

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 1st August, 2018

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

[The Deputy Speaker (Hon. Kenga) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

VISITING STUDENTS FROM ST. THOMAS PRIMARY SCHOOL

The Deputy Speaker (Hon. Kenga): Hon. Members, I want to take this opportunity to acknowledge the presence in the Public Gallery of students from St. Thomas Primary School. The students are here for a study visit to appreciate the legislative procedures, traditions and Parliamentary proceedings. On behalf of the County Assembly of Kilifi and on my own behalf, I welcome them to the Assembly and wish them well. Thank you. I now call upon the hon. Member for Kibarani Ward who borders Sokoni Ward where the school is situated to welcome the students.

Hon. Mwantsi: Mr. Speaker, it is true that Kibarani Ward is near Sokoni where the school is located. We are not just neighbours, but the students come from both Kibarani and Sokoni Wards so by you appointing me to welcome them on behalf of hon. Peru, you are in order because some of them are students from my Ward. You are aware that the proceedings here give a foundation for a certain career in life. We make laws and policies here and majority of these students are yearning to be lawyers. As I welcome them, I want them to be inspired by this session and those who are dreaming of becoming lawyers, this is the right place. Thank you.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Deputy Speaker (Hon. Kenga) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Hon. Thaura) took the Chair]

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THE KILIFI COUNTY APPROPRIATION BILL, 2018

The Temporary Chairperson (Hon. Thaura): Hon. Members, I welcome you to the Committee of the Whole House. We are going to look into the Kilifi County Appropriation Bill, 2018. The rules have been relaxed and Members are free to contribute more than once. Clerk, please give the order of the consideration.

The Schedule

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move:-

THAT, the Schedule be amended by;

- Deleting the figures 344,810,088 appearing in the Vote R311-02 in the third column and replacing thereof with 354,810,088.
- Deleting the figures 647,937,126 appearing in the Vote R311-04 in the third column and replacing thereof with 632,937,126.
- Deleting the figures 18,825,000 appearing in the Vote R311-05 in the third column and replacing thereof with 33,825,000.
- Deleting the figures 36,170,563 appearing in the Vote R311-07 in the third column and replacing thereof with 31,170,563.
- Deleting the figures 35,295,066 appearing in the Vote R311-08 in the third column and replacing thereof with 30,295,066.
- Deleting the figures 190,833,228 appearing in the Vote R311-09 in the third column and replacing thereof with 187,833,228.
- Deleting the figures 44,100,000 appearing in the Vote R311-10 in the third column and replacing thereof with 58,100,000.
- Deleting the figures 1,047,445,610 appearing in the Vote R311-11 in the third column and replacing thereof with 1,042,445,610.
- Deleting the figures 256,432,999 appearing in the Vote R311-14 in the third column and replacing thereof with 254,243,263.
- Deleting the figures 446,469,214 appearing in the Vote R311-15 in the third column and replacing thereof with 442,469,214.
- Deleting the sub-total figures 7,709,324,260 appearing in the row below Vote R311-22 and replacing thereof with 7,709,134,524.
- Deleting the figures 256,796,422 appearing in the Vote D311-06 in the third column and replacing thereof with 362,286,158.
- Deleting the figures 96,541,204 appearing in the Vote D311-07 in the third column and replacing thereof with 95,341,204.
- Deleting the figures 47,725,000 appearing in the Vote D311-08 in the third column and replacing thereof with 59,225,000.
- Deleting the figures 983,473,968 appearing in the Vote D311-09 in the third column and replacing thereof with 950,627,635.
- Deleting the figures 98,618,000 appearing in the Vote D311-10 in the third column and replacing thereof with 98,118,000.
- Deleting the figures 869,625,645 appearing in the Vote D311-11 in the third column and replacing thereof with 826,621,978.

