

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

#### **THE HANSARD**

#### SECOND ASSEMBLY – FOURTH SESSION

Wednesday, 28<sup>th</sup> October, 2020

House met in the Main Chamber at 02:30 p.m.

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

#### **PRAYERS**

**The Temporary Speaker** (Hon. Okumu): Good afternoon Honourable Members? Mr. Clerk take us through the Order Paper of the day.

**The Temporary Speaker** (Hon. Okumu): Next order!

#### **COMMUNICATION FROM THE CHAIR**

**The Temporary Speaker** (Hon. Okumu): Thank you Honourable Members, I know we are going to have a long session given that we are discussing the Kisumu County Finance Bill, 2020. I know the House might be warm today. I want to invoke the provision of Section 38 of the County Assembly Powers and Privileges Act to allow Honourable Members for only today to have a more comfortable dressing as possible. So, if you feel you are pressed with the long tie, please take it off for the time being so that we discuss the document substantively. I will also relieve the Members who are in jackets so that we have a productive discussion this afternoon. Thank you.

**The Temporary Speaker** (Hon. Okumu): Next order!

**STATEMENTS**

**The Temporary Speaker** (Hon. Okumu): Yes Hon. Johnson Guya.

**Hon. Guya:** Thank you Mr. Speaker. I am rising on two issues. One, sometimes towards the end of last year, I raised a Statement to the Department of Water. It was responded to concerning the issues of KIWASCO and NYANAS. To date nothing has been implemented concerning the Statement that I raised. I would kindly ask you to assist the people who are covered by NYANAS to benefit from the resource. I don't know whether that could be directed to the Implementation Committee to ensure that the Statement that was discussed here is fully implemented.

Mr. Speaker, two, I want to seek for a Statement from the Chair Committee of Labour and Social Welfare

**The Temporary Speaker** (Hon. Okumu): Order Honourable Member. I am yet to receive a copy of the Statement that you want to ask. I just want to ask if it was approved to be raised in the House.

**Hon. Guya:** Actually, it was approved long time ago. It ought to have been here two or three weeks ago.

**The Temporary Speaker** (Hon. Okumu): Serjeant-at- Arm, can you forward the Statement.

*(The Speaker going through the Statement)*

**The Temporary Speaker** (Hon. Okumu): Order Honourable Member. I have the Statement that you want to read and it is only has the rubber stamp of Office of the Speaker. I can't acknowledge if it was approved to be read on the Floor of the House. I know the Statement is so important. I want to request that the Statement be approved so that it becomes the property of the House so that it can be committed to the relevant House Committee. As it stands now with the rubber stamp, I don't know how I will make judgement on it.

**Hon. Guya:** Mr. Speaker, I believe that this is the procedure that we have been using here.

**The Temporary Speaker** (Hon. Okumu): What is it Hon. Roy Samo?

**Hon. Samo:** On a Point of Order. In matters of approval, there is no way a Member can obtain a stamp without passing through the Office the Speaker. So, with due diligence, I believe that you can still accept it as an approval.

**The Temporary Speaker** (Hon. Okumu): Honourable Member, I have listened to your guidance and once again, if you look at the copies of our Order Paper, apart from the stamp, there is always a signature of the Speaker to show that it has been approved. As it is, we can allow any

one sitting at the front office of the Speaker to approve documents to the Assembly which I think is unprocedural. So, I want to humbly request the Honourable Member that we please liaise with Hon. Members to ensure that the document is approved so that he can read it in the House.

**Hon. Guya:** Mr. Speaker, I believe that you are implying to an approval of a signature and if that is true then, you are also seated there and you can just sign it. We also have a document that we want to go through in this House and there is no stamp not even a signature of the Speaker.

**The Temporary Speaker** (Hon. Okumu): Honourable Member, this is a report that was laid. It is different from a Statement. This is a House Committee report that has a different procedure of bringing in the House. This is a Statement which is supposed to be brought by an Honourable Member. If you listen to my guidance, it will help me in addressing your Statement to the right Committee. However, as it stands now, it is illegal to send it to any House Committee because it does not have an approval from the Office of the Speaker as required by law.

Hon. Members, I am therefore guiding you. However, if you insist, my hands are tied on how to address your Statement.

**Hon. Guya:** Mr. Speaker, I know you have all the powers including Standing Order No. 1. Therefore, allow me to read this Statement. Mr. Speaker, somebody somewhere is really suffering and may be this Statement could help someone in this County.

**The Temporary Speaker** (Hon. Okumu): Hon. Members, that is why I insist that for us to help such a person, why don't you use the right procedure Honourable Member. By tomorrow, we shall have done the right thing so that we help such a person.

**Hon. Guya:** Thank you Mr. Speaker. However, remember I forwarded this Statement by 2<sup>nd</sup> of October, 2020. It is not my duty to ensure that it is approved.

**The Temporary Speaker** (Hon. Okumu): Let me help you with the approval part.

**Hon. Guya:** The Standing Orders say that if you want to raise a Statement on a particular day, you forward it to the Speaker by 1:00 p.m. on the same day.

**The Temporary Speaker** (Hon. Okumu): For approval Honourable Member.

**Hon. Guya:** The Statement was submitted three weeks ago. Unless there is something, I am not aware of.

**The Temporary Speaker** (Hon. Okumu): Hon. Member, I will help you find out. Thank you. Immediately after this session, I will help you have the document approved so that we can read it and help the person you have indicated in this statement who is in dire need of help. That is my ruling Hon. Guya. Thank you.

**Hon. Guya:** Thank you Mr. Speaker. If you have refused that I should read this Statement then may God bless you.

**The Temporary Speaker** (Hon. Okumu): Thank you Honourable Member. Yes, Honourable Leader of Majority

**Leader of Majority** (Hon. Onyango): Thank you. Mr. Speaker, when COVID-19 broke...

**The Temporary Speaker** (Hon. Okumu): Leader of Majority, under which Standing Order are you citing your Statement?

**Leader of Majority** (Hon. Onyango): Mr. Speaker, Standing Order No. 24.

**The Temporary Speaker** (Hon. Okumu): Proceed Leader of Majority.

**Leader of Majority** (Hon. Onyango): Mr. Speaker, when the pandemic broke out there were a lot of measures that the Assembly put in place so that we can remain safe. We even brought sanitizer booths. However, it is like we have relaxed to the extent that if there is a spike in infections, we will be highly affected.

Mr. Speaker, in the recent past, we have seen several Assemblies being closed. In fact, there is mortality of an Honourable Member in one of the Counties because of this disease. My appeal is that, we should make measures more stringent so that we do not fall victims to this disease. Mr. Speaker, I would, that through your ruling, request that measures which were initially put in place be invigorated so that the Assembly remains as safe as possible. Thank you

**The Temporary Speaker** (Hon. Okumu): Thank you Honourable Leader of Majority. You know, under Standing Order No. 42, the Statement should be Personal in nature and may not be discussed or debated in the House. On that note, your Statement remains as such.

**The Temporary Speaker** (Hon. Okumu): What is it Hon. Guya?

**Hon. Guya:** Thank you Mr. Speaker. I was seeking your indulgence to help us on the issue of NYANAS and KIWASCO so that we get the response to the Statements.

**The Temporary Speaker** (Hon. Okumu): Thank you Hon. Guya for reminding me. I remember the Honourable Chair for Public Accounts and Public Investments Committee had done a Report with regards to NYANAS and GULF. Is it the same Statement you are referring to?

