

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Thursday, 10th March, 2016

The assembly met at the County Assembly chambers at 2:30 p.m.

The Speaker, County Assembly of Samburu (Mr. Steve Lelegwe) on the chair

PRAYER

MOTION

Finance committee's report of County treasury Medium term Debt Management strategy

MCA Lodojek Ward, (hon. Jerias Leshoomo): Thank you hon. Speaker, pursuant to Standing Order No. 47 (ii), I wish to move a motion that this House debates and approves the report of the committee on Finance, Economic Planning and Marketing on the County Treasury Medium Term Debt Management Strategy 2016/ 2017 tabled on 9th March, 2016. I beg to move. I call upon hon. Adamson Lanyasunya to second.

MCA Loosuk Ward, (Hon. Adamson Lanyasunya): I second and I request for the copies of the report, thank you.

The Speaker, (Mr. Steve Lelegwe): Thank you hon. Members, I now propose the question that this House debates and approves the report of the committee on Finance, Economic Planning and Marketing on the County Treasury Medium Term Debt Management Strategy 2016/ 2017.

MCA Suguta Marmar Ward, (hon. Shadrack Lesoipa): I do not think it will be in order for the members to debate and approve the report we do not have.

The Speaker, (Mr. Steve Lelegwe): I request the clerks to provide the copies of the report on the County Medium Term Debt Management Strategy Paper 2016, hon. Lorunyei.

MCA Nachola Ward, (hon. Lawrence Lorunyei): Thank you hon. Speaker, it will be hard to discuss the report we do not have and again it is something we are given when only we are in the House (*applause*). It will not be a good participatory because we will not have contributed completely on our views.

We do not want to be but rubber stamps; we need to go through the bill and then come and contribute fully, thank you hon. Speaker.

The Speaker, (Mr. Lelegwe): Thank you hon. Lorunyei, I think the County Medium Term Debt Management Strategy 2016, was debated by the Finance and Economic Planning Committee. I think that is why this paper has found its way to the Order Paper. Those who do not have the

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copies of the Medium Term Debt Management Strategy Paper, copies are now being distributed and they will be provided to you, hon. Leshoomo.

MCA Lodokejek Ward, (hon. Leshoomo): Thank you hon. Speaker, I wish to inform the hon. Members that this is a committee report we are supposed to table on the floor of this House so that we can debate thereafter. The clerk is distributing several copies to the members, so for the members who are lacking the copies, you will get them in a short while.

MCA Elbarta Ward, (hon. Romano Leakono): Thank you hon. Speaker, I wish to inform the hon. Member for Lodokejek that for a report to be tabled, it has to be available to the members so that we get to know what is being tabled because now the report is not here and this House does not work on hearsay or on things to be done later, thank you.

The Speaker, (Mr. Lelegwe): Thank you hon. Members, I take note of your concerns and I therefore proceed to the next Order until copies of the report are made available to every member, thank you (*applause*) Next order, sorry, hon. Leshoomo, the second motion.

MCA Lodokejek Ward, (hon. Leshoomo): Thank you hon. Speaker, pursuant to Standing Order No. 47 (i), I wish to move a motion that this House debates and approves the report of the committee on Finance, Economic Planning and marketing on the County Physical Strategy Paper 2016/2017 tabled on 9th March 2016, I beg to move.

The Speaker, (Mr. Steve Lelegwe): Order hon. Leakono. The motion has been moved by hon. Leshoomo and I, therefore, request any member to second.

MCA Lodokejek ward, (hon. Jerias Leshoomo): Hon. Speaker, I call upon hon. Adamson (Lanyasunya) to second.

MCA Loosuk ward, (hon. Adamson Lanyasunya): Thank you hon. Speaker. I am not going to contribute because we don't have copies of the report and it is in order that the reports are circulated during tabling. When we pass the motion, there could be very important requirements for various sectors which we might skip in this financial year. If you have the report, the contribution of the members becomes crucial because it enables us to identify the gaps in terms of financial requirements for various development projects.

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I would request you to defer putting the question to the motion, as our Standing Orders allow, so that members could have at least two or three days to go through the report. Thank you.