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- Deleting the figures 834,793,917 appearing in the Vote D311-13 in the third column and replacing thereof with 847,793,917.
- Deleting the figures 1,022,559,186 appearing in the Vote D311-15 in the third column and replacing thereof with 1,013,159,186.
- Deleting the figures 64,500,000 appearing in the Vote D311-16 in the third column and replacing thereof with 46,500,000.
- Deleting the figures 427,138,879 appearing in the Vote D311-17 in the third column and replacing thereof with 498,406,129.
- Deleting the figures 216,893,185 appearing in the Vote D311-18 in the third column and replacing thereof with 256,343,185.
- Deleting the figures 191,046,544 appearing in the Vote D311-19 in the third column and replacing thereof with 180,746,544.
- Deleting the sub-total figures 5,527,647,802 appearing in the row below Vote D311-22 and replacing thereof with 5,653,104,788.
- Deleting the Grand Total figures 13,236,972,062 appearing in the last row and replacing thereof with 13,362,239,312.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that words to be inserted in place thereof be inserted, put and agreed to)

(The Schedule as amended agreed to)

Clause 2

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move:-

THAT, Clause 2 be amended by deleting the words “thirteen billion, six hundred and eighty two million, five hundred and seven thousand, two hundred and thirty four” and replacing thereof with “thirteen billion, eight hundred and seven million, seven hundred and seventy four thousand, four hundred and eighty four”

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that words to be inserted in place thereof be inserted, put and agreed to)

(Clause 2 as amended agreed to)

Clause 3

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move:-

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THAT, Clause 3 be amended by deleting the word “fifth” appearing in the third line and replacing thereof with the word “third”.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that words to be inserted in place thereof be inserted, put and agreed to)

(Clause 3 as amended agreed to)

The Temporary Chairperson (Hon. Thaura): We have come to the end of the Committee of the Whole House. Chairperson Budget and Appropriations Committee.

Hon. Kiraga: Thank you so much Mr. Chairperson, I beg to move that the Committee now reports to the House its consideration of the Kilifi County Appropriation Bill, 2018, and its approval thereof with amendments. Thank you.

(Question proposed)

(Question put and agreed to)

(The House Resumed)

[The Deputy Speaker (Hon. Kenga) in the Chair]

REPORT, CONSIDERATION OF REPORT AND THIRD READING

KILIFI COUNTY APPROPRIATION BILL, 2018

The Deputy Speaker (Hon. Kenga): Please take your seats.

Hon. Thaura: Hon. Speaker, I beg to report that a Committee of the Whole House has considered the Kilifi County Appropriation Bill, 2018, and approved the same with amendments.

Hon. Kiraga: Thank you so much Mr. Speaker, Sir. I beg to move that the House do agree with the Committee in the Said Report.

Before I give hon. Chai Chiriba a chance to second me, I would like to say something. We are aware that we have finished the first quarter of the financial year 2018/2019. We are here just because of a Memorandum that came before this House after the rejection of the first Appropriation Bill by the Governor. I would wish to tell this House that most of the concerns given by the Governor as the reasons to refuse to assent to the Bill were taken care of because as a Committee, we managed to source the Kshs245 million which again was appropriated in accordance with the Governor’s Memorandum.

The issue of Galana-Kulalu was also taken care of and the whole amount of Kshs30.5 million was reinstated. There was also the issue of buying the bulldozer which was five million shillings was also taken care of. The issue of the Mzambarauni Road in Mtwapa Township, the

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money which had been collapsed has now been reinstated, that is Kshs30 million. I can now confirm to this House that the total allocation of Kshs81 million has been achieved.

The reinstatement of the certified seeds has also been done worth Kshs31 million. Mr. Speaker, we have also the introduction of a new coconut programme worth five million shillings which has also been done. But more so, some programmes were re-introduced as new programmes and I can confirm that the source of the funding of those programmes is one major item which is the Deputy's Governor's residence which the initial allocation was Kshs214 million. Initially we had phased Kshs100 million from that programme and I can confirm that most of the new programmes were included in this Appropriation Bill.

We managed to have a further Kshs54 million from the Deputy Governor's residence and currently the Deputy Governor's residence stands at Kshs46 million alone. Again, the issue of the hospital complex which is a very important item for the County, we managed to reinstate the whole Kshs200 million. Remember we had taken Kshs50 million from that programme and we managed to source Kshs50 million and reinstate the whole Kshs200 million. With those few remarks, I would wish hon. Chai Chiriba to second me. Thank you.