**Hon. Guya:** No Mr. Speaker. The Public Accounts Committee was dealing with the Audited Reports of NYANAS, GULF and KIWASCO. This was a separate Statement that I sought about the issues of merging KIWASCO, NYANAS and GULF.

**The Temporary Speaker** (Hon. Okumu): Clerks-at-the-Table, could you confirm that Statement Hon. Guya is referring to and when it was raised and the progress so far.

*(Consultations)*

Thank you, Honourable Members. Before I proceed, I want to request the Clerks-at-the-Table to always the notifying the Chairs of different Committees on Statements raised and thereafter, inform the person who raised the Statement on the response.

Hon. Members, I am being informed that the question was responded to by the Water, Environment and Natural Resources Committee and what remains is the implementation of the recommendation of the Committee. Hon. Members, we have the Chair of Implementation Committee Hon. Agolla. I want to inform the Clerks-at-the-Table to immediately write to him because there is need for implementation on recommendations by Water and Environment and Natural Resources Committee with regards to NYANAS over questions that were raised by Johnson Guya. I want the same information to be given to Hon. Guya by tomorrow afternoon before the session begins.

Hon. Guya, if you do not receive that information by 2:30 p.m. tomorrow, please raise it again so that we can ask the Clerks-at-the-Table and the Chairperson of Implementation Committee to explain further. Thank you.

**The Temporary Speaker** (Hon. Okumu): Next order!

## MOTION

REPORT FROM THE SELECT COMMITTEE OF BUDGET AND APPROPRIATIONS ON  
ITS CONSIDERATION ON THE PROPOSED KISUMU COUNTY FINANCE BILL, 2020

BY

HON. STEVE OWITI

CHAIRPERSON

**The Temporary Speaker** (Hon. Okumu): Yes Hon. Steve Owiti

**Hon. Owiti:** Thank you Mr. Speaker, Sir. Please allow me to move a motion on the Report of the Select Committee of County Budget and Appropriation on its consideration of the Proposed Kisumu County Finance Bill FY 2020.

**The Temporary Speaker** (Hon. Okumu): Chairperson, Budget and Appropriations, please proceed.

Preamble

Mr. Speaker Sir and Hon. Members, the Provisions of Article 209 (2) of the Constitution of Kenya 2010 of the Republic of Kenya, bestows County Governments with powers to impose

taxes on Property Rates, Entertainment or any other fee charges that is authorized by an Act of Parliament.

Further, section 133 of the PFM Act, 2012 and Standing Order No. 226 of the Kisumu County Assembly Standing Orders provides that the Finance Bill shall be considered and approved by the County Assembly not later than 90 days after passing the Appropriations Bill.

The intent and purpose of the Finance Bill, is to give authority to the County Executive to collect locally generated own revenues to support budgetary obligations.

#### Own Source Revenue - Projections

Mr. Speaker Sir and Hon. Members, in the approved Kisumu County Budget Estimates FY 2020 /2021 the County Assembly approved on 30<sup>th</sup> June, 2020. The County in its projection envisaged to realize a total of Kshs 1,579,172,106. The County Executive intends to collect as Own Source Revenues to complement funds channeled to the County as Equitable Share of Revenue in accordance with the County Allocation of Revenue Bill, 2020 to the tune of Kshs 6,836,400,000.00

Mr. Speaker Sir and Hon. Members, It is important to note that in the Year 2019/2020 the County realized actual own source revenues to the tune of Kshs 804,387,972.00 against a projection of Kshs 1,438,478,604.00 representing a shortfall of Kshs 634,090,632.00 representing (44.08%).

Mr. Speaker Sir and Hon. Members, it is important to note that this is the seventh (7<sup>th</sup>) Finance Bill the County Assembly is processing since the inception of County Government and the Third (3<sup>rd</sup>) during the term of this Assembly.

Mr. Speaker and Hon. Members, pursuant to the provisions of section 132 of the PFM Act, 2012 read together with County Assembly Standing Order No. 226, the Leader of Majority on 01<sup>st</sup> October, 2020 laid before the House the Proposed Kisumu County Finance Bill, 2020 for consideration. Consequently, this bill stood committed to the Select Committee of County Budget and Appropriations which Standing Orders No. 123 bestows the Committee with powers to conduct Public Participation and report back to the House on its finding while making appropriate recommendation.

#### ACKNOWLEDGEMENTS

Mr. Speaker Sir and Hon. Members, it is my privilege and pleasure on behalf of the Committee to convey my gratitude to all Members of the Committee for their valuable input throughout its proceedings. The Committee equally extends thanks to Members of the Public, Stakeholders,

Business Community and Civil Societies for taking their valuable time out of their busy schedule to participate robustly during the Public Participation.

The Committee also appreciates invaluable support from the offices of the Speaker, Clerk of the County Assembly by providing conducive atmosphere to prepare this report. To our technical staff who tirelessly worked through to make this exercise a success, I applaud you.

It is now my humble desire and wish to hereby submit this report to the House for consideration behalf of the Budget and Appropriation Committee.

#### LEGAL FRAMEWORK UNDERPINNING THE PREPARATION OF THE FINANCE BILL

The County Government in preparation of the Kisumu County Finance Bill took into consideration and invoked the provision of section 132 of the Public Finance Management Act, 2012 read together with County Assembly Standing Orders No. 226 which elucidates that each financial year, the County Executive Member for Finance shall, with the approval of the County Executive Committee, make a pronouncement of the revenue raising measures for the county government.

Mr. Speaker Sir and Hon. Members, the County Executive Committee member for finance shall, on the same, date that the revenue raising measures are pronounced, submit to the county assembly the County Finance Bill, setting out the revenue raising measures for the county government, together with a policy statement expounding on those measures.

Further, section 132 (3) of this Act states that, any recommendations made by the relevant committee or adopted by the county assembly on revenue matters shall ensure that the total amount of revenue raised is consistent with the approved fiscal framework and the County Allocation of Revenue Act; take into account the principles of equity, certainty and ease of collection; consider the impact of the proposed changes on the composition of tax revenue with reference to direct and indirect taxes; consider domestic, regional and international tax trends; Consider the impact on development, investment, employment and economic growth; and take into account the taxation and other tariff agreements and obligations that Kenya has ratified, including taxation and tariff agreements under the East African Community Treaty.

Finally, section 132 (4) of the PFM Act, 2012 explicitly states that, the recommendation of the County Executive Committee member for finance shall be included in a report and tabled in the County Assembly.

Consequently, the provisions of County Assembly Standing Orders No. 220 states as above indicated in the provisions of the PFM Act, 2012.

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**COMMITTEE MANDATE**

The Budget and Appropriations Committee derives its key mandate from the County Assembly Standing Orders No. 189 which stipulates as below;

County Budget and Appropriations Committee

189. (1) there shall be a select Committee to be known as the County Budget and Appropriations Committee.

(2) The Committee shall consist of a Chairperson, all other Committee Chairs and not more than five other Members.

