

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Tuesday, 30<sup>th</sup> May, 2017**

*The House met at the County Assembly Chamber,  
Malindi Town, at 2.30 p.m.*

*(The Temporary Speaker (Hon. (Ms.) Ngala in the Chair)*

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

VISITING STUDENTS FROM KAKONENI GIRLS SECONDARY SCHOOL

**The Temporary Speaker** (Hon. (Ms.) Ngala): Hon. Members, I would like to acknowledge the presence of students from Kakoneni Girls Secondary School at the Speaker's Gallery. The students are here for a study visit to appreciate the legislative procedures, practices, traditions and parliamentary proceedings. I request that each person stand when called upon so that they may be acknowledged as the parliamentary tradition and practice. Students please stand as we mention your name.

1. Joyce Mwalimu
2. Edda Gaya
3. Mercy Katana
4. Margaret Kalunda
5. Aisha Salim
6. Irene Zawadi
7. Gladys Mungela
8. Florence Dhahabu
9. Zawadi Mukhambe
10. Rehema Mohamed
11. Emily Njiiri
12. Gloria Dhahabu
13. Dinnar Subiri
14. Vivianne Suleiman
15. Margaret Sulubu
16. Rose Mweri
17. Santa Mkarye
18. Priscillar Pendo
19. Tuma Majimbo

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20. Purity Antony
21. Mariam Mkhambe
22. Sara Dama
23. Patience Mae
24. Esther Kadii
25. Khadija Kadzo
26. Nerian Komora
27. Fatma Kamango
28. Brenda John
29. Maurine Bahati
30. Margaret Shuma
31. Mishi Alphan
32. Delila Lewa
33. Ann William
34. Ruth Mwanyika
35. Esha Abuu
36. Mwanajuma Said
37. Zeinab Salim
38. Esther Thabu
39. Patience Furaha
40. Karani Mhenzo
41. Mwamure Rebecca
42. Furaha Rehema
43. Santa Allan
44. Winnie Naftali
45. Mwathethe Rose
46. Nuru Kofa
47. Dorothy Pendo Kahindi
48. Madina Husein

The students are accompanied by the following teachers; Ms. Mary Bandika, Winnifred Mwanza and Mr. Ngalla William.

On behalf of the County Assembly of Kilifi and on my own behalf, I welcome them to the Assembly and wish them well. As the tradition is, I wish to call upon one or two Members to officially welcome the students. Hon. Mramba please.

**Hon. Mramba:** Thank you Madam Speaker. I am holding brief for hon. Daniel Chiriba of Jilore Ward where Kakoneni Girls Secondary School is situated. I wish to welcome the students together with the teaching fraternity to this hon. Assembly and I tell them welcome.

I also wish to tell the students to have a lot of discipline so that they can grasp what is being taught by their teachers. This County Assembly is approving budgets every financial year through the leadership of the hon. Daniel James Mangi who has a wealth of experience in financial matters; approving a budget every financial year of 350 million shillings which translates to Ksh10 million for each Ward. I am hon. Nixon Mramba from Kakuyuni Ward which neighbors Jilore Ward where Kakoneni Girls is.

What I would like to advice the students is that they need to uphold a lot of discipline. I also congratulate them because Kakoneni Girls has not been one of the schools which have embraced the motto of *kusoma na kuchoma*. Several secondary schools in Kilifi County have

been burnt down in the last few years but Kakoneni Girls has stood out as a good example and is coming out to be an academic giant especially in Malindi and Kilifi County in general. Let me tell the students of Kakoneni Girls that the County Assembly is equivalent to the National Assembly only that theirs is the National Assembly while ours is a County Assembly but otherwise the roles are almost the same. We have a Speaker and a Clerk just like them and our role is oversight just the same way the National Assembly is handling issues especially with the Executive.

Therefore, I wish to welcome them and anytime you feel like coming again you are most welcome. You do not have to travel to Nairobi to watch parliamentary proceedings; you can come to Malindi. We are privileged and this is the work of devolution which Raila Amolo Odinga fought for. Madam Speaker, I beg to welcome them. Thank you.

