



THE COUNTY ASSEMBLY OF MARSABIT
THIRD COUNTY ASSEMBLY – (THIRD SESSION)
THURSDAY, 15TH FEBRUARY, 2024 AT 2. 30P.M
ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of motion
7. Statements
8. *Motions and Bills

***8* MOTION- PROCEDURAL MOTION**

THAT, Pursuant to Standing Order 232 (*Exemption of business from this Standing Order*) this House resolves to exempt the business appearing as order No. 9 from provision of Standing Order 44 (*Notices of motion*) in order to allow for the tabling and deliberation of the motion urging expedited implementation of marsabit county's development project.

(LEAKONO BERNARD – MAJORITY LEADER, MEMBER LOGLOGO WARD)

***9* MOTION: IMPLEMENTATION OF MARSABIT COUNTY'S DEVELOPMENT PROJECT.**

AWARE THAT public finances are managed in accordance with the principles of fiscal responsibility, which state that a minimum of thirty per cent of the County Government's

budget be allocated to development Projects. FURTHER AWARE THAT the County's approved budget for the FY 2023/24 was Kshs.9.11 billion, comprising Kshs.4.13 billion (45.4 per cent) and Kshs.4.97 billion (54.6 per cent) allocation for development and recurrent programs respectively.

NOTING THAT there are delayed 2023/24 Development Budget expenditure in Marsabit County; and ACKNOWLEDGING THAT the timely execution of development projects outlined in the budget is crucial for the progress of Marsabit County and the well-being of its residents; FURTHER ACKNOWLEDGING THAT delays in the implementation of the Development Budget can impede the intended socio-economic impact of the projects and may have adverse repercussions on the overall development agenda for the County,

NOW, THEREFORE, BE IT RESOLVED THAT this House urges swift execution of the Development Budget, addressing impediments; and BE IT FURTHER RESOLVED THAT the CECM finance and economic planning, CECM Transport, Roads and Public works and CECM Water, Environment and Natural Resources appear on 16th February 2024, at 10:00 a.m. in the County Assembly Chambers to provide updates on the current status of the development budget and the steps being taken to address any challenges that may be contributing to the delays.

(LEAKONO BERNARD – MAJORITY LEADER, MEMBER LOGLOGO WARD)

***10* MOTION — HOUSE CALENDAR**

THAT, pursuant to the provision of Standing Order 25(1), I urge this County Assembly to approve the Calendar of the Assembly (Regular Sessions) for the Third Session of the Third County Assembly, as contained in the Schedule annexed to the Order Paper.

(LEAKONO BERNARD – MAJORITY LEADER, MEMBER LOGLOGO WARD)

***11* MOTION — ESTABLISHMENT OF AD-HOC COMMITTEE TO INVESTIGATE ON PENDING BILLS**

Aware that, Article 201 of the Constitution lays down the principles of Public Finance including public money shall be used in a prudent and responsible way, and the financial management shall be responsible and fiscal reporting shall be clear, and Section 156 (4) (d) of Public Finance Management Act (PFMA) 2012 provides that a public or accounting officer engages in improper conduct in relation to a County Government entity if the officer fails, without reasonable excuse, to pay eligible and approved bills promptly in circumstances where funds are provided for.

Further Aware that, numerous circulars and directives requiring government activities to prioritize payment of pending bills have been issued including the enactment of the Controller of Budget (COB) regulations 2021. hence despite numerous reminders to accounting officers to clear the pending bills and it being expressly prohibited hence attracting punitive action against those responsible, accumulation of pending bills has continued to increase.

Noting that, the Current pending bills for Marsabit County government stands at Kes. 1.745 Billion according to the list submitted by the County Treasury dated 19th October 2023. and another list dated 20th November 2023 depicting the total pending bills amounting to Kes 1.11 Billion.

Further noting that, payment of pending bills should be the first charge on the Consolidate Fund/ CRF as the case may be.

Additionally, in all the successive financial years the government has always financed the budget fully to the cause of these huge pending bills.

Concerned that, the 2 lists submitted by the County treasury are conflicting making it difficult for the County Assembly to know the correct position/ status of the pending bills in Marsabit County. Whereas the County Assembly has continuously allocated finances to ensure all pending Bills are fully settled.

Acknowledging that the number of complaints from the public and contractors and the pecuniary embarrassment and negative socio-economic impact local business have suffered and continue to suffer if this matter is not expeditiously resolved.

Now therefore, I urge this County Assembly to establish an Ad Hoc Committee to inquire into the status of Pending Bills in the Marsabit County since 2013.

Once established, the Ad Hoc Committee to investigate into the matter and report to the County Assembly within thirty (30) days of the approval of this House.

That the Committee to include in the report -;

1. Establish from the audited financial statement the reported pending bills from the commencement of devolution which is from the year 2013 to 30th June 2023.
2. That in line with the COB regulations seek a detailed payment plan for all previous financial years
3. That the County Treasury and all accounting officers to prioritize payments chronologically from the oldest to the current Financial year.

 (LEAKONO BERNARD – MAJORITY LEADER, MEMBER LOGLOGO WARD)

CPA CHARE MATO

CLERK/SECRETARY (COUNTY ASSEMBLY SERVICE BOARD)