(3) The functions of the Committee shall be to-

- (a) Investigate, inquire into and report on all matters related to coordination, control and monitoring of the County budget;
- (b) Discuss and review the estimates and make recommendations to the County Assembly;
- (c) Examine the County Budget Policy Statement presented to the County Assembly;
- (d) Examine Bills related to the County Government budget, including Appropriations Bills; and
- (e) Evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

**COMPOSITION OF THE COMMITTEE**

The Budget and Appropriations Committee is constituted as follows;

- |                          |   |                  |
|--------------------------|---|------------------|
| 1. Hon. Steve Owiti      | - | Chairperson      |
| 2. Hon. Aslam Khan       | - | Vice Chairperson |
| 3. Hon. Joachim Oketch   | - | Member           |
| 4. Hon. Nancy Owiti      | - | Member           |
| 5. Hon. Vincent Jagongo  | - | Member           |
| 6. Hon. Paul Okiri       | - | Member           |
| 7. Hon. Seth Kanga       | - | Member           |
| 8. Hon. Joseph Olale     | - | Member           |
| 9. Hon. Jacktone Ojwang' | - | Member           |
| 10. Hon. Kenneth Onyango | - | Member           |
| 11. Hon. Maurine Otiang' | - | Member           |
| 12. Hon. Benny Pete Oiko | - | Member           |
| 13. Hon. Johnson Guya    | - | Member           |
| 14. Hon. Beatrice Odongo | - | Member           |
| 15. Hon. Seth Okumu      | - | Member           |



**SECRETARIAT**

- |                   |   |                        |
|-------------------|---|------------------------|
| 1. Peter Anditi   | - | Clerk to the Committee |
| 2. Kephers Onoka  | - | Fiscal Analyst         |
| 3. Zablon Otiende | - | Hansard                |
| 4. Isaac Omollo   | - | Clerk Assistant        |
| 5. William Ogada  | - | Serjeant-at-Arms       |

**COMMITTEE SITTINGS**

The Committee held 7 (seven) sittings to interrogate, analyze, review and consider the Kisumu County Finance Bill, 2020 before coming up with this report on the same. This included collecting inputs from the Member of the County Assembly, stakeholders and interested groups who submitted their memorandums to the Committee during the Public Participation exercise that was conducted on Friday, 16<sup>th</sup> October, 2020 at the Grace Onyango Social Hall (Formerly Kisumu Social Hall) as from 02:00 p.m.

**LEGAL FRAMEWORKS UNDERPINNING PUBLIC SENSITIZATION PROCESS.**

The Clerk of Kisumu in compliance with the provisions of Article 119 read together with 196 of the Constitution of Kenya, section 87, 104 and 115 of the County Government Act, 2012, and in matter in consideration of the Kisumu County Annual Development Plan FY 2021-2022 notified the general public vide the gazette Daily Nation that the document had been read for the first time in the House on Thursday, 01<sup>st</sup> October, 2020.

Mr. Speaker Sir and Hon. Members, the Kisumu County Finance Bill, 2020 stood committed to the House Committee of Budget and Appropriations to facilitate Public Participation and make recommendations thereof to the House in accordance with the provisions of Article 119 and 196 of the Constitution of Kenya, 2010, the section 87 of the County Government Act, 2012, section 2070 of the PFM Act, 2012 and County Assembly of Kisumu Standing Order No. 123 (3).

In the notice, the Clerk informed the General Public, Civil Society/Interested Groups, professionals and other relevant stakeholder are invited to submit their oral or written memorandum through the Office of the Clerk to the Select Committee of Budget and Appropriations prior to the public participation that was conducted on Friday, 16<sup>th</sup> October, 2020 at the Grace Onyango Social Hall as from 02:00 p.m.

The Clerk in his notification stated that, due to the COVID-19 pandemic and to assist mitigate the virus caseload, COVID-19 Containment Protocols must be adhered to during the public participation exercise.

Mr. Speaker Sir and Hon. Members, during the public participation that was undertaken on the date under review, it is worthy to bring to your attention that the entire County was represented

in the process where a tally was taken by the Committee on the Sub-counties and wards that were ably represented in the company of Ward Administrators and Ward Managers.

#### CONSIDERATION OF THE FINANCE BILL IN LINE WITH RELEVANT PROVISIONS.

Mr. Speaker Sir and Hon. Members, the provision of County Assembly Standing Order No. 227 provides guidelines on how to consider the Finance Bill. This is highlighted as follows;

Any of the recommendations made by the Committee or adopted by the County Assembly on revenue matters shall –

- (a) ensure that the total amount of revenue raised is consistent with the approved fiscal framework;
  - (b) take into account the principles of equity, certainty and ease of collection;
  - (c) consider the impact of the proposed changes on the composition of the tax revenue with reference to the direct and indirect taxes;
  - (d) consider domestic, regional and international tax trends;
  - (e) consider the impact on development, investment, employment and economic growth;
  - (f) take into account the recommendations of the County Executive Committee member responsible for finance; and
  - (g) Take into account the taxation and other tariff agreements and obligations that Kenya has ratified, including taxation and tariff agreements under the East African Community Treaty.
- (3) The recommendation of the member of County Executive Committee responsible for finance shall be included in the report and laid on the Table of the County Assembly.

#### SCRUTINY OF THE PROPOSED KISUMU COUNTY FINANCE BILL 2020

##### OBJECT OF THE BILL

The objects of the Kisumu County Finance Bill, 2020 is to impose or vary various taxes, licenses, fees and other charges that are payable to Kisumu County Government. These are set out in the Schedule. The said Schedule set out the rates in (Kshs). The proposed streams of revenue collection are intended to enhance revenues payable to the County Government so as to ensure better service delivery and also to enable the County Government to perform the increased functions bestowed on it by the Fourth Schedule of the Constitution.

##### STRUCTURE OF THE KISUMU COUNTY FINANCE BILL, 2020.

- a) Part I – provides for preliminary provisions
- b) Part II – provides for power to charge license fees, rent and cess. This part further provides for powers to the CEC Finance to amend any of the Schedules through an Order published in a Gazette.

- c) Part III – provides for payments to be made to the County through authorized channels. It requires receipts to be issued to all payments made to the County and provides for offence for any person that contravenes the provisions of this Act. It also provides for appointment of agencies for the assistance in revenue collection and recovery and duties of the agents.
- d) Part IV – provides for general penalties for failure to comply with any provisions of this Act. It also provides for offence by the staff of the County including penalties for the offence. This recourse if a person is aggrieved by non-performance of the County officers.
- e) Part V – provides for savings of any of the fees, charges, permits, rents or cess that is currently being charged by the County until such fees, charges, permits, rent or cess is repealed or a law is enacted to provide for saving of direction, resolution or authorization that were issued by Municipal Councils, Town Councils and County Councils that were in the County, relating to financial management to ensure the financial base of the County is not affected by the enactment of this law. It further provides for the CECM responsible for Finance to make regulations for the better carrying out of the purposes and provisions of this Act.

The enactment of this Act shall occasion additional expenditure of public funds that will be provided in the Budget Estimates.

#### STAKEHOLDER'S PROPOSALS ON THE PROPOSED KISUMU COUNTY FINANCE BILL, 2020 AT THE GRACE ONYANGO SOCIAL HALL, FRIDAY, 16<sup>TH</sup> OCTOBER, 2020.

The Committee deliberated on the Public concerns and noted the following;

The Committee noted and appreciates that the County Executive had retained almost all the Fees and Charges as they were in the previous Financial Years.

The Budget and Appropriations Committee in consultation with Stakeholders having reviewed the Bill proposing the following amendments to the Kisumu County Finance Bill, 2020

Mr. Speaker and Hon. Members, below is a raft of proposals made by business groups stakeholder and interest groups which they proposed to be considered during the approval process;

THAT, charges and Fees under the following items be revised as shown in the fifth column as per the provided justifications.