**Hon. (Ms.) Zawadi:** Asante sana Madam Spika, kwa kunipatia nafasi hii. Nami nasimama kuwapa kongole wasichana wa shule ya wasichana ya Kakoneni. Mlikuwa na mwalimu aliyekuwa akiitwa Mr. Mwangemi na mimi ni dadake. Nikiwa nimesimama hapa, acha niwaambie mkiwa shuleni mnapitia mambo magumu lakini yale yote mnyoyapitia mtayashinda mkiwa mtafuata ya shule lakini mkiwa hamtakuwa na nidhamu, hili Bunge mtakuwa mkilisoma na itakuwa ni mwisho tu wa kusoma lakini hamtafuatilia kupata kazi njema.

Tunawaomba kwamba muwe kama sisi; muwe viongozi wa kesho. Siku hizi vijana si viongozi wa kesho bali ni wa leo. Sisi tumepitia hayo na leo sisi ni viongozi. Tunaomba muwe na nidhamu; msikize waalimu, sisi pia tumepitia huko lakini hivi leo tukiwa hapa sisi ni viongozi. Kwa hivyo, tunaomba muwe na nidhamu, shuleni na nyumbani na nyinyi wenyewe pia mjichunge kama wasichana.

Nimesimama kama mama na kuwaonya. Najua mnapitia mambo mengi lakini wale ambao wanamshutumua na wale wanaowadanganya nao wambieni sisi ni wanafunzi tunasoma na baada ya masomo tutapitia hayo mengine. Kwa hivyo, nawaombeni kwamba msome kwa bidii ili mje muwe viongozi baada ya sisi tukitoka maana tunajua maisha yetu si marefu hivyo. Mungu ana vile anakupangia. Kwa hivyo baada ya sisi tukitoka tunatarajia kwamba nyinyi mtakuwa viongozi.

Hatutaki mkitoka hapa mfuata anasa za dunia; tunataka msome kwa bidii ili kesho mje mtuongoze muwe madaktari na vile vile muwe viongozi wa Bunge kama sisi. Kwa hivyo, karibuni na mjisikie kwamba mko nyumbani. Si lazima muende Nairobi mkaone Bunge. Hapa tayari yale mafunzo yanawatoshia na kuwasisitiza zaidi mkiwa pale shuleni kuweni huru na walimu wenu ndio mtakapojua mengi zaidi lakini wewe mwanafunzi ukiwa muoga tayari huwa una kitu ndani yako ambacho huko huru nacho.

Kwa hivyo, tunaomba kwamba muwe viongozi ambao hata mkiwa nyumbani ama mitaani kwenu mtaona kwamba mnanafunziwa kimaisha. Karibuni na mjisikie mko nyumbani. Mimi naitwa mheshimiwa Priscilla Zawadi kutoka Tezo. Asanteni.

**Hon. Nzaro:** Thank you Madam Speaker, for giving me this opportunity to also welcome the students and teachers from Kakoneni Girls. I am hon. Japhet Nzaro, the Deputy Chief Whip Kilifi County Assembly and also representing Ganze Ward. I wish to inform the students and the teachers that being a Vice-Chairperson of Education Committee in this County Assembly, I feel privileged also to welcome them to this institution.

Madam Speaker, gone are the days when the students of this county would travel all the way from Kilifi and Malindi and all parts of this county to witness such proceedings in Nairobi. These are the fruits of devolution which we are also experiencing in this county.

So, it is in good order that they also appreciate what has happened in their own county because I believe where we are seated if you compare this County Assembly with the rest of the Assemblies in this country then this County Assembly stands as one of the best.

We are very privileged to say that as a County and as an Assembly we are also happy to nurture devolution and I think by experiencing these facilities, I hope you will realize that what you are being told in the social media that in Kilifi County money is not spent well, I think you can now feel privileged to see that as an Assembly we have done our part because we have put the right infrastructure in place so that this county can go to greater levels.

Madam Speaker, I also wish to inform the students in particular that we are coming to the end of this term as an Assembly and it is my hope that when they are learning, they take their studies seriously so that when they pass those exams then in future when some of us will not be around to represent our people, I think we have a work force up there which can ably represent the wishes of the great people of this county.

