair Budget Committee, and the report is now a property of this House.

## STATEMENTS

IMPLEMENTATION STATUS ON ISINYA PUBLIC TOILETS,  
ISINYA BOYS ADMINISTRATION BLOCK AND  
EMAMPARISWAI ECDE

**The Temporary Deputy Speaker** (Hon. Kool): We have two Statements from Hon. Nkirrimpai.

**The Deputy Leader of Majority** (Hon. Nkirrimpai): I wish to request for a Statement from CECM, Public Works, Roads, Transport and Energy, on the implementation status of the following development projects:

- (i) Isinya Public Toilets
- (ii) Isinya Boys Administration Block
- (iii) Emampariswai ECDE...

*(Interrupted by the Speaker)*

**The Temporary Deputy Speaker** (Hon. Kool): Are you requesting the Statement from the same CECM? If yes you continue, if not you should break your Statements.

**The Deputy Majority Leader** (Hon. Nkirrimpai): No Sir. Thank you.

**The Temporary Deputy Speaker** (Hon. Kool): Thank you very much Hon. Nkirrimpai for that Statement and I order that CECM Roads to respond to this Honourable Assembly on the said matter within 14 days. We move to the next Statement.

IMPLEMENTATION STATUS ON ISINYA BOYS ADMINISTRATION BLOCK  
EMAMPARISWAI ECDE  
ISINYA TOWNSHIP ECDE AND ILPOLOSAT DORMITORY

**The Deputy Majority Leader** (Hon. Nkirrimpai): Thank you Mr. Speaker, I wish to request for a Statement from the CECM Education on the status of the following projects:

- (i) Isinya Boys Administration Block
- (ii) Emampariswai ECDE
- (iii) Isinya township ECDE
- (iv) Ilpolosat dormitory

**The Temporary Deputy Speaker** (Hon. Kool): I order that the CECM Education to respond to this statement within 14 days.

Next order.

## MOTIONS

THE EXPOSITION OF PUBLIC POLICY CONTAINED IN THE ADDRESS OF THE GOVERNOR

**The Temporary Deputy Speaker** (Hon. Kool): Honourable Members, we have the first Motion by Honourable Nkirrimpai, Leader of Majority Party.

**The Deputy Majority Leader** (Hon. Nkirrimpai): Thank you Mr. Speaker, I rise to move a Motion:-

THAT, the thanks of the County Assembly be recorded for the exposition of public policy contained in the address of the Governor.

With that Mr. Speaker I beg to move.

**Hon. Pere** seconded.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Kool): Does the silence mean that there is no debate? Hon. Diana.

**Hon. Mepukori**: Thank you Mr. Speaker. I only want to touch on one issue and that is on the matter of education. This address indicates that the matter of education will build, equip and staff 380 ECD classrooms across all our sub counties. If you look at the current education status that we have in Kajiado especially in ECDE sector, there are loopholes. I don't think the classrooms built are equipped enough for these children. You find an ECD does not have chairs and other requirements. It is important that this Government looks at their core mandate. We have focused so much on building primary schools. It is important that the children of this County be attended to at their early stage. With that Mr. Speaker thank you.

**The Temporary Deputy Speaker** (Hon. Kool): Thank you very much Honourable Diana, the Motion is still open to debate.

Honourable Members, since there is no debate, the Motion will still be debated in the next session. We move to the next Motion by Honourable Kimiti, Chair Budget and Appropriation Committee.

REPORT OF THE BUDGET AND APPROPRIATION COMMITTEE ON THE COUNTY FISCAL STRATEGY  
PAPER, 2017

**The Deputy Majority Leader** (Hon. Nkirrimpai): Thank you Mr. Speaker, on behalf of Hon. Kimiti, Chairman Budget Committee I stand to move a Motion on the Budget and Appropriation Committee. It is a bulky document. This is Kajiado County Strategy Paper, 2017.

*(Interrupted by the Speaker)*

**The Temporary Deputy Speaker** (Hon. Kool): What is the order Honourable Diana Mepukori?

**Hon. Mepukori**: Thank you Mr. Speaker. The Paper that the Honourable Member is intending to move is one of the very important Paper in the County Assembly. If you heard the Honourable Member he started by saying it is a bulky Paper, that means he is not a member of Budget Committee. He doesn't know what that Paper contains, so I beg that this Paper should be moved by one Honourable Member who is in the Budget Committee. Thank you.