## Departmental Fees and Charges:

## DEPARTMENT OF EDUCATION

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
01	Application for Registration	Application for Registration	1,000,000.00	500,000.00	Registration fees be reviewed downwards to encourage investors open up universities in Sub-counties

## DEPARTMENT OF SOCIAL SERVICES

THAT, the House considers charges and Fees under the Department of Social Services revenue items be revised as shown in the fifth column.

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
4.	Social Centre Rent	Arms Bar	20,000.00	30,000.00	Consider Review upwards
4.	Club Room		15,000.00	20,000.00	Consider Review upwards
4.	Office Space		15,000.00	15,000.00	Consider Review upwards
	Hire of Hall Chair, PA System,	New	20,000.00	25,000.00	Prevailing Market Rates and

	Projectors (Full Day)				Renovations
	Hire of Hall Chair, PA System, Projectors (Half Day)	New	10,000.00	15,000.00	Prevailing Market Rates and Renovations
	(Board Room 1 & 4) -Board Room (Full Package) (Full Day)	New	10,000.00	10,000.00	Prevailing Market Rates and Renovations
	(Board Room 1 & 4) Board Room (Full Package) (Half Day)	New	5,000.00	5,000.00	Prevailing Market Rates and Renovations
	Board Room 1 & 4) -Board Room (None Package) (Half Day)	New	5,000.00	5,000.00	Prevailing Market Rates and Renovations
	Board Room 1 & 4) Board Room (None Package) (Half Day)	New	3,000.00	5,000.00	Prevailing Market Rates and Renovations
	Conference Hall – Full Day, Full Package	New	8,000.00	10,000,000	Prevailing Market Rates and Renovations
	Conference Hall – Full Day, None-Package	New	5,000.00	8,000.00	Prevailing Market Rates and Renovations
	Conference Hall	New	3,000.00	5,000.00	Prevailing Market

	- Half Day, Full Package				Rates and Renovations
	Conference Hall 3 (Capacity 100 Seats) – Full Day (Full Package)	New	12,000.00	20,000.00	Prevailing Markets Rates/Rehabilitation
	Conference Hall 3 (Capacity 100 Seats) – Full Day (None-Package)	New	8,000.00	10,000.00	Prevailing Markets Rates/Rehabilitation
	Conference Hall 3 (Capacity 100 Seats) – Half Day (Full - Package)	New	6,000.00	10,000.00	Prevailing Markets Rates/Rehabilitation
	Conference Hall 3 (Capacity 100 Seats) – Half Day (None-Package)	New	5,000.00	5,000.00	Prevailing Markets Rates/Rehabilitation
9	Registration of Welfare Groups	Registration of Welfare Groups	2000.00	1,000,000	- Be revised at the Sub-county to encourage growth of welfare Groups at the Sub-counties  -maintain fees chargeable at the City
10	Alcohol Drinks Control Directorate	Application	2,000.00	2,000.00	
10	Alcohol Drinks	Busaa	Deleted	Deleted	None-Revenue

	Control Directorate	Brewers License			Stream to the County
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## DEPARTMENT OF HEALTH SERVICES

THAT, the House considers charges and Fees under the Department of Health Services revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
30	Chemical Foods	(xvii) Bars	3,000.00	3,000.00	
	Labour Ward	Cesarean Section Procedure	7,000	2,500.00	Review charges in Public Health Facilities (Affordability)
36	Requisition for Medical Examination	Typhoid	1,000.00	500.00	-Charges be lowered to enable “mama mboga” access these services  - Affordable Fees for Food Handlers
36	Requisition for Medical Examination	Yellow Fever	2,000	1,000.00	Fees be lowered to enable “mama mboga” access these services
39	Male Circumcision (Out-patient)	Male Circumcision Out-patient	1,500.00	500.00	Charges to be reviewed to bar traditional circumcisers.

					Help reduce transmission of HIV/Aids
54	Labour Ward/Maternity	Deliveries	5,000.00	Free	Promote UHC and Linda Mama Card Initiative
63	Paedriatic Ward	Nursing Fees	200.00	Free	
69	Vehicle Transport	Ambulance Transport outside City and private Request	3,000.00	Free	Fees be lowered to enable “mama mboga” access these services

#### DEPARTMENT OF WATER, ENVIRNOMENT AND NATURAL RESOURCES

THAT, the House considers charges and Fees under the Department of Water, Environment and Natural Resources revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
111	Hire of Parks	Miscellaneous Sale of Tree Logs) (Small)	750.00	750.00	Amount quoted is high for the common citizens (Pay for per log per day and generate profits?
111	Hire of Parks (Miscellaneous) (Sale of Tree Logs) (Big)	Miscellaneous Sale of Tree Logs) (Big)	1,500.00	1,500.00	Amount quoted is high for the common citizens (Pay for per log per day and generate profits?



111	Felling of Trees	Charges per Mature Tree	1,400.00	2,000.00	Cost of one tree is less than charged for permits – charges be reduced
111	Tree Nursery Per Year	Tree Nursery Per Year	2,500.00	500.00	- Sales are not forthcoming as a result of the Climate Change.
111	Permit for Tree Cutting using Power Saw	Permit for Tree Cutting using Power Saw	2,000.00	5,000.00	Deter cutting of tree, promote climate change tenets.
113	Solid Waste Management	Fines for Illegal Disposal of Waste from Construction Sites	100,000.00	100,000.00	Fines exorbitant/punitive and needs to be reviewed.

#### DEPARTMENT OF LANDS, PHYSICAL PLANNING AND URBAN DEVELOPMENT

THAT, the House considers charges and Fees under the Department of Physical Planning, Lands and Urban Development revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
191	Physical Planning Services	Change of User Fee	Various Fees indicated	Reduced to affordable	Charges extremely high, reduction will entice developers/development
199	Survey Services	Fixed Boundary Dispute Resolution	10,000	5,000.00	Charges considered for amendments

		Fee (per Plot)			
	Occupation Certificate	Commercial	30,000.00	10,000.00	Amendment of proposed fees by 25%
	Occupation Certificate	Industrial	20,000.00	20,000.00	Amendment of proposed fees by 25%
	Road Cutting per meter	Tarmac	50,000.00	50,000.00	Charges be retained as per the Proposed Fees.
204	Temporary Occupation License (TOL)	Application Fees	3,500.00	2,000.00	No justification given for proposed reduction
204	Temporary Occupation License (TOL)	Identification Fees	1,500.00	1,000.00	No justification given for proposed reduction
204	Temporary Occupation License (TOL)	Supervision Fees	1,500.00	1,000.00	No justification given for proposed reduction
	Advertisement	Sandwich Advert per day	2,600.00	1,500.00	Payment included in the Roadshow Fees.
	Demolition Application Fees	Residential	5,000.00	3,000.00	Charges be based on size of the House.

#### DEPARTMENT OF TRANSPORT, ROADS AND PUBLIC WORKS

THAT, the House considers charges and Fees under the Department of Roads, Transport and Public Works revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
191	Trailer Stop Over	New	Not included	2,000.00	Trailers be charged.
280	Bus park Fee, Town Services Fee	Monthly Stickers			Vehicles plying Muhoroni be permitted application of Monthly Stickers
285	Public Nuisance	Obstruction Fees	5,000.00	5,000.00	No justification given for proposed reduction
286	Market Shop Rent	Shop No. 1 to 67	Various charges	2,000.00	Shops to pay flat rate as proposed.