That is my advice to the students because I know we have role models in this County Assembly. You have seen some of our able MCAs; we also have honourable ladies in this Assembly so if you come here then they can perpetuate the activities that we are doing in this county and for the great people of our county. Thank you madam Speaker and I say welcome very much and feel free to watch these proceedings as they happen. Thank you.

**The Temporary Speaker** (Hon. Ms. Ngala): Thank you hon. Members for your wonderful words of wisdom. I believe the students have taken the words with seriousness.

## MOTION

### ADOPTION OF THE REPORT ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2016/2017

**Hon. Mangi:** Thank you madam Speaker. I feel humbled, privileged and honored on behalf of the Budget Committee to move the following Motion:-

THAT, this House adopts the Report of the Select Committee on Budget and Appropriations on the Kilifi County Supplementary Budget estimates for the financial year 2016/2017, laid on the Table of this honorable Assembly on Tuesday, 30<sup>th</sup> May, 2017.

I call upon hon. Onesmus Karisa Gambo to second.

*(Hon. Gambo seconded)*

*(Question proposed)*

**Hon. Gambo:** Thank you Madam Speaker, for giving me this chance to contribute on the Supplementary Budget which is before us. I think there was a need for the county after a big cry by our contractors as some of the projects which were ongoing had stalled because the funds which were allocated in the main Budget had not been enough for this. Having seen that the government had also heard the cry of the doctors, it found it wise to bring some funds to the county so that that cry can at least be stopped.

Our county also got some funds which had to be allocated to some projects and also for the doctors' salaries which was raised as per the agreement the government had made with them. It is our time now as the county to sit down and see that this Supplementary Budget has given a

way forward so that the funds can be used and also to stop the cry of the doctors and some of the contractors who have stalled projects.

Madam Speaker, if the Members or you as the Speaker have gone through this Supplementary Budget, you will find that most of these projects which are here have been allocated funds are from the Health Department where health is life. Thus, Madam Speaker I stand to ask hon. Members to pass this supplementary budget so that the stalled projects can continue more so the contractors who are crying can be paid their funds and also see that our doctors are taken care of and the people of Kilifi will be happy and healthy. I thus stand to second the passage of this supplementary budget. Thank you.

**Hon. Nzaro:** Thank you Madam Speaker. I also stand to support the adoption of this Report. One fundamental issue on budgeting is the re-allocation of resources and appropriation of additional funds. You will realize from the Report of this Committee that the county received additional grants from donors and in order to appropriate these funds. This means that we do a supplementary budget and because the Executive did its part, it is now our part to make sure that we approve these funds so that they can be utilized by the Executive to implement these programmes which were earmarked for this money which was received from donors.

Madam Speaker, you realize that there are some projects which we had allocated money which was not enough but I am happy that such projects have been given some top ups so that they can be accomplished and meet the intended purpose. One other element which I am raising in total support on this supplementary budget Report is where we are allocating monies for maintenance. This allocation has been increased and the hon. Members will agree with me that this is a rainy period and we have tractors and other machinery for agricultural purposes which are lying idle because of lack of spares.

I think it is quite in order that we pass the Report so that we give the Executive time to procure these items immediately. I understand for example in Ganze, there are some tractors which are lying idle and if you inquire why these tractors are lying idle it is just because some spares have not been bought. So I think when we pass this Report, the Executive will move with speed so that these things are put in order and the people of this county will benefit from all these resources which are forthcoming. Thank you Madam Speaker. I support.

**Hon. Nzaka:** Thank you Madam Speaker for giving me this chance. I rise to support the adoption of this Report. As we know, we are heading to the next financial year that is 2017/2018. It is a must for us to pass this supplementary budget because there are some votes which are exhausted like recurrent and development. As a Chairperson for Early Childhood Education in this great Assembly, I have realized that there are some votes which are exhausted like the votes for paying my teachers that is the caregivers.

Without passing this supplementary budget, I think as a Chairperson I would not be able to pay these caregivers because that vote is exhausted. I have also realized that there are some contractors who completed their jobs as early as last financial year and up to date, they have not been paid because those votes were under-budgeted. So I would like to take this opportunity to urge my fellow hon. Members that we pass this supplementary budget to give way to the Executive to implement these projects which are in this budget. Thank you Madam Speaker.