MCA Suguta Marmar Ward, (hon. Shadrack Lesoipa): Thank you Mr. Speaker. I support the hon. Member for Loosuk. It is ironical how hon. Leshoomo is tabling the business in this hon. House. It is not possible for the hon. Member to table a report and go ahead to propose to the House to debate and approve what we don't have. The hon. Member is out of order. This is a procedural house with laid down ways of approving reports and motions. The custodian of the report is the member moving the motion and he is anticipating that we pass the report. This is non-procedural.

The Speaker, (Mr. Steve Lelegwe): Thank you hon. Members. I have taken note of your concerns and I therefore direct that we adjourn for 30 minutes until all copies of the report on the County Fiscal Strategy Paper, 2016, are made available to every member. You should take note that 15th of March is the deadline for passing this paper which will be on Monday hence; we will not have a session. Therefore, we have to debate and the Speaker has to put the question this afternoon on the report. Thank you.

(House adjourns then resumes after 30 minutes)

We have had enough consultations on order number 8. I direct the clerks to read order number 8 again.

MOTION

MCA Lodokejek ward, (hon. Jerias Leshoomo): Hon. Speaker, pursuant to ... *(Interrupted by the Speaker)*

The Speaker, (Mr. Steve Lelegwe): What is it hon. Letura?

MCA Ndoto ward, (hon. Raisy Letura): Hon. Speaker, I don't know whether hon. Leshoomo is speaking on the issue of Fiscal Strategy Paper. Is it right for the hon. Chair for Finance to continue bringing issues which are not right to this House?

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The Speaker, (Mr. Steve Lelegwe): Order hon. Letura. Kindly, let hon. Leshoomo read the motion then you can bring your issues afterwards.

MCA Lodokejek ward, (hon. Jerias Leshoomo): Thank you hon. Speaker. Pursuant to Standing Order 47(1), I wish to move a motion that this House debates and approves the report of Committee on Finance, Economic Planning and Marketing on the County Fiscal Strategy Paper, 2016/2017 tabled on 9th March, 2016. I beg to move.

The Speaker, (Mr. Steve Lelegwe): Call upon a fellow hon. Member to second.

MCA Lodokejek ward, (hon. Jerias Leshoomo): I call upon hon. Leakono to second.

(Hon. Leakono bows in seconding the motion)

MCA Ndoto ward, (hon. Raisy Letura): Hon. Speaker, I seek your guidance as to whether the report on the County Fiscal Strategy Paper is supposed to be brought by the Committee on Finance, Economic Planning and Marketing or the Committee on Budget. According to my understanding, the Fiscal Strategy Paper is supposed to be brought by the Committee on Budget and Appropriation. I don't know whether the document was interrogated by the wrong committee.

MCA Elbarta Ward, (hon. Romano Leakono): Thank you Mr. Speaker, it is a common sense that the committee on lands and physical planning are normally brought under this strategic paper. Therefore none of this committee works independently but they all work dependently. So is it in order for this report to be tabled by chair of finance and not for the chair for lands and physical planning?

Chief Whip, (Benjamin Leitore): Thank Mr. Speaker, I want to conquer with what Hon. Letura has said. If you look at what standing order 26 (3) the document is owned by budget and appropriation committee which is in this case did not happen. The laying of this paper was laid by hon. Leshoomo who is a member of finance committee, and this state that upon laying of this report before the county assembly, the fiscal strategy paper deemed to have been committed to the sectorial committee without question, for such committee to deliberate according to their respective mandate to the budget and appropriation committee. This tells us clearly that the

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document is to be laid on the floor of this house by budget and appropriation committee. Through your indulgence, we request to take back the document to the right owner which is the budget and appropriation committee so that it can be laid in the normal procedure indicated in our standing orders, this is because the hon. Member who has done this has rushed to the mandate that is not of his committee.

MCA Wamba East ward, (hon. Jackson Lelenkeju): Thank you Mr. Speaker, we are mixing issues here, that is budget department when it comes to implementation it is a component of finance and I can borrow a leave from National budget, who reads the budget in the national days? It is the CS (Cabinet Secretary) in charge of finance. This means enough was not done to consult the budget committee and when it comes to the tabling of the report, it is the chair for finance. Thank you.

