

**FIRST ASSEMBLY**

**(057)**

**FOURTH SESSION**

**(148)**



**COUNTY GOVERNMENT OF KITUI**

**THE COUNTY ASSEMBLY**

**FIRST ASSEMBLY – (FOURTH SESSION)**

**VOTES AND PROCEEDINGS**

**TUESDAY, 28<sup>TH</sup> JUNE 2016 AT 2.30 P.M.**

1. The House convened at half past Two O'clock
2. The proceedings were opened with prayer
3. **PRESIDING;** Honorable Speaker on the Chair
4. **COMMUNICATION FROM THE CHAIR;** Honorable members, I have the following communication to make;
  - i) Members that have not completed filling their Declaration of Wealth forms should ensure they have done so immediately.
  - ii) I want to defer the reports by the Public Accounts and Investment Committee and the Tourism Committee to allow members to concentrate on Budget issues.
5. **PAPERS LAID;** The following papers were laid on the table of the Assembly;
  - i) Pursuant to the provisions of Section 131 (2) of the Public Finance Management Act, 2012, and Standing Order No. 186 (3)(b) (*Chairperson, Committee on Budget and Appropriations*)

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Report of the Committee on Budget and Appropriations on Consideration of the Kitui County Government Budget Estimates for the Financial Year 2016/ 2017

*(Hon. Anthony Muthui)*

- ii) Pursuant to the provisions of Section 154 (2) and 135 of the Public Finance Management Act, 2012,  
*(Leader of the Majority Party)*

The Kitui County Assembly Supplementary Budget Estimates (II) for the Financial Year 2015/2016

*(Hon. Jacob K. Maundu)*

**6. NOTICES OF MOTIONS:**

- i. **MOTION ON ADOPTION OF THE REPORT OF THE COMMITTEE ON BUDGET AND APPROPRIATIONS ON CONSIDERATION OF THE KITUI COUNTY BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2016/ 2017**  
*(Chairperson, Committee on Budget and Appropriations)*

**THAT**, pursuant to the provisions of Section 131 of the Public Finance Management Act 2012 and Standing Order No. 206(6), this County Assembly adopts the Budget and Appropriations Committee Report on the Budget Estimates for the County Government of Kitui tabled in the County Assembly on Tuesday, 28<sup>th</sup> June, 2016

*(Hon. Antony Muthui)*

- ii. **MOTION ON REGULATING THE USE OF COUNTY GOVERNMENT VEHICLES**

*(Member, Mulango Ward)*

**AWARE THAT**, the County government is incurring huge cost in fuel and maintenance of County government vehicles.

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**ALSO AWARE THAT**, the National Treasury in 2013, issued a notice to cut down government expenditure through fiscal discipline, expenditure control, and prudent financial management of public resources.

**FURTHER AWARE THAT**, the Kitui County government issued an internal memo reference number **CG/KTI/INTER.MEMO/159** dated **10<sup>th</sup> March, 2014** on the use of government vehicles prohibiting driving of government vehicles beyond the stipulated timeframes and when not on official duty.

**CONCERNED THAT**, County government vehicles are carrying unauthorized passengers, carrying unofficial or private goods, left unattended in public places, parked outside social places like bars, restaurants or private places unofficially, kept at unsecured places overnight, operating after working hours without authorization letters from the parent ministry and operating on weekend and/or public holiday without authorization letters from the parent ministry.

This House **RESOLVES AS FOLLOWS:**

The responsible departments to develop a transport policy document on the use of County government vehicles and enhance adherence of work ticket guidelines.

The responsible departments to enhance skills development of the county drivers through frequent refresher courses and other capacity building programs to ensure proper utilization of work tickets.

The responsible departments to install and administer tracking systems in the County government vehicles.

*(Hon Mwendwa Munyoki)*

**7. MOTION ON TRANSFER/ RESHUFFLING OF COUNTY GOVERNMENT OFFICERS** *(Member, Mulango Ward)*

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**RECOGNIZING THAT** the Constitution under Part 2 of the Fourth Schedule devolves some of the Government functions to the County Governments.

**AWARE THAT** in order for the functions devolved under the Fourth Schedule of the Constitution to be fully implemented, the Constitution under Article 185 gives the County Assemblies the legislative authority to make laws that are necessary for the effective implementation of these functions.

**RECALLING THAT** Section 48 of the County Governments Act 2012 acknowledges that county government functions and services are to be decentralized to sub-counties and ward level amongst other decentralized units.

**AWARE THAT** Sections 50 and 51 of the County Governments Act, 2012 establishes offices of the Sub-county and ward administrators as offices within the county public office.

**FURTHER AWARE THAT** Section 59 of the County Governments Act, 2012 gives the County Public Service Board the mandate to appoint persons to serve in the County Public Service.

**RECOGNIZING THE** importance of principles that guide county government service delivery as set out under Section 116 (2) of the County Governments Act, 2012 these principles being *non-discrimination, transparency, equity and efficiency* amongst others.

**NOTING THAT** Article 75 of the Constitution, 2010 outlines the conduct of a public officer and particularly forbids a public officer from behaving in a manner that brings conflict between personal interest and public or official duties or causes compromise of any public or official duty in favour of personal interest.

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**CONCERNED** that Sub-county and Ward administrators in the county are currently working within their home areas and this could easily lead to compromise between their official duty and personal interest or cause the said officers to deliver services in a biased and discriminative manner.

**FURTHER CONCERNED THAT** the appointment of sub-county and ward administrators to serve within their home areas is likely to affect the quality of service delivery by the county government.

**URGES** this County Assembly to resolve that:

- i) The County Public Service Board in consultation with the Ministry of Administration and Coordination of County Affairs and all other relevant stakeholders do come up with a policy document on Transfer and/or reshuffling of county public officers;
- ii) That the document to particularly provide that no sub-county and ward administrators should serve within their home areas; and
- iii) That the policy document to make provisions to ensure that no sub-county or ward administrator shall serve in one station for a period exceeding three years.

*(Hon. Mwendwa Munyoki)*

## **8. ADJOURNMENT;**

And the time being half past Three O'clock, the Honorable Speaker adjourned the House.

**9. ASSEMBLY ROSE;** at half past Three O'clock.

## ***MEMORANDUM***

*The Honorable Speaker will take the chair on  
Wednesday, 29<sup>th</sup> June, 2016 at 9:00 A.M.*

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