**The Temporary Speaker** (Hon. (Ms.) Ngala: Thank you. Any other contribution?

**Hon. Mwingo:** Thank you so much Madam Speaker. I also rise to support the adoption of this Report. As we speak, we have a very big problem in Kilifi County and on the ground we are getting a lot of questions from our people because of the projects which are totally at a standstill. There is a very big problem with the contractors. The contractors were not in a

position or did not have the capacity to start those projects and had to get loans from their respective banks but because of the delays in payment, some of them are likely to be taken to court because they have not paid the loans. So by passing this supplementary budget, local contractors will get their money and they will be in a position to complete the projects which are at a standstill.

Madam Speaker, as my fellow hon. Members have put it, we are now running to the end of our terms because we are now sitting on our *deposit*; our days are numbered and we are soon going to be out of this Assembly. It will be very prudent if we leave a legacy to the people because most of the Members will be judged by the completion of those projects. So, Madam Speaker, let me take this opportunity to ask my fellow hon. Members to pass this supplementary budget so that our county will complete the stalled projects. Thank you.

**Hon. Mlanda:** Thank you Madam Speaker. I also stand in support of the Budget and Appropriations Committee's supplementary budget estimates for FY 2016/2017 and let me also congratulate the Committee being headed by the Chairman. As far as we had gone since the stalled projects, it is sad that for most of the wards their projects had not been completed to date. My support is to congratulate the Chairperson that they came all along to realize that as we are ending this FY 2016/2017; it was wise for the Committee to make sure that these funds are availed to the contractors so that they can complete the incomplete projects.

As we are aware, we have stalled projects since 2014 to 2016, and I am sure that through this budget, the projects will be completed in time so that *Kilifians* can also benefit from this funding from this current estimated budget. So I stand in support of the adoption of this supplementary budget as my fellow MCAs have already agreed that we pass these estimates. Thank you.

**Hon. Matsaki:** Thank you Madam Speaker for having given me this chance so that at least I can say a few words. Before I say anything, let me take this opportunity to congratulate the committee for doing a good job. I have gone through the supplementary budget; if the Executive receives money from either National Government or donors, it is fair for them to make a supplementary budget because we had the main budget already. The funds which have been received by the Executive, if they make that supplementary budget, it is the duty of this Assembly to make sure that we pass that supplementary budget so that the contractors and even doctors who had not worked are paid their dues. So I rise to support this supplementary budget. Thank you.

**Hon. Mramba:** Thank you Madam Speaker. Much as I support the adoption of this Report, I wish also to note with a lot of concern that contractors have been camping at the treasury for almost a week now. It is a pity. I just came from Kilifi and there is a very long queue of contractors. We are passing this supplementary budget but let there be order because it seems there are some contractors who are being favored. A contractor who started the construction of Mongotini dispensary in Kakuyuni Ward raised his certificate six months ago and he has never been paid even a shilling which is not fair at all.

We are passing this supplementary budget but through the wisdom of hon. Daniel Mangi, let there be order and if that is not possible then this County Assembly will have to come with measures of appointing a committee that will go through the payments. Once money is available, it is the committee that will recommend which contractor to be paid and whom to wait. There is no fairness at all. Otherwise, I beg to support the adoption of this Report. Thank you.

**The Temporary Speaker** (Hon. (Ms.) Ngala): Thank you hon. Nixon Mramba.

**Hon. (Dr.) Chitibwi:** Thank you very much, Madam Speaker, for giving me this opportunity. I stand to support the adoption of this Report and on top of that I hope it is possible that after the adoption, the sentiments of the Members of this House will be noted very carefully by the Executive. We are passing this supplementary budget because we see the need for that. It has already been mentioned by my colleagues that contractors are waiting. I know of contractors who have had to sell their property to be paid simply because they took loans and they cannot pay back those loans and the County government has delayed. It is very sad because right now many of them have said they no longer want to work with Kilifi County.