The Speaker, (Hon. Steve Lelegwe): Thank you hon. Members, hon. Leshoomo is out of order that this report is supposed to be table by the budget and appropriation committee and therefore I order the clerks to amend the motion to proceed. The house adjourned for ten minutes.

(Silence as the report was taken for amendment by the clerks)

Mr. Speaker, (Hon. Steve Lelegwe). Hon. Members the house resumes, I call upon the clerks to read order number 8.

Chief Whip, (Benjamin Leitore): Pursuant to our standing NO. 47 (i), I wish to move a motion that this house debates and approves the report of the committee on budget and appropriation of the county treasury medium term debt management strategy 2016/2017 and I call upon Hon. Letura to second.

MCA Ndoto ward, (Hon. Raisy Letura): *seconded by bowing.*

The Speaker, (Mr. Steve Lelegwe): Thank you Hon. Members, I now propose the question that this house debate and approves the report on budget and appropriation county treasury medium term debt management strategy 2016/2017 tabled on 9/3/2016.

The Speaker, (Mr. Steve Lelegwe): That this House approves the report of the Committee on Budget and Appropriation on the County medium term debt management strategy 2016/2017.

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(The question was put and passed)

MCA Wamba West, (Hon. Benjamin Leitore): Thank you Mr. Speaker. Pursuant to Standing Order 47/1, I wish to move a motion that this House debates and approves the report of the Committee on Budget and Appropriation on the County Fiscal strategy paper 2016/2017. I call upon Hon. Lorunyei to second.

(Hon. Lorunyei bows in seconding.)

The Speaker, (Mr. Steve Lelegwe): Thank you Hon. Members. I now propose the question that this House debates and approves the report of the Committee on Budget and Appropriation on the County Fiscal strategy paper 2016/2017 tabled on 9th March 2016.

MCA Wamba West, (Hon. Benjamin Leitore): Thank you Mr. Speaker. I wish to give some elaboration on what the Committee had for recommendations and what the findings of the Committee are. On behalf of the Members of the Committee on Budget and Appropriation as required by Standing Order number 191/5, I take this opportunity to present to the House the Committee's report on the County Fiscal strategy paper that is CFSP 2016 as submitted to the County Assembly Committee Member on Finance. The Committee had come up with some recommendations that I would like to share with the House.

1. During the scrutiny of the document mentioned, the Committee noted various gaps that it would wish to address as follows: Notwithstanding the provisions of section 117(1) of the PFM act 2012. The Committee recommends that the County secretary should in future submit the CFSP to this Committee earlier than the statutory deadline.
2. Secondly, County Executive should undertake a thorough study to establish the exact revenue potential, economic growth rate and gross economic product of the County. Further this should be related to the debt figures for the coming years.
3. The County Fiscal strategy paper should focus on the County objectives only as far as they can be related to the County Development Agenda and priorities.
4. That the Committee noted that the National Treasury made regulations to CAP budgetary ceilings for the County Assembly without consultation.

5. That the Committee is of the view that the regulations are unconstitutional and the Assembly should not be bound by the said regulation.
6. That the County Assembly should approve the Fiscal Strategy paper in disregard of the 7% ceiling provided in the regulation. The County Assembly recurrent budget is Kshs.450 million, 419 million for normal recurrent operations and 31million for staff mortgages. This affects the amount proposed in the recurrent budget for the County Assembly in table number 6. H, the County Assembly development budget is retained at Kshs. 130 million. Thank you Mr. Speaker.

The Speaker, (Mr. Steve Lelegwe): Thank you Hon. Members. If there are no more contributions from you, I proceed to put the question. I therefore put the question that this House approves and debates the report of the budget and appropriation Committee on the County Fiscal paper 2016/2017 table on the 9th March 2016.

(The question was put and passed.)

Thank you Hon. Members, the time being 27 minutes to 6 o'clock and there being no any other business this Assembly stands adjourned until Tuesday afternoon on the 15th March 2016 at 2:30 pm, thank you.