**The Temporary Deputy Speaker** (Hon. Kool): Order Honourable Members, Hon. Seki order! You have just entered right now and you are moving out. Honourable Diana Mepukori has a very genuine concern. The Motion should be moved by the members in that committee and I really agree with you that it's a very important document in this Assembly. Honourable Diana we are really.... This document should be Tabled before 30<sup>th</sup> of this month and the Budget Committee has another forum they are attending today and tomorrow and you know that perhaps next week the whole Assembly will be moving to a Legislative Forum in Mombasa so we need to do it urgently and most probably today because I know some of you will not be here tomorrow, so we request that we continue. Honourable Nkirrimpai to continue moving that Motion. Nevertheless, we appreciate your genuine concern and in future we will consider such issues because Standing Order No. 47 allows a member; it actually says a member who has a Motion standing on his/her name might delegate that Motion to be moved by any other member and Honourable Kimiti has delegated that Motion to be moved by Honourable David Nkirrimpai. Honourable Nkirrimpai you can continue.

**The Deputy Majority Leader** (Hon. Nkirrimpai): Thank you Mr. Speaker.

*(Interrupted by the Speaker)*

**The Temporary Deputy Speaker** (Hon. Kool): Hon. Diana, what is the matter? Hon. Nkirrimpai put the microphone off.

**Hon. Mepukori:** Mr. Speaker, you find in many cases if anybody comes here and the communication is not done, you find other members denying that person a chance. It is not in order that we do this Paper knowing that the Honourable Members are in KCB. They already knew that this paper is of importance and it is urgent and is needed to have been passed by 30<sup>th</sup>, so let us not violate the Standing Order. Thank you Mr. Speaker.

**The Temporary Deputy Speaker** (Hon. Kool): Honourable Diana, we are not violating the Standing Orders and I think that you will not be moving out. You should be listening to what the Standing Order says. The Standing Order No. 47:-

*(2) Save for a Special Motion, a Member who has a Motion standing in his or her name may authorise, in writing, another Member to move that Motion in the Member's stead.*

Generally, Honourable Henry Kimiti and this should be recorded because we have the evidence with us. Honourable Kimiti has written to Honourable Nkirrimpai to move the Motion on his behalf. It is a very important document and we should move it because the members should not be here by next week and this document should be Tabled before this Honourable Assembly before 30<sup>th</sup>. Honourable Nkirrimpai you might proceed.

*(Hon. Pere stood on a point of order)*

**The Temporary Deputy Speaker** (Hon. Kool): What is the order Hon. Pere?

**Hon. Pere:** Mr. Speaker Sir, I just heard you talk of Honourable Kimiti of Budget and Appropriation Committee has written to Hon. Nkirimpai. Is he supposed to seek audience from Hon. Nkirimpai or the Office of the Speaker? Point number two M. Speaker Sir.

*(Interrupted by the Speaker)*

**The Temporary Deputy Speaker** (Hon. Kool): Before you move to point number two, it was just a slip of the tongue the Honourable Henry Kimiti had written to the Office of the Speaker. You might proceed.

**Hon. Pere:** The other issue Mr. Speaker Sir, I wish that if the Committee itself could be here given that even if next week we are going on a recess, still the month has other four days pending to reach the 30<sup>th</sup> of this month. It will be very appropriate if the necessary committee could be here and it's a big surprise that no single member of Budget and Appropriation Committee is in the House, so we might be doing something which is totally against the Standing Orders of this House.

**The Temporary Deputy Speaker** (Hon. Kool): Honourable Members, Hon. Diana and Honourable Mwathi Pere, I have already explained this and I have already made the ruling that the Motion will be moved today for the urgency of the matter. Honourable Nkirimpai proceed.

**The Deputy Majority Leader** (Hon. Nkirimpai): Thank you Mr. Speaker for authorising me as I was delegated this by Honourable Henry Kimiti through the Office of the Clerk. The analysis above indicates a drop of 15% from the previous budget. This has been contributed by the drop of local revenue target.