As we adopt this Report to enable the Executive to spend money, we would like them to note that fairness must be observed. Openness must be observed because as earlier mentioned by my colleagues, people who did work one month ago have been paid and those who have been waiting for more than eight months are not paid. At the end of the day, those contractors and the beneficiaries, who are *wananchi*, don't see the Governor to complain, not the Chief Officer or the Minister; they see Members of this County Assembly. We receive questions which we cannot answer. In one way we can say it is unfair, but in the other way who else do they look upon? They look upon us to give them answers.

So, let it not be taken upon that money has been passed by this House and it is going to be work as usual. We know our time is limited now but my prayer to the executive is that they don't take any advantage of this particular time to do what is not acceptable to contractors and the people of this county. I support the adoption and I hope Members of this Assembly who are here now are going to come back in August to see that their recommendations have been carried out as they wish. Thank you very much.

**The Leader of Minority (Hon. Pascal):** Thank you Madam Speaker for this opportunity. As I stand to applaud the sentiments by my fellow hon. Members. There is an item that I also wanted to point out because we have problems with the Central Government as well. We have also the hurdle of the Central Government remitting money to counties very late and this has rendered service delivery to the residents a problem. So, as we huddle around with all these problems, I would also like to pass this message to the Central Government because if money is not sent to the counties, it is like fighting devolution because the counties cannot work without money and according to the law, money should be remitted in a timely manner and every month so that the counties can do the developments and other expenditures that are allowed by law.

So as we all stand to make sure that devolution comes about then we need to castigate that Central Government for failing to bring money in good time. Otherwise, I stand to support the passage of this mini budget so that we can see all the development issues tackled at the right time. I stand to support. Thank you.

**The Temporary Speaker (Hon. Ms. Ngala):** Thank you hon. Members for your contribution. If you allow me I will call upon the Chairperson to make his final submission.

*(Question that the Mover be now called upon to reply, put and agreed to)*

**Hon. Mangi:** Thank you Madam Speaker. Let me take this opportunity to thank hon. Members for their wisdom, understanding, decorum and how supportive they have been all along in regards to the Budget making process. Madam Speaker, what are the three fundamental jurisdictions of hon. Members? One is representation; two, legislation and three, oversight. In legislation the main mandatory aspect is the Budget.

I am obliged that hon. Members have said everything that I do not need to repeat but what I should just say is that a Supplementary Budget is a document that after its passage and after the Appropriation Bill is again approved by the House, signed and assented by the Governor it becomes a law to enable funds to flow effectively. These funds will supplement the use of funds as from now up to 30<sup>th</sup> of June.

Madam Speaker, as the hon. Members have said, this is the second Supplementary Budget because we have received grants and it is mandatory that no funds can be used by the Executive unless such funds are approved by this County Assembly. By approving this Supplementary Budget, it is a process that is within our mandate and jurisdiction and for this I applaud hon. Members for their support in the passage of this Supplementary Budget.

Last but not least, we have all along done what is expected of us as a County Assembly but the implementing entity is the Executive. Madam Speaker, we can do the best in everything but if the Executive does not implement what we approve then that is a challenge. I therefore call upon the Executive to stand up and execute what we approve so that as a County Assembly and a County Government we can move ahead as an independent government in a larger National Government.

Let me echo the sentiments that have been made by hon. Pascal Thuva; we have always had a challenge of receiving funds late from the National Government. Madam Speaker, this is something that I think is done intentionally to ensure that County Governments do not perform because you will agree with me that these four years that we have existed as a County Government, we have done more than the 50 years of the National Government has done. We should really applaud those who fought for devolution and this is where we stand.

I think in future Kenyans should go to a referendum to increase the funds to counties so that we can be reliant enough and we cannot just beg the National Government to bring funds to counties which is our fundamental right and not a request. Lastly, I again plead with hon. Members to conclude the passage of this Supplementary Budget while you put the question Madam Speaker. Thank you very much. I beg to sit.

**The Temporary Speaker** (Hon. Ms. Ngala): Thank you hon. Mangi. Hon. Members, I now put the question.

*(Question put and agreed to)*

## ADJOURNMENT

In the absence of any other Business in the Order Paper, the House remains adjourned until tomorrow at 2:30 p.m.

**The House rose at 3.16 p.m.**



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