Hon. Chiriba: Thank you Mr. Speaker, Sir. As the Chairperson has stated, I am in great support of the passage of this Appropriation Bill. Not repeating what the Chairperson has taken us through, you will agree with me that this document is very important as we stand here given that it is what will give the Executive arm the opportunity to implement the programmes enshrined in this document. We should remember that time is not on our side and we are already behind and as a matter of procedure, the implementation of these programmes will also require time.

It is my humble request to this hon. House that we move ahead in agreement and pass this Bill, given the fact that all activities in this county are on a stand still. I pray that this hon. House joins hands and we pass this Bill today so that it can pave way for the Governor's assent and implementation as a whole. Thank you Mr. Speaker, Sir. I am in support.

The Deputy Speaker (Hon. Kenga): Thank you.

(Question proposed)

(Question put and agreed to)

Yes Mover, proceed.

Hon. Kiraga: Thank you so much Mr. Speaker. I beg to move that the Kilifi County Appropriation Bill, 2018 be now read the Third Time. This is for the obvious reasons as highlighted by hon. Chai Chiriba. If you look at the Memorandum of Objects and Reasons in the Bill, the County Government will not at any time use monies, not unless this Bill is assented to Mr. Speaker. So with the assent of this Bill, it will now authorize the County Government to implement the budget and now we were in short of that, I think this County might run into problems.

Mr. Speaker, I think it is very much valid for us to let this Bill go for the Third Reading so that after everything here, this Bill is taken to the Governor for assent and later taken to the Controller of Budget in Nairobi for uploading.

Mr. Speaker, we all know that even the end month of July no staff in this County has received a single penny not unless this budget is uploaded in Nairobi, then I think the staff in this

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County will have their salaries and more so the implementation of the budget can now take effect. I wish again to call upon hon. Chai Chiriba to second me. Thank you.

Hon. Chiriba: Thank you hon. Speaker, and as I stand in support and as I read the mood of the House, it is my prayer that hon. Members we pass this Bill, since it serves as the road map towards attaining the planned goals in this County and following its implementation that the different Committees stand firm that we will do a good follow up and see that the Executive implements whatever programmes are enshrined in this Bill we are passing today. I am in great support of the passage of this Bill. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Kenga): Thank you.

(Question proposed)

(Question put and agreed to)

*(The Bill was accordingly read
The Third Time and passed)*

(Hon. Mwarandu stood on a Point of Order)

The Deputy Speaker (Hon. Kenga): Please make your intervention hon. Mwarandu. Proceed.

Hon. Mwarandu: Thank you Mr. Speaker. I have a Point of Order under Standing Order 110 (6);

“A Bill shall be signed by a Member in charge of it and shall be introduced by way of First Reading in accordance with Standing Order 119 (First Reading of Bills).”

(The Deputy Speaker consulted with the Clerk-at-the-Table)

The Deputy Speaker (Hon. Kenga): Thank you. Just to respond to the issue that was raised by hon. Humphrey Mwarandu, the Bill that we are talking about was a Bill that was already published in the Kenya Gazette and what we are considering today is a Memorandum from the Governor on his refusal to assent. Therefore, it does not have any effect on the work that we have done as an Assembly today. Yes, the Chairperson Budget.

Hon. Kiraga: Thank you so much Mr. Speaker. You know a verse in the Bible can be interpreted a hundred times by different preachers. Mr. Speaker, the Standing Orders, I do not know if we will call it misinterpretation because after the passage here; that still stands to be a Bill and after we have passed it here in this House, then I am also at liberty to append my signature and after appending my signature, it is going to go to the Governor. So the interpretation of that Standing Order, it is after we have approved it in this House and then I append my signature. Thank you.

(Hon. Mramba stood on a Point of Order)

The Deputy Speaker (Hon. Kenga): What is your Point of Order hon. Mramba?

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Hon. Mramba: Mr. Speaker, the hon. Member for Gongoni and the Chairperson of Budget Committee was out of order because when he was contributing, he was facing the Member who had raised the Point of Order. I think it was unfair because once a query has been raised, you are supposed to answer the hon. Members and not necessarily the Mover of that Point of Order.

The Deputy Speaker (Hon. Kenga): He was not supposed to face the Member; you are addressing the Speaker and not the hon. Members.

ADJOURNMENT

There being no other business to transact at the moment, this House stands adjourned until Monday afternoon next week. Thank you.

The House rose at 3:04 p.m.

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