The Budget and Appropriation Committee has, therefore, examined and discussed the Kajiado County Fiscal Strategy Paper, 2017 and has made recommendations as contained in this report. Mr. Speaker, just to highlight a few of recommendations contained in this report regarding the allocation to the County Assembly, this committee was not in agreement that the allocation of Kshs.465,990,969.00 would not be adequate to run the County Assembly for the whole Financial Year considering the County projection of this budget between the FY 2016/2017 and the FY 2018/2019. There is an increment of 5%, therefore, reducing the County Assembly allocation will be negotiating to this spirit of growth.

Considering 2016/2017 allocation for the County Assembly, a 32% reduction on its budgetary allocation will adversely affect operations. This committee, therefore, opposes the allocations of 7% of the County revenue to the County Assembly and further recommends that the CECM Finance and Economic Planning be guided by Section 25(1) (h) of the Public Finance Management Act (County Government Regulation, 2015) which states that if the County Government does not achieve the requirement of the Regulation 25 (1)(f) at the end of the financial year, the County Executive Member of Finance shall submit a responsibility statement to the County Assembly explaining the reasons for the diversion and provide a plan on how to ensure annual actual expenditure outturn as well medium terms allocation.

The County Assembly budget allocation should, therefore, be as directed by Commission on Revenue Allocation (CRA) which sets the ceilings as follows: Recurrent Expenditure Kshs.561,789,458.00 allocates Kshs. 97 million for County Assembly staff car and mortgage loan, allocate Kshs.100 million for development expenditure. Therefore, the Committee recommends that County Assembly budget for FY 2017/2018 be increased to Kshs.758,789,458.

Mr. Speaker, the second recommendation is that in order to enhance principle of equity and transparency, the CECM for Public Roads, Works, Housing and Energy should submit a list of roads to be maintained as levy fund for approval by the County Assembly. That the CECM, Finance and Economic Planning should develop a Bill to boost enforcement of revenue collection.

Lastly Mr. Speaker, an effective fiscal policy, therefore, require a high level of fiscal and budget transparency in which in turn is dependent on efficient accounting and reporting system on this function. The fiscal stand that this Honourable Assembly will take today will have implication in future since this Paper informs the budgetary process in the next Financial Year that is 2017/2018.

Finally Mr. Speaker, it is my pleasant duty and privilege on the behalf of Budget and Appropriation Committee, therefore, to request this Honourable Assembly to adopt this report and further resolve that the proposed amendment as contained in this report on Kajiado County Fiscal Strategy Paper, 2016 be adopted. With that I beg to move the Motion. Thank you.

**Hon. Chege** seconded.

*(Question proposed)*  
*(Question put and agreed to)*

Next order.

## **BILLS**

### *Second Reading*

THE KAJIADO COUNTY ENVIRONMENT MANAGEMENT BILL, 2015

(BILL NO. 13 OF 2015)

**The Temporary Deputy Speaker** (Hon. Kool): Honourable Members, the first Bill The Kajiado County Environment Management Bill, 2015 (second reading- resumption) by Hon. Mutunkei. I just want to know whether there is somebody from that Committee who will move that Bill.

*(Bill deferred)*

**The Temporary Deputy Speaker** (Hon. Kool): Alright, we move to the next Bill The Kajiado County Fire and Rescue Service Bill, 2015 (third reading) Chair Sectoral Committee on Roads, Transport and Public Works, Honourable Mwathi Pere.

## **REPORT AND THIRD READING**

THE KAJIADO COUNTY FIRE AND RESCUE SERVICE BILL, 2015

(BILL NO. 14 OF 2015)

**Hon. Pere:** Thank you Mr. Speaker, I wish to move a Motion under Standing Order No. 132 (2):-

THAT, The Kajiado County Fire and Rescue Service Bill, 2015 be now read a Third Time with that Mr. Speaker I beg to move.

**Hon. Munei** seconded.

*(Question proposed)*

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and passed)*

**The Temporary Deputy Speaker** (Hon. Kool): Honourable Members, the Bill having been read the Third Time, it's now an Act of Kajiado County Government. I, therefore, order that the Bill be forwarded to His Excellency the Governor for his assent in line with provision of Section 24 of the County Government Act and Standing Order No. 135.

## **ADJOURNMENT**

**The Temporary Deputy Speaker** (Hon. Kool): Honourable Members, that being the last order of today, the House stands adjourned until the next Sitting that will be tomorrow Thursday, 16<sup>th</sup> March at 2:30 p.m.

**The House rose at 3:10 p.m.**