## DEPARTMENT OF TOURISM, CULTURE, ARTS AND SPORTS

THAT, the House considers charges and Fees under the Department of Tourism, Culture, Arts and Sports revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
303	Kenyatta Sports Ground	Football Pitch Training per session	500.00	1,000.00	Introduction of Monthly charges for Football Pitch
303	Kenyatta Sports Ground	Hockey Pitch Training per session	300.00	1,000.00	Introduction of Monthly charges for Football Pitch
314	Culture and Arts	New	30,000.00	20,000.00	No justification given for proposed reduction

	Kanyakwar Auditorium				
	Culture and Arts	Registration of Cultural Groups and dancers per annum	5,000.00	2,000.00	Encourage youths establish cultural dancing groups and promote diversity

## DEPARTMENT OF AGRICULTURE, LIVESTOCK AND FISHERIES

THAT, the House considers charges and Fees under the Department of Agriculture, Livestock and Fisheries revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
350	Tractor Hire Per Acreage	Tractor Hire	3,500.00	2,500.00	Purchase more farm machineries
350	Tractor Hire Per Acreage – Harrowing Riding in Black Cotton Soil	NEW	900.00	900.00	Be approved
350	Ploughing in other Areas	NEW	750.00	750.00	Be Approved
350	Harrowing Riding in other Areas	NEW	900.00	900.00	Be Approved
350	Ploughing in Sugarcane Farms	NEW	1,400.00	1,400.00	Be Approved
350	Allowance for Operators (Two per Acreage)	NEW	400.00	400.00	Be Approved.

	Sugarcane per Acreage				
350	Fuel per Acreage	NEW	1,320.00	1,320.00	Be Approved
350	Allowance for Operators (Two per acreage) Harrowing/Riding in other areas	NEW	300.00	300.00	Be Approved
350	Fuel Harrowing/Riding in other Areas	NEW	770.00	770.00	Be Approved
350	Lubricant 10% of Fuel	NEW	220.00	220.00	Be Approved.
350	Tractor Hire Services - Mobilization Fees	NEW	220.00	Free	Services to be Free.

#### COMMITTEE FINDING, OBSERVATIONS AND RECOMMENDATIONS.

Mr. Speaker and Hon. Member of the House, the following were the Committee Finding, Observation and Recommendations while reviewing the Kisumu County Finance Bill, 2020

##### Finding/Observation

1. The County Executive contravened the provision of section 133 of the Public Finance Management Act, 2012 which explicitly states that;

*“Not later than ninety days after passing the Appropriation Bill, the county assembly shall consider and approve the Finance Bill with or without amendments”.*

This was explained that the cause of this delayance was necessitated by the fact of the COVID-19 Pandemic which necessitated the President to issue a decree that to effect the containment measures staff should commence working at home to help bring down the caseload further help flatten the curve. This compelled the Executive to initiate these decrees and sent most of their staff home until the decree had been rescinded.

#### Other observations

The County Assembly being the Legislative Arm of the County Government and the House of Rules and Procedures, shall always endeavour to adhere, respect, uphold and comply with the Constitution and any other relevant statutes while discharging their Constitutional functions.

2. The Committee found/observed that the County Executive ineptness to adequately collect required revenues to support budgetary obligations. This has always created a “Budget Hole” (Deficit) thereby, affecting services delivery in the Development Sector.

The Committee further observed that, the County Executive has willfully refused or ignored to formulate revenue bills which will enhance revenue collections within the County.

#### Recommendation

- i. The County Executive Member for Finance and Economic Planning to appear before the House to explain the Revenue Raising Measures the County has put in place to enhance Revenue Collections and equally to explain why the County failed to realize its past revenue targets despite the fact that revenues has been automated.
- ii. The County Executive Member for Finance to appear before the House to explain why the office has willfully failed, refused or ignored the County Assembly Resolutions requiring implementation of the Valuation Roll and the taxes on Boda-boda to robustly improve Revenue Collection within the County has not been implemented.
- iii. The County Executive Member for Finance shall put all Revenue heads on targets and provide Quarterly Reports on Revenue Collections to the House regularly.
- iv. The County Executive Committee Member for Finance and Economic Planning to avail to the House a detailed Schedule of ALL County Revenue Streams and their performance Trend for atleast three previous consecutive years.
- v. The County Executive Committee Member for Finance and Economic Planning to avail to the House a list of ALL Rolling Projects and Status Report for atleast three previous years for analysis.

Mr. Speaker and Hon. Members, the Committee in interrogating the Bill noted that, the County Executive Member for Finance and Economic Planning did not submit a written memorandum of how proposed changes had complied with the above provisions of the law.

Further, the Committee observed with great pleasure that the proposed tariffs have greatly complied with domestic tax trends as almost the entire Bill remained comparatively unamended from the previous financial years.

#### Conclusion

Pursuant to the provisions of section 133 of the PFM Act, 2012 read together with County Assembly Standing Orders No. 226. The Committee therefore recommends that the House approves the Report on the Kisumu County Finance Bill, 2020 with amendments therein.

Thank you.

**Hon. Owiti:** I want to call upon Hon. Otiang', who is a Member of the Committee to second.

**The Temporary Speaker** (Hon. Okumu): Yes Hon. Otiang'

**Hon. Otiang':** Thank you Mr. Speaker, Sir. I beg to second the Budget and Appropriations Committee Report for the Kisumu County Finance Bill, 2020. As a Member of this Committee Mr. Speaker, Sir, we sat and deliberated on the issues that have been submitted and the attendant recommendations. I stand by them and urge the House to adopt it. Thank you

**The Temporary Speaker** (Hon. Okumu): Thank you Honourable Members. A Report from the Select Committee on Budget and Appropriations on its consideration of the Proposed Kisumu County Finance Bill, 2020 has been read, was tabled before this House and brought as a Motion by the Chair of Budget and Appropriations Hon. Steve Owiti and seconded by a member of the Committee Hon. Maureen Otiang'. I now want to propose that we open the report for debate?

**The Temporary Speaker** (Hon. Okumu): Yes Hon. Samson Ameso, MCA for North Seme Ward.

**Hon. Ameso:** Thank you Mr. Speaker, I want to commend the committee for doing some great job and for coming up with robust recommendations. I want to stress on one recommendation and thank the committee for coming up with it.

Mr. Speaker, we all understand that when we do our budget, we do appropriation with the view that we expect the County will collect the revenue that will enable us to undertake the activities that are attached to the budget. In several occasions, as I have noted like in the last financial year, we never realized the target as was proposed and we were short with close to 50 percent. It is indicated here as 44 percent and with this kind of trend we will realize that the County will keep on piling the Pending Bills because of the deficits.

Recently, as I was listening to a discussion on the radio, I learnt that our neighboring County, Homabay has surpassed their target on their revenue collection, and this moved me. I was also looking at our County's preparedness and noticed that, we have automated gadgets as well that would even make us rank higher in revenue collection than we are now. However, we still lag behind despite all these gadgets, which shows that something is amiss somewhere thus I want to appreciate the Select Committee for recommending that the CEC in charge to be called upon to explain why we cannot meet our Own Source Revenue as a County. Otherwise I want to commend the areas that were looked into keenly and that the recommendations are so friendly to the *Mwanainchi* on areas they have approved charges that will at least ease the burden for the small business owners within our County. With all those submissions I want to support and plead with the House to adopt the report, thank you.

