

REPUBLIC OF KENYA
MURANG'A COUNTY ASSEMBLY
THE HANSARD

Wednesday, 4th April, 2018

The House met at 2:42 p.m.

[Temporary Speaker (Hon. Morris Thuku) in the Chair]

PRAYERS

MOTION

SUBMISSION OF EMERGENCY FUND BILL

Hon. Kiiru Mwangi: Thank you Mr. Speaker, I am the Member of County Assembly (MCA) for Gaturi Ward and the Chair for Finance and Economic Planning. I beg to move the following Motion:-

That, aware that Section 110 (1) of the Public Finance Management (PFM) Act, 2012, empowers the County Executive Committee (CEC) with the approval of the County Assembly to establish an Emergency Fund for the County Government, cognizant of the fact that the power to establish such a fund is vested in the County Executive Committee Member (CECM) in charge of Finance, IT and Economic Planning, pursuant to Section 110 (2) of the Public Finance Management Act, 2012, further aware that the County Government over the previous fiscal years made payments in respect of emergencies from the Supplementary budgets thereby undermining government investment, planning framework and the County's growth strategy; this House urges the CECM in charge of Finance, IT and Economic Planning to submit the Murang'a County Emergency Bill to the County Assembly for consideration within 60 days.

Mr. Speaker, for this House to live to the spirit of the letter of Section 110 (1) of the PFM Act, 2012, it will be appropriate for the CECM in charge of Finance, IT and Economic Planning to establish the County Emergency Fund. Section 112 of the PFM Act, 2012, states that the CECM for Finance, IT and Economic Planning may make payments from the County Emergency Fund only if, he or she is satisfied that there is an urgent and unforeseen need for expenditure for which there is no legislative authority and, shall, be in accordance with the operations or guidelines made under Regulations approved by Parliament and the laws relating to disaster management.

Mr. Speaker, it is expected that an emergency fund would be established to cater for such aforementioned urgent and unforeseen needs for expenditure. This will also help to avoid the deviation of expenditure as stated in section 108 (1) of the PFM Act. In the recent past, this House passed a Report on the Supplementary budget whose part thereof was intended to cater for emergencies such as the drought that has affected a section of the population in Murang'a County. This has no doubt interfered with the County development plans and since reallocation are done on the programmes while considering supplementary estimates.

Mr Speaker, also in the previous years, the County has not been without emergencies, for instance, we have had landslides, we have had infernos, we have had other frequent emergencies that have affected our County like the Cholera outbreak we had in Kihumbu-ini ward. We also had some roofs blown in my ward during the hailstorm that came last month,

we have also had houses collapsing in Township ward and these are some of the issues that need to be addressed through these emergency funds.

Mr. Speaker, members will attest that at times they have found themselves at crossroads due to the fact that our constituents expect us to help them and provide urgent solutions when such things happen.

Nonetheless, Mr Speaker, this fund must not be used as a cash cow to finance activities whose definitions and nature do not fit in the meaning of urgent and unforeseen needs. It should be noted that once the law is enacted by this House, the CEC finance and planning will be expected to submit regulations to this Assembly to ensure that the funds are expended for the purposes for which it is established and in fact that also falls under the PFM Act Section 111.

Mr. Speaker, I implore this House to find it appropriate to adopt this motion so that the CECM Finance and economic planning in our County is compelled to submit the Murang'a County Emergency Fund Bill for consideration by this House. With that Mr Speaker, I now call upon Hon. Murigi to second the motion. Thank you

Hon. Murigi Amos: I stand to second his motion considering the setting of an Emergency Fund Bill is long overdue and disaster sometimes strike when unnecessary expected. And sometimes in the Bill we require to specify the cases to be considered to avoid the issue of misuse and I know in some cases we have also been able to depend with other Counties, like for the issue of fire, in the last two years, we have a fire department and initially we used to get assistance from Thika and other Counties. As we talk, and I have also talked with those in the fire department, actually they do not have any regulations and sometimes some of these things are just taken haphazardly and we require a Bill to regulate all this.

As I second what I support strongly is as we come to the issue of deadline because the 60 days we have given, we want to make sure because it is provided for in the Act, we hope the CECM will act swiftly so that as an Assembly we can have an opportunity of passing this very crucial Bill. With that I stand to second Mr. Speaker.

(Question proposed)

Hon. Waithera Ndung'u: Hon. Speaker I stand to support the motion to allocate emergency fund. I as the Chair Education Committee, I think emergency fund is very important, like now we have some schools in Kigumo which were blown away, others are having very big cracks, let me give an example of one school in Kinyona called Karinga primary school. We have another school from Gaichanjiru which does not have the roof and one side is already down. So if the fund is there it can get us somewhere. Thank you Mr. Speaker.