**The Temporary Speaker** (Hon. Okumu): Thank you Hon. Member, Yes Chief Whip Hon. Priscah Misachi and MCA for Kaloleni- Shaurimoyo Ward

**The Chief Whip** (Hon. Misachi): Thank you Mr. Speaker. The report by the Select Committee is well done but, I want to refer to some areas in the Kisumu County Finance Bill, 2020 like the projections made on rents for some houses.

Mr. Speaker, I believe that, this is an example of where we are going wrong and also why we have not managed to reach our targets because the projections are unachievable. If you look at the Bill itself, the suggestion to raise rents to seven estates within the County, some of these cannot be collected because they have tried it for quite some time, and they keep on projecting and increasing rents that they cannot collect. Even if we were to say that the Bill to be amended is expunged then, Rents that they intend to collect and increase in the document before it is published as a bill after the draft, it is still not realized.

Mr. Speaker, if they want to make a measurable budget, there is need to expunge the Rental Houses because, currently there is no house that is under the County. Let us do a research and find out from the CEC Member for Finance and Economic Planning if it is collectible because I know of their projection but no collection and increasing rents of houses that aren't within their docket. Mr. Speaker, kindly advise us on what to do because, I tried to raise it with the Chairperson of the Budget and Appropriation Committee and he told me that he will look at it. I have not seen a mention of those houses which were listed for rent collection.

Mr. Speaker, today we were going to meet the residents of Makasembo Estate with an intention of pulling down their houses so that better and affordable houses are built there. Why should we do something that is not possible to collect from? This also applies to the *Boda-boda sector*. We should therefore not lie about something that is being incorporated in the Finance Bill and be practical by doing something that will make us reach near or even reach our target. Until that is corrected, it will keep on being a thorny issue for the residents of this great County of Kisumu.

**The Temporary Speaker** (Hon. Okumu): Thank you Hon. Member, I want to inform you that at certain times the CEC Member for Finance and Economic Planning is given the power to waiver any charges that have been passed in the Finance Bill. Secondly, I heard you mentioning that there are no houses under the County Government of Kisumu and I believe that this one I will let the Chairperson of the Budget and Appropriation Committee to respond to as he will be giving his submissions.

**The Temporary Speaker** (Hon. Okumu): Yes Hon. Rashid Miruka.

**Hon. Miruka:** Thank you Mr. Speaker, looking through the document and the explanations therein, allow me to call the mover to reply.

**The Temporary Speaker** (Hon. Okumu): Yes Hon. Steve Owiti.



**Hon. Owiti:** Thank you Mr. Speaker and Honorable Members. I want to agree with you that there are key areas that have been handled and would like to respond to some concerns that have been raised.

Mr. Speaker, on the issues of houses that have not been covered in this report has not changed as they were covered in the last FY. The members of the public have also been informed that there won't be an increase. It is therefore important to note that when this act will be passed, there will not be an increase made to those housing units until that matter is resolved. The Assembly as well as the House Committee has looked into this and resolved that, areas that had no increment will be maintained as it was in the previous year because, most of what we covered here were items that were newly introduced. It is also important to note that we are unable to meet our Own Source Revenue collection and there is need for seriousness and attention on this.

Mr. Speaker, there is need to have some serious attention to this area of Revenue Collection. As you are listening to me present this report, there are some recommendations made to the House Committee which we shall call upon the CEC Member for Finance and Economic Planning to explain to us how they intend to achieve the proposed Own Revenue figures in the budget. Thank you Mr. Speaker and I urge Members that we adopt this report so that the Finance Bill can be enacted.

**The Temporary Speaker** (Hon. Okumu): Thank you Hon. Steve. Hon. Members, a report from the Select Committee of Budget and Appropriation, on its consideration of the Proposed Kisumu County Finance Bill 2020 was tabled before this House procedurally and was moved as a motion by the Hon Chair of Budget and Appropriation Committee, seconded by the Hon. Maureen Otiang', debated by Hon. Members. I now want to put a question for Hon. Members to vote for the adoption of the report or not.

*(Question put and agreed to)*

**The Temporary Speaker** (Hon. Okumu): Thank you Hon. Members. I want to request that the recommendations of the report to be considered in the Kisumu County Finance Bill, 2020. I request the Clerk to take us through the next order.

## MOTION

SECOND READING OF THE KISUMU COUNTY FINANCE BILL, 2020

BY

HON. STEVE OWITI

CHAIRPERSON, COUNTY BUDGET AND APPROPRIATIONS

**The Temporary Speaker** (Hon. Okumu): Yes, Hon. Steve Owiti.

**Hon. Owiti:** Thank you Mr. Speaker. Now that the report has been adopted, I call upon the Clerk to take us through the Second Reading of the Kisumu County Finance Bill, 2020.

**The Temporary Speaker** (Hon. Okumu): Yes, Mr. Clerk.

*(The Kisumu County Finance Bill, 2020 being read for the second time)*

**The Temporary Speaker** (Hon. Okumu): Thank you Mr. Clerk, and with that I want to invoke the Standing Order No. 125 that requests that after a Bill has been read for the second time, the Speaker shall leave the Chair without the question put.

*(Members revert into Committee of the Whole House)*

**Chairperson, Committee of the Whole House** (Hon. Miruka): Hon. Members, we are now going into the sequence of the Committee of the Whole House under Standing Order No. 126. So we will go from Clause by Clause - if there is any amendment that we need to inject here then, you are welcome to do it.

**Chairperson, Committee of the Whole House** (Hon. Miruka): Yes, Chairperson, Budget and Appropriations.

**Hon. Owiti:** Thank you Chair. Allow me to propose that having gone through this Kisumu County Finance Bill, 2020, there are few amendments that I would want to bring to the attention of the Committee of the Whole House. I want to ask that because they are not so many, I would propose we go the guillotine way so that our Clerk would be able to take us through before a question is put. I ask the Majority Whip to second that we guillotine and don't read item by item.

**The Chief Whip** (Hon. Misachi): I second that we go the guillotine way.

**Chairperson, Committee of the Whole House** (Hon. Miruka): Thank you. Allow me to invite the Clerk to take us through.

*(Clauses 2,3,4,5,6,7,8,9,10,11,12,13,14,15,16 being read)*

**Chairperson, Committee of the Whole House** (Hon. Miruka): Hon. Members, I propose that Clauses 2 -16 be part of the Bill as already read. Welcome Hon. Steve Owiti. Do you have any amendment?

**Hon. Owiti:** I don't any amendment Mr. Chair.

**Chairperson, Committee of the Whole House** (Hon. Miruka): Now I put a question that Clauses 2 -16 be part of the Bill.

*(Question put and agreed to)*

Chairperson, Committee of the Whole House (Hon. Miruka): Continue, Mr. Clerk.

(Amendments by the County Budget and Appropriations Committee being read)

**DEPARTMENT OF EDUCATION**

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
01	Application for Registration	Application for Registration	1,000,000.00	500,000.00	Registration fees be reviewed downwards to encourage investors open up universities in Sub-counties

**DEPARTMENT OF SOCIAL SERVICES**

**THAT**, the House considers charges and Fees under the Department of Social Services revenue items be revised as shown in the fifth column.

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
4.	Social Centre Rent	Arms Bar	20,000.00	30,000.00	Consider Review upwards
4.	Club Room		15,000.00	20,000.00	Consider Review upwards
4.	Office Space		15,000.00	15,000.00	Consider Review upwards

	Hire of Hall Chair, PA System, Projectors (Full Day)	New	20,000.00	25,000.00	Prevailing Rates and Renovations	Market and
	Hire of Hall Chair, PA System, Projectors (Half Day)	New	10,000.00	15,000.00	Prevailing Rates and Renovations	Market and
	<b>(Board Room 1 &amp; 4) -Board Room (Full Package) (Full Day)</b>	New	10,000.00	10,000.00	Prevailing Rates and Renovations	Market and
	<b>(Board Room 1 &amp; 4)Board Room (Full Package) (Half Day)</b>	New	5,000.00	5,000.00	Prevailing Rates and Renovations	Market and
	<b>Board Room 1 &amp; 4) -Board Room (None Package) (Half Day)</b>	New	5,000.00	5,000.00	Prevailing Rates and Renovations	Market and
	<b>Board Room 1 &amp; 4)Board Room (None Package) (Half Day)</b>	New	3,000.00	5,000.00	Prevailing Rates and Renovations	Market and
	Conference Hall – Full Day, Full Package	New	8,000.00	10,000,000	Prevailing Rates and Renovations	Market and
	Conference Hall – Full Day,	New	5,000.00	8,000.00	Prevailing Rates	Market and

	None-Package				Renovations
	Conference Hall – Half Day, Full Package	New	3,000.00	5,000.00	Prevailing Market Rates and Renovations
	Conference Hall 3 (Capacity 100 Seats) – Full Day (Full Package)	New	12,000.00	20,000.00	Prevailing Markets Rates/Rehabilitation
	Conference Hall 3 (Capacity 100 Seats) – Full Day (None-Package)	New	8,000.00	10,000.00	Prevailing Markets Rates/Rehabilitation
	Conference Hall 3 (Capacity 100 Seats) – Half Day (Full - Package)	New	6,000.00	10,000.00	Prevailing Markets Rates/Rehabilitation
	Conference Hall 3 (Capacity 100 Seats) – Half Day (None-Package)	New	5,000.00	5,000.00	Prevailing Markets Rates/Rehabilitation
9	Registration of Welfare Groups	Registration of Welfare Groups	2000.00	1,000,000	- Be revised at the Sub-county to encourage growth of welfare Groups at the Sub-counties  -maintain fees chargeable at the City
10	Alcohol Drinks Control	Application	2,000.00	2,000.00	

	Directorate				
10	Alcohol Drinks Control Directorate	Busaa Brewers License	Deleted	Deleted	None-Revenue Stream to the County

## DEPARTMENT OF HEALTH SERVICES

**THAT**, the House considers charges and Fees under the Department of Health Services revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
30	Chemical Foods	(xvii) Bars	3,000.00	3,000.00	
	Labour Ward	Cesarean Section Procedure	7,000	2,500.00	Review charges in Public Health Facilities (Affordability)
36	Requisition for Medical Examination	Typhoid	1,000.00	500.00	-Charges be lowered to enable “mama mboga” access these services  - Affordable Fees for Food Handlers
36	Requisition for Medical Examination	Yellow Fever	2,000	1,000.00	Fees be lowered to enable “mama mboga” access these services
39	Male	Male	1,500.00	500.00	Charges to be

	Circumcision (Out-patient)	Circumcision Out-patient			reviewed to bar traditional circumcisers.  Help reduce transmission of HIV/Aids
54	Labour Ward/Maternity	Deliveries	5,000.00	Free	Promote UHC and Linda Mama Card Initiative
63	Paedriatic Ward	Nursing Fees	200.00	Free	
69	Vehicle Transport	Ambulance Transport outside City and private Request	3,000.00	Free	Fees be lowered to enable “mama mboga” access these services

#### DEPARTMENT OF WATER, ENVIROMENT AND NATURAL RESOURCES

**THAT**, the House considers charges and Fees under the Department of Water, Environment and Natural Resources revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
111	Hire of Parks	Miscellaneous Sale of Tree Logs) (Small)	750.00	750.00	Amount quoted is high for the common citizens (Pay for per log per day and generate profits?
111	Hire of Parks (Miscellaneous)	Miscellaneous Sale of Tree	1,500.00	1,500.00	Amount quoted is high for the

	(Sale of Tree Logs) (Big)	Logs) (Big)			common citizens (Pay for per log per day and generate profits?
111	Felling of Trees	Charges per Mature Tree	1,400.00	2,000.00	Cost of one tree is less than charged for permits – charges be reduced
111	Tree Nursery Per Year	Tree Nursery Per Year	2,500.00	500.00	- Sales are not forthcoming as a result of the Climate Change.
111	Permit for Tree Cutting using Power Saw	Permit for Tree Cutting using Power Saw	2,000.00	5,000.00	Deter cutting of tree, promote climate change tenets.
113	Solid Waste Management	Fines for Illegal Disposal of Waste from Construction Sits	100,000.00	100,000.00	Fines exorbitant/punitive and needs to be reviewed.

#### DEPARTMENT OF LANDS, PHYSICAL PLANNING AND URBAN DEVELOPMENT

**THAT**, the House considers charges and Fees under the Department of Physical Planning, Lands and Urban Development revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
191	Physical Planning	Change of User Fee	Various Fees	Reduced to affordable	Charges extremely high, reduction will entice



	Services		indicated		developers/development
199	Survey Services	Fixed Boundary Dispute Resolution Fee (per Plot)	10,000	5,000.00	Charges considered for amendments
	Occupation Certificate	Commercial	30,000.00	10,000.00	Amendment of proposed fees by 25%
	Occupation Certificate	Industrial	20,000.00	20,000.00	Amendment of proposed fees by 25%
	Road Cutting per meter	Tarmac	50,000.00	50,000.00	Charges be retained as per the Proposed Fees.
204	Temporary Occupation License (TOL)	Application Fees	3,500.00	2,000.00	No justification given for proposed reduction
204	Temporary Occupation License (TOL)	Identification Fees	1,500.00	1,000.00	No justification given for proposed reduction
204	Temporary Occupation License (TOL)	Supervision Fees	1,500.00	1,000.00	No justification given for proposed reduction
	Advertisement	Sandwich Advert per day	2,600.00	1,500.00	Payment included in the Roadshow Fees.
	Demolition Application Fees	Residential	5,000.00	3,000.00	Charges be based on size of the House.

**DEPARTMENT OF TRANSPORT, ROADS AND PUBLIC WORKS**

**THAT**, the House considers charges and Fees under the Department of Roads, Transport and Public Works revenue items be revised as shown in the fifth column as per the justification provided;

<b>Revenue Code</b>	<b>Item Description</b>	<b>Category</b>	<b>Proposed in the Finance Bill</b>	<b>Approved Fees and Charges</b>	<b>Justification</b>
191	Trailer Stop Over	New	Not included	2,000.00	Trailers be charged.
280	Bus park Fee, Town Services Fee	Monthly Stickers			Vehicles plying Muhoroni be permitted application of Monthly Stickers
285	Public Nuisance	Obstruction Fees	5,000.00	5,000.00	No justification given for proposed reduction
286	Market Shop Rent	Shop No. 1 to 67	Various charges	2,000.00	Shops to pay flat rate as proposed.

**DEPARTMENT OF TOURISM, CULTURE, ARTS AND SPORTS**

**THAT**, the House considers charges and Fees under the Department of Tourism, Culture, Arts and Sports revenue items be revised as shown in the fifth column as per the justification provided;

<b>Revenue Code</b>	<b>Item Description</b>	<b>Category</b>	<b>Proposed in the Finance Bill</b>	<b>Approved Fees and Charges</b>	<b>Justification</b>
303	Kenyatta Sports	Football Pitch	500.00	1,000.00	Introduction of <b>Monthly</b>

	Ground	Training per session			charges for Football Pitch
303	Kenyatta Sports Ground	Hockey Pitch Training per session	300.00	1,000.00	Introduction of <b>Monthly</b> charges for Football Pitch
314	Culture and Arts Kanyakwar Auditorium	New	30,000.00	20,000.00	No justification given for proposed reduction
	Culture and Arts	Registration of Cultural Groups and dancers per annum	5,000.00	2,000.00	Encourage youths establish cultural dancing groups and promote diversity

#### DEPARTMENT OF AGRICULTURE, LIVESTOCK AND FISHERIES

**THAT**, the House considers charges and Fees under the Department of Agriculture, Livestock and Fisheries revenue items be revised as shown in the fifth column as per the justification provided;

Revenue Code	Item Description	Category	Proposed in the Finance Bill	Approved Fees and Charges	Justification
350	Tractor Hire Per Acreage	Tractor Hire	3,500.00	2,500.00	Purchase more farm machineries
350	Tractor Hire Per Acreage – Harrowing Riding in Black Cotton Soil	NEW	900.00	900.00	Be approved
350	Ploughing in other Areas	NEW	750.00	750.00	Be Approved

350	Harrowing Riding in other Areas	NEW	900.00	900.00	Be Approved
350	Ploughing in Sugarcane Farms	NEW	1,400.00	1,400.00	Be Approved
350	Allowance for Operators (Two per Acreage) Sugarcane per Acreage	NEW	400.00	400.00	Be Approved.
350	Fuel per Acreage	NEW	1,320.00	1,320.00	Be Approved
350	Allowance for Operators (Two per acreage) Harrowing/Riding in other areas	NEW	300.00	300.00	Be Approved
350	Fuel Harrowing/Riding in other Areas	NEW	770.00	770.00	Be Approved
350	Lubricant 10% of Fuel	NEW	220.00	220.00	Be Approved.
350	Tractor Hire Services - Mobilization Fees	NEW	220.00	Free	Services to be Free.

*(The question was put and agreed to)*

## THE KISUMU COUNTY FINANCE BILL, 2020

A Bill for

AN ACT of the county assembly to provide for the various taxes, fees and charges for services and for the other revenue raising measures by the County Government; and for the matters incidental thereto

**Chairperson of The Committee of The Whole House** (Hon. Rashid): As proposed to be part of this Bill unless there is any amendment.

*(The question was put and agreed to)*

**Short title and commencement**

1. This Act may be cited as the Kisumu County Finance Act, 2020 once it is approved and shall come into operation on the date of publication in the *Kenya Gazette*. Be part of this Bill.

*(The question was put and agreed to)*

**Hon. Steve:** Thank you Mr. Chairman, allow me to propose that this Committee of the Whole House reverts back to the plenary so that we can continue with the third reading and I request that Hon. Ameso to second?

*(Hon. Ameso seconded by bowing his head)*

*(House reverting back to Plenary)*

**The Temporary Speaker** (Hon. Seth Okumu): Thank you Hon. Members, I want to request the Chairperson of the Committee of the Whole House to report on the Progress Report from the Committee of the Whole.

**Hon. Miruka:** Thank you Mr. Speaker and the Hon. Members. The committee of the Whole House has concluded its sitting and the report that I had highlighted a few amendments has also been passed by the committee of the Whole House and those amendments that have been proposed in our report of Budget and Appropriations Committee that included mostly new items for the fees and charges, retention of old and approved charges of the Kisumu County Finance Bill of 2020. I believe that there is no major amendment and the ones that have been approved have been adopted by the Committee of the Whole House. I therefore wish to report that the proceedings of the committee was smooth and we did not have any controversy or any amendment.

Mr. Speaker, I would also want to bring to your attention that it was also noted that the proposed increments of the Houses in our various estates had been amended to remains as was in the previous Financial Year. Thank you.

**The Temporary Speaker** (Hon. Seth Okumu): Thank you Hon. Members, having received a report from the Committee of the Whole House, I would therefore like to put a question on the adoption of the report from the Committee of the Whole House on the report of the Kisumu County Finance Bill, 2020.

*(Question put and agreed to)*

**The Temporary Speaker** (Hon. Seth Okumu): The report from the Committee of the whole House on the Proposed Kisumu County Finance Bill, 2020 is hereby adopted today Wednesday 28<sup>th</sup> October, 2020 at 1608 hours.

**The Temporary Speaker** (Hon. Seth Okumu): Next Order!

## MOTION

3<sup>RD</sup> READING OF THE KISUMU COUNTY FINANCE BILL, 2020

BY HON. STEVE OWITI,

CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE

**The Temporary Speaker** (Hon. Seth Okumu): Yes Hon. Steve Owiti.

**Hon. Steve Owiti:** Thank you Mr. Speaker. Now that the Proposed Kisumu County Finance Bill, 2020 has been read for the second time and adopted, I want to ask the Clerk to take us through the 3<sup>rd</sup> Reading of the Kisumu County Finance Bill, 2020.

**The Temporary Speaker** (Hon. Seth Okumu): Yes Mr. Clerk.

*(Clerk reads the Long Title of the Proposed Kisumu County Finance Bill, 2020)*

Thank you Mr. Speaker Sir. The Kisumu County Finance Bill, 2020.

A Bill for an ACT of the County Assembly of Kisumu to provide for the various taxes, fees and charges for services and for other revenues and measures by the County Government and for the matters incidental thereto is now read for the 3<sup>rd</sup> time.

**The Temporary Speaker** (Hon. Seth Okumu): Thank you Hon. Members. The Kisumu County Finance Bill, 2020 has been read for the 3<sup>rd</sup> time and pursuant to the provisions of Standing Orders No. 134, I want to ask if there is any amendment that any Member would wish to be incorporated into the report.

Thank you Hon. Members, now that there is no any further amendments to the Kisumu County Finance Bill, 2020 after the 3<sup>rd</sup> reading, allow me to propose to put a question for approval of the Kisumu County Finance Bill, 2020.

*(Question put and agreed to)*

**The Temporary Speaker** (Hon. Okumu): Hon. Members, the Kisumu County Finance Bill, 2020 is hereby adopted today Wednesday 28<sup>th</sup> October 2020 at 1612 hours.

I want to direct that the Kisumu County Finance Bill, 2020 together with the Hansard Reports and the Vellum be made available to be signed and be forwarded to the Governor for ascent as soon as possible so that the County can legally raise revenue. Thank you.

**The Temporary Speaker** (Hon. Okumu): Next Order!

### ADJOURNMENT

**The Temporary Speaker** (Hon. Seth Okumu): There being no any other business to transact, the House stands adjourned to tomorrow Thursday 29<sup>th</sup> October 2020 at 2.30 p.m.

*(House rose at 4.15 p.m.)*

*Addendum*

**Hansard Reporters**

<i>Zablon Otiende</i>	-	<i>Reporter - In-charge</i>
<i>Patrick Okoyo</i>	-	<i>Reporter</i>
<i>Edward Odanga</i>	-	<i>Reporter</i>
<i>Dennis Ogolla</i>	-	<i>Reporter</i>
<i>Fanuel Okode</i>	-	<i>Reporter</i>
<i>Jacklyne Otieno</i>	-	<i>Reporter</i>
<i>Jesca Otieno</i>	-	<i>Reporter</i>