Hon. Pelagiah Muthoni: Thank you Mr. Speaker, I stand to support a motion to establish emergency fund. For sure it is overdue. I remember sometimes back we had bridges collapsing during the rainy season. This can also happen in our County, the earth still moves and in such cases we could have landslides and especially a time like this. Such issues can only be handled well if we have this kitty with us.

So I stand to support the motion, money should be set aside to cater for this. And also drought, sometimes you do not know what would happen after the rains. When we have the Elnino we usually get Linano or something like that, I do not know what it is called. A time of drought that continues after the rainy seasons. So I stand to support the motion, it is already overdue. Thank you Mr. Speaker sir.

Temporary Speaker (Hon. Morris Thuku): Member for Ruchu, you have caught my eye.

Hon. Chege Mwangi: Thank you Mr. Speaker, I stand to support the creation of Murang'a County Emergency Fund, first because we are here as people representing our citizens so that we can ensure that we improve on their lives. There is no better way. This is a very profound way of improving their lives of ensuring that those disasters, the unforeseen events that are dangerous that when they happen, they do not find our citizens when flat footed.

Also borrowing heavily on a culture that I come from, even in our homesteads we rear an extra animal, for example, if we are keeping cows, let us say four, you find you are adding an extra cow to your livestock, for what we say it is for a bad night, you know what I mean. Just in case something happens, you will have something to get so that you can offset that bad situation that has come. We can replicate that to the County level by ensuring that we have a legal structure that can ensure that whenever we have that bad night or when there is that uncertain situation that can bring about unwanted circumstances, there is a fund that can address that. Mr. Speaker I beg that we support this motion and I stand to support it. Thank you.

Temporary Speaker (Hon. Morris Thuku): Member from Mugoiri.

Hon. Sospeter Nyoko: Thank you Mr. Speaker, I stand to support the motion. It is better to know that emergency cases are everywhere across the wards of Murang'a. Just recently, it was on 1st that we lost a lady 31years who went up in flames, that is in my ward, Githagara. In fact inside that home we had an elderly man who was bed ridden for two years. Also there is an old lady there who is also sick. Whatever I had to do is to take to the nearest hospital so that they reside there at least until their house is built again.

I find this emergency fund being very crucial and in fact we need very much because it can cater for all these issues. Emergencies, we cannot say that we shall have an emergency tomorrow or the day after tomorrow or we shall not have an emergency. This are the cases which can catch you up, you can be caught up in an emergency, an accident can come, also like we had cases of cholera: that one needs to be tackled by such funds, so it is better.

We need it like yesterday because we are late as I can see, we are very late. We better pass this motion and have it implemented so that we can get this, we need also and especially for electorate, everybody is coming to you day and night, in the morning we have this, we have this, hospital bills, so and so died leaving behind a bill of Kshs3 million, a bill of Kshs200 and in fact this is all for the Murang'a County and we cannot just sit back and watch our people as they undergo a lot of stress simply because of something we can curb or control. I stand to support the motion and thank you so much Mr. Speaker.

Temporary Speaker (Hon. Morris Thuku Gathoni): The mover do you have anything to respond?

Hon. Kiiru Mwangi: Thank you Mr. Speaker and I want to thank the Honourable members for supporting this motion because it is for the well-being of our society. It is for the well-being of the people we represent as Hon. Beth has said, there are schools on Gatanga and Gaichanjiru whose roofs has been blown off and I also gave examples of houses in my ward which has been blown off .

We also have Hon. Pelagiah, land moves, mudslides, we have bridges getting washed away especially during this rainy season and we need to do some remedy so that our people can continue with their business. We also at times get drought after the rainy season during the sunny; it is called La Nina, yes that is the word I was looking for. La Nina also comes during the sunny season.

As Hon Chege has put it, we normally save for a rainy day and we have this emergency fund being put into place it will go a long way in helping our members.

You remember in the media sometimes back there was a person who was selling his children to offset a hospital bill to bury his wife, I think that was in Murarandia, this could have gone a long way to help this man. It is very painful to hear a man selling his family to go and pay a bill, and in fact he was not going to pay a bill, not to save the life of his wife, the wife had already died.

These are some of the issues that need to be addressed by this emergency fund and Hon. Nyoko is saying of some people who were burnt in his constituency in the house and these are some of the issues now Mr. Speaker we need to address by this fund. As I said ,before there are regulations which are supposed to be submitted by the same County Executive Committee Member(CECM) for Finance under Article 11 of the Public Finance Management (PFM) Act that regulate and control the management of this emergency fund, thus the fund will not be misused. I urge this honorable House to pass this Motion so that this can be done within 60 days so that we get going and continue serving the people we represent.

Thank you.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Morris Thuku Gathoni): There being no other business this House stands adjourned until tomorrow 2:30p.m.

The House rose at 3